

CITY OF WRANGELL ALASKA

ORDINANCE NO. 408

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 63, CHAPTER 70 OF THE TRAFFIC CODE, SPECIFICALLY REPEALING REDUNDANT AND REPETITIVE PROVISIONS AND CLARIFYING THE PROVISIONS FOR IMPOUNDING AND DISPOSAL OF VEHICLES.

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 Wrangell Municipal Code, Title 63, Chapter 70, entitled "Abandoned Vehicles" is repealed and reenacted to read:

Chapter 70. Impounding Vehicles

Sec. 63.70.010. Authority to Impound Vehicles

- (a) Any vehicle parked in violation of any municipal ordinance is subject to impounding by the Chief of Police or his designee. The police shall take possession of any vehicle subject to impoundment by this title and remove, or cause same to be removed, to a place of storage.
- (b) The police shall concurrently, with the impounding of the vehicle, file a complaint against the owner, if known or reasonably can be discovered, and charge him with the violation in question.
- (c) When the owner of such vehicle claims the same, he shall be informed of the nature and circumstances of the violation for which such vehicle was impounded and to obtain release thereof shall pay to the municipality an impound fee of five dollars (\$5.00), plus all towing charges. In addition, there shall be paid a storage fee of one dollar (\$1.00) per day for such

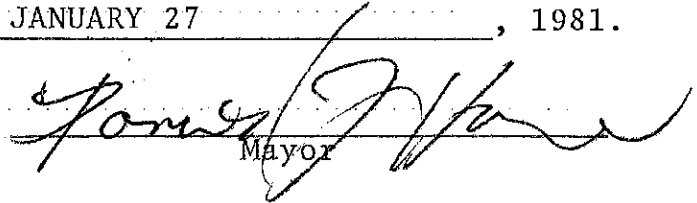
vehicle when the vehicle remains impounded after the first twenty-four hours.

Sec. 63.70.020. Method of Sale if Vehicle Not Claimed.

- (a) After a vehicle has been impounded for more than one month, the Chief of Police or his designee shall cause to be sent by registered mail a notice to the owner and registered owner thereof, if with the exercise of due diligence, the owner's name can be ascertained. The notice shall accurately describe the vehicle, give the date the vehicle was impounded and inform the owner that unless he reclaims the vehicle within ten days after the dispatch of the letter, the vehicle will be sold at public auction to the highest bidder.
- (b) The Chief of Police shall also cause to be published in a newspaper of general circulation in the municipality, a description of the vehicle, the owner's name, if known, the minimum bid, and the fact that the vehicle and other vehicles similarly described, will be sold at a specified time and place at public auction to the highest bidder at a public sale under the direction of the Chief of Police, said public auction to occur not less than ten days after the publication of the notice of sale. The minimum bid shall be the costs of all towing and storage fees, plus \$50.00. Any vehicle not sold at the public auction may be disposed of by the City of Wrangell, with any costs not recovered in the disposal to be paid by the owner or registered owner.
- (c) The Chief of Police shall keep a permanent record of all vehicles impounded containing date of impounding, description of vehicle, cause for which impounded, date of redemption, if redeemed, and amount paid upon redemption, date of letter to owner, if owner known, notice of sale, record of sale, price paid at sale and name of purchaser.

PASSED IN FIRST READING: JANUARY 13, 1981.

PASSED IN SECOND READING: JANUARY 27, 1981.


Mayor

ATTEST: Jaqueline Bell
City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 409

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF WRANGELL BY REZONING PROPERTY HEREINAFTER DESCRIBED FROM LOW DENSITY RESIDENTIAL-1 TO APARTMENT RESIDENTIAL-1.

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 Low Density Residential-1 to Apartment Residential-1.

Sec. 5. Property Rezoned. The property hereinafter described is hereby rezoned from Low Density Residential-1 to Apartment Residential-1:

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,
Wrangell Townsite, situated 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: JANUARY 13, 1981.

PASSED IN SECOND READING: JANUARY 27, 1981.

James J. Hane
Mayor

ATTEST: Jacqueline Bee
City Clerk

ORIGINAL

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 410

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 45, CHAPTER 70 OF THE LANDS AND TIDELANDS CODE, SPECIFICALLY PROVIDING FOR DISPOSAL OF REAL PROPERTY FOR PUBLIC USE AND CLARIFYING DISPOSAL BY SALE.

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. 45.20.010, entitled "Applicability" is amended to read:

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, excluding tidelands, owned by the City of Wrangell, Alaska, that has a value of less than \$25,000.

Sec. 5. Wrangell Municipal Code, Title 45, Chapter 20, is amended by adding a new section to read:

Sec. 45.20.015. Disposal of Public Lands for Public Use.

(a) When the City Council determines it is in the best interests of the public to dispose of real property, excluding tidelands, that has a value of less than \$25,000, owned by the City of Wrangell to the State of Alaska or U. S. Government for public use, said disposal may be made without sealed bid procedures and at less than fair market value.

(b) Prior to disposal under (a) of this section, the Council shall hold a public hearing. The City Clerk shall publish notice of the hearing in a newspaper of general circulation in the City at least 10 days prior to the hearing. The notice shall include the date, time and place of the hearing and a description of the real property, stating in full the proposed public use.

(c) Following the hearing, the Council may authorize disposal of the real property by resolution, which shall include any special terms and conditions the Council may require for the disposal. Upon adoption of the resolution, the City Attorney shall prepare a deed or other appropriate instrument of conveyance.

Sec. 6. Wrangell Municipal Code, Sec. 45.20.020, entitled "Commencement" is amended to read:

Sec. 45.20.020. Commencement. Proceedings commencing disposition of real property, excluding tidelands, to other than the State of Alaska or U. S. Government as provided in Sec. 45.20.015, 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. 7. Wrangell Municipal Code, Sec. 45.20.030, entitled "Disposition Procedure" is amended to read:

Sec. 45.20.030. Disposition Procedure. Following approval by the Council, the [THE] City Clerk shall have the estimated fair market value of the subject property determined by a qualified appraiser or the City Assessor. If the subject property has a value of less than \$25,000, [THEREAFTER,] the Clerk shall there-after 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 may 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. 8. Wrangell Municipal Code, Sec. 45.20.050 entitled "Effective Date of Resolution" is amended to read:

A resolution providing for the disposition of property [VALUED PRIOR TO SALE] shall become effective upon adoption by the Council. Thereafter the City Attorney 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 PER-

TAINING TO THE DISPOSITION OF PROPERTY ORIGINALLY ESTIMATED TO HAVE A VALUE OF \$25,000 OR MORE SHALL NOT HAVE AN EFFECTIVE DATE UNTIL RATIFICATION BY PUBLIC ELECTION.]

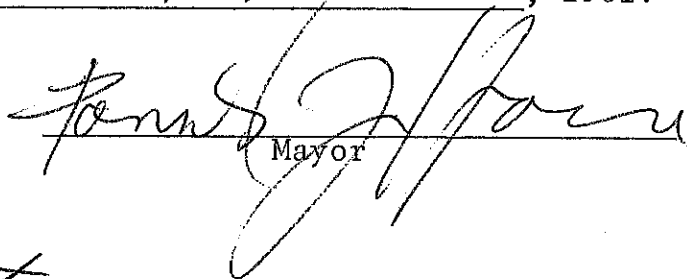
Sec. 9. Wrangell Municipal Code, Sec. 45.20.060, entitled "Ratification by Election" is hereby repealed and reenacted to read:

Sec. 45.20.060. Ratification by Election.

Real property which has a value of \$25,000 or more shall be disposed of by a non code ordinance, ratified by election. The ordinance shall provide for the terms and conditions of the subject disposal. The ordinance may be submitted at a special or general election and the ordinance shall give the time and place of the election.

PASSED IN FIRST READING: February 10, 1981, 1981.

PASSED IN SECOND READING: February 24, 1981, 1981.



Mayor

ATTEST: 

Acting City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 411

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 54, CHAPTER 20 OF THE ELECTRIC CODE, SPECIFICALLY PROVIDING FOR A NEW RATE DESIGN FOR CLASSES OF CUSTOMERS AND ELIMINATING THE EXISTING DECLINING BLOCK RATE.

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 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 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 Charter and the Wrangell Municipal Code, and shall be effective thirty (30) days after final passage.

Sec. 4. Providing for a Public Hearing. A public hearing shall be held with notice thereof fifteen days prior to said public hearing.

Sec. 5. Wrangell Municipal Code, Sec, 54.20.070, entitled "Residential Service Meter Rate" is hereby repealed and reenacted to read:

54.20.070. Residential Service Meter Rate.

AVAILABILITY: Residential service under this schedule shall be limited to single phase, two or three wire service and served at secondary-distribution 115/230 voltage level. All installations shall be subject to the approval of the City.

RATE:

SCHEDULE "A"

Customer Charge	\$9.00 per month
Energy Charge	all KWH at 13.7¢ per KWH

Sec. 6. Wrangell Municipal Code, Sec. 54.20.080, entitled "Commercial Rates" is hereby repealed and reenacted to read:

Sec. 54.20.080. Small Commercial Rates.

CLASSIFICATION: Lighting, cooking, appliances and motors in professional, mercantile, commercial and other establishments

not classed in Schedule "A". This rate shall be for commercial users that use less than an average of 30,000 KWH per month, based upon the previous 12 month average consumption, and are served at secondary-distribution voltage level.

AVAILABILITY: Single phase 115 and/or 230 volt service. All installations shall be subject to the approval of the City.

RATE: SCHEDULE "B"

Customer Charge	\$15.00 per month
Energy Charge	all KWH at 12.5¢ per KWH

Sec. 7. Wrangell Municipal Code, Title 54, Chapter 20, thereof entitled "Electricity" is hereby amended by the addition of the following sections 54.20.085 to read as follows:

Sec. 54.20.085. Large Commercial Rates

CLASSIFICATION: Lighting, cooking, appliances and motors in professional, mercantile, commercial and other establishments not classed in Schedule "A". This rate shall be for commercial users that use an average of 30,000 KWH per month, or more, based upon the previous 12 month average consumption, and are served at secondary distribution level.

AVAILABILITY: Single or three phase 115 and/or 230 volt service. All installations shall be subject to the approval of the City.

DEMAND CHARGE: The rate herein does not include a demand charge. The City reserves the right to adopt a demand charge after installation of KW demand meters and adoption of rates as required by law.

RATE: SCHEDULE "C"

Customer Charge	\$15.00 per month
Energy Charge	all KWH at 9.3¢ per KWH

Sec. 8. Wrangell Municipal Code, Sec. 54.20.090, entitled "Industrial Rates" is hereby repealed and reenacted to read:

Sec. 54.20.090. Industrial Rates.

CLASSIFICATION: Customers that receive service at a primary voltage level. Such service shall include that where the customer provides multiple transformation for loads at different secondary voltages.

AVAILABILITY: Service delivered under this schedule shall be 3 phase, 60 cycle, alternating current at a primary voltage to be specified by the City. All installations shall be subject to the approval of the City.

POWER FACTOR:

Adjustment of Demand for Power: The rate herein does not include a charge for a power factor. The City reserves the right to adopt an adjustment of demand for power factor following installation of KW demand and RKVA reactive meters and adoption of rates as required by law.

Demand Charge: The rate herein does not include a demand charge. The City reserves the right to adopt a demand charge after installation of demand meters and adoption of rates as required by law.

RATE:

SCHEDULE "D"

Customer Charge	\$25.00 per month
Energy Charge	all KWH at 10.25¢ per KWH

Sec. 9. Wrangell Municipal Code, Title 54, Chapter 20 thereof entitled "Electricity" is hereby amended by adding the following section:

Sec. 54.20.095. Definitions.

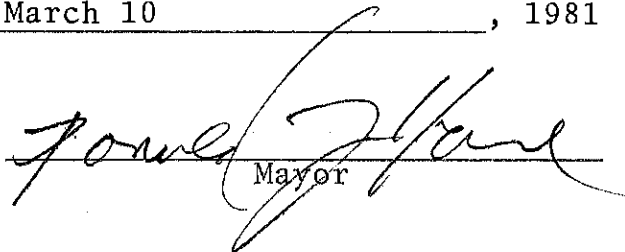
1. PRIMARY VOLTAGE LEVEL means service of electrical energy at a voltage between 2.4 KV (kilovolts) and 13.8 KV (kilovolts) inclusive.

2. SECONDARY DISTRIBUTION LEVEL means service of electrical energy at a voltage below 2.4 KV (kilovolts).

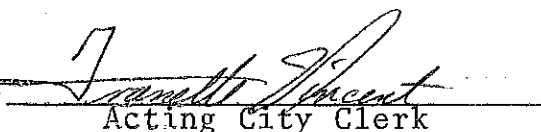
The definitions provided above shall apply to the rates for residential service, small commercial, large commercial, and industrial.

PASSED IN FIRST READING: _____ February 10 _____, 1981

PASSED IN SECOND READING: _____ March 10 _____, 1981


Mayor

ATTEST:


Acting City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 412

AN ORDINANCE AMENDING THE OFFICIAL ZONING
MAP OF THE CITY OF WRANGELL BY REZONING
PROPERTY HEREINAFTER DESCRIBED FROM MEDIUM
DENSITY RESIDENTIAL-1 TO LIGHT INDUSTRIAL-1.

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 Medium Density Residential-1 to Light Industrial-1.

Sec. 5. Property Rezoned. The property hereinafter described is hereby rezoned from Medium Density Residential-1 to Light Industrial-1:

Lot 14B, Lot 14C, Lot 15B and Lot 15C
of Block 83, a Resubdivision of Lot 14
and Lot 15 of Block 83, Wrangell Town-
site, situated in the City of Wrangell
First Judicial District, Wrangell Record-
ing 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: MARCH 24, 1981

PASSED IN SECOND READING: APRIL 28, 1981


Mayor

ATTEST: 
City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 413

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF WRANGELL BY REZONING PROPERTY HEREINAFTER DESCRIBED FROM LOW DENSITY RESIDENTIAL-2 TO GENERAL 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 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 Low Density Residential-2 to General Industrial.

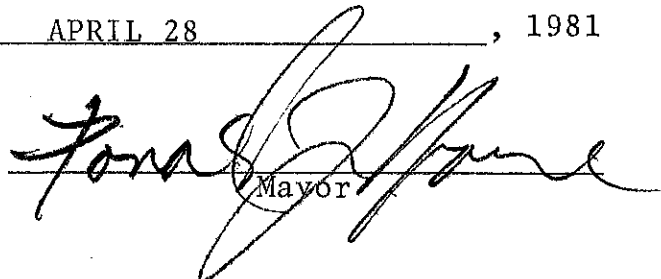
Sec. 5. Property Rezoned. The property hereinafter described is hereby rezoned from Low Density Residential-2 to General Industrial:

Lot 16, U. S. Survey 2589, situated 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: MARCH 24, 1981

PASSED IN SECOND READING: APRIL 28, 1981


Mayor

ATTEST: Jacqueline Bell
City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 414

AN ORDINANCE OF THE CITY OF WRANGELL, ALASKA ADOPTING BY REFERENCE THE COMPILED, EDITED, INDEXED AND PRINTED RECODIFICATION OF THE PERMANENT AND GENERAL ORDINANCES OF THE CITY OF WRANGELL AS REQUIRED AND AUTHORIZED BY ALASKA STATUTES AND WRANGELL MUNICIPAL CHARTER.

WHEREAS, Alaska Statutes Section 29.48.180 provide for the codification and publication of the permanent and general ordinances of municipalities which statute is made applicable to Wrangell, a home rule municipality; and

WHEREAS, Book Publishing Company, Seattle, Washington, has compiled, edited, indexed and printed a codification of the permanent and general ordinances of the City of Wrangell, Alaska, which codification includes ordinances through Ordinance No. 396 passed June 10, 1980; and

WHEREAS, the Wrangell City Charter Section 2-16 and Section 2-15 require codification and authorize the council to adopt the recodification by reference by non emergency ordinance; and

WHEREAS, there have been filed and there are now on file in the office of the city clerk, for public inspection, distribution, and/or sale, at their approximate cost, the required copies of a document entitled "Wrangell Municipal Code".

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AS FOLLOWS:

Section 1. Adoption. As authorized by Alaska Statutes and Wrangell Municipal Charter, there is hereby adopted the "Wrangell Municipal Code", as compiled, indexed, edited, printed and published.

Section 2. Title-Citation-Reference. This code shall be known as the "Wrangell Municipal Code: and it shall be sufficient to refer to said code as the "Wrangell Municipal Code" in any prosecution for the violation of any provision thereof or in any proceeding at law or equity. It shall be sufficient to designate any ordinance adding to, amending, correcting or repealing all or any part or portion thereof as an addition to, amendment to, correction or repeal of the "Wrangell Municipal Code". Further reference may be had to the titles, chapters, sections and subsections of the "Wrangell Municipal Code" and such references shall apply to that numbered title, chapter section or subsection as it appears in the code.

Section 3. Codification Authority. This code consists of all the regulatory and penal ordinances and certain of the administrative ordinances of the City of Wrangell, Alaska, codified pursuant to the provisions of Alaska Statutes and Wrangell Municipal Charter.

Section 4. Ordinances Passed Prior to Adoption of the Code. The last ordinance included in this code is Ordinance No. 396, passed June 10, 1980.

Section 5. Reference Applies to all Amendments. Whenever a reference is made to this code as the "Wrangell Municipal Code" or to any portion thereof, or to any ordinance of the City of Wrangell, Alaska, the reference shall apply to all amendments, corrections and additions heretofore, now or hereafter made.

Section 6. Title, Chapter and Section Headings. Title, chapter and section headings contained herein shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of the provisions of any title, chapter or section hereof.

Section 7. Reference to Specific Ordinances. The provisions of this code shall not in any manner affect deposits or other matters of record which refer to, or are otherwise connected with ordinances which are therein specifically designated by number or otherwise and which are included within the code, but such reference shall be construed to apply to the corresponding provisions contained within this code.

Section 8. Effect of Code on Past Actions and Obligations. Neither the adoption of this code nor the repeal or amendments hereby of any ordinance or part or portion of any ordinance of the City shall in any manner affect the prosecution for violations of ordinances, which violations were committed prior to the effective date hereof, nor be construed as a waiver of any license, fee, or penalty at said effective date due and unpaid under such ordinances, nor be construed as affecting any of the provisions of such license, fee, or penalty at said effective date due and unpaid under such ordinances, nor be construed as affecting any of the provisions of such license, fee, or penalty, or the penal provisions applicable to any violation thereof, nor to affect the validity of any bond or cash deposit in lieu thereof required to be posted, filed or deposited pursuant to any ordinance and all rights and obligations thereunder appertaining shall continue in full force and effect.

Section 9. Effective Date. This code shall become effective on the date the ordinance adopting this code as the "Wrangell Municipal Code" shall become effective.

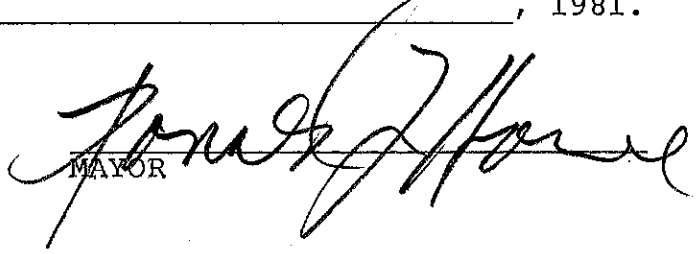
Section 10. Constitutionality. If any section, subsection, sentence, clause or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code. The council hereby declares that it would have passed this code, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases had been declared invalid or unconstitutional, and if for any reason this code should be declared invalid or unconstitutional, then the original ordinance or ordinances shall be in full force and effect.

Section 11. Repeal. All general ordinances of the City not included in this code or excluded from the operation and affect of this section are hereby repealed.

Section 12. Exclusions. Every special ordinance of the City governing the following subject matter, whether contained in whole or in part within this code, is excluded from the operation and effect of Section 11 and is not affected by the repeal provisions hereof: Annexations; franchises; naming roads, streets and public places; acquisition or disposal of public property; vacation of streets, alleys, or public ways; acceptance of any gift, device, license or other benefit; provided that the foregoing enumeration of exceptions or exclusions shall not be deemed to be exclusive or exhaustive, it being the intent and purpose to exclude from repeal any and all ordinances not of a general nature.

PASSED IN FIRST READING: APRIL 14, 1981.

PASSED IN SECOND READING: APRIL 28, 1981.


MAYOR

ATTEST: Jaqueline Bell
CITY CLERK

ORIGINAL

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 415

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF WRANGELL BY REZONING PROPERTY HEREINAFTER DESCRIBED FROM LOW DENSITY RESIDENTIAL-1 TO GENERAL 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 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 Low Density Residential-1 to General Industrial.

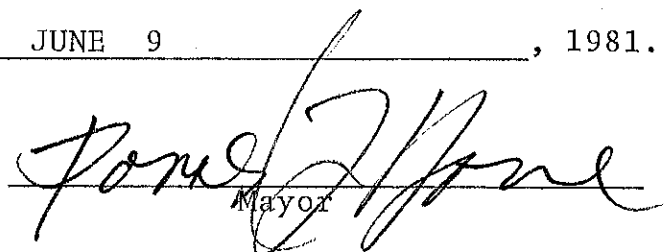
Sec. 5. Property Rezoned. The property hereinafter described is hereby rezoned from Low Density Residential-1 to General Industrial:

Block 60 and Block 61, Wrangell Townsite situated 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: MAY 26, 1981.

PASSED IN SECOND READING: JUNE 9, 1981.


Mayor

ATTEST Jacqueline Bee
City Clerk

published June 17, 1981

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 416

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING THE WRANGELL MUNICIPAL CODE BY REVISING THE FUEL ADJUSTMENT SURCHARGE FOR ELECTRICAL BILLINGS.

WHEREAS, the City of Wrangell has recently accomplished a recodification of its Wrangell Municipal Code. The ordinance adopting said recodification is not yet final but in the process of being adopted by the Council of the City of Wrangell, and is not scheduled to be finally effective until May 28, 1981.

WHEREAS, it is the intention of the Wrangell City Council to amend the Fuel Adjustment Charge section of the Wrangell Municipal Code as hereinafter provided. All the code section numbers used in this ordinance are references to the Wrangell Municipal Code as recodified. The reference to "prior code" is a reference to the Wrangell Municipal Code as it existed prior to recodification.

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 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. Wrangell Municipal Code Sec. 15.12.190 of the recodified version, and prior code section 54.20.065 is repealed and re-enacted to read as follows:

15.12.190 Fuel Adjustment Charge. A. 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] .073 per kilowatt hour effective with billings rendered on or after [May 8, 1980] July 10, 1981.

B. The charge shall be calculated as follows:

$$\text{Fuel adjustment rate} = \frac{(A - (B \times C))}{C}$$

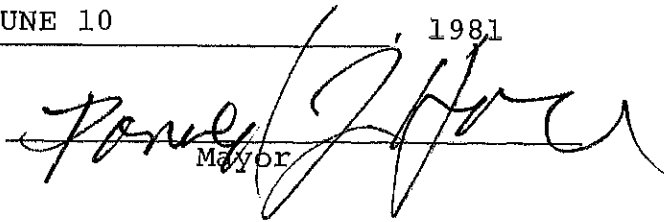
Where: A = Fuel expense during prior month
B = Base fuel rate
C = Applicable sales during prior month

Note: The base fuel rate reflects the cost of diesel fuel at [sixty-five] Ninety-five cents per gallon.

Sec. 4. The decrease in the electric fuel adjustment charge provided for herein shall go into effect on July 1, 1981; however, a condition precedent of the effective date of said decrease shall be that all of the requirements of the charter and the ordinances of the City of Wrangell shall be complied with before said July 10, 1981 effective date shall be effective. In the event the condition established in this section is not met then this ordinance shall go into effect thirty (30) days after passage, with the electric billings rendered after said thirty (30) days.

PASSED IN FIRST READING: MAY 12 , 1981

PASSED IN SECOND READING: JUNE 10 , 1981


Mayor

ATTEST: Jacqueline Bell
City Clerk

NOTE: The material in brackets is the old language. The underlined material is added by this ordinance.

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 417

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 2, ELECTIONS, TO ALLOW ADDITIONAL TIME FOR VOTING ABSENTEE, PROVIDING THE MANNER FOR COUNTING ABSENTEE BALLOTS AND PROVIDING FOR CANVASS BOARD MEMBERS.

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 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 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 Charter and the Wrangell Municipal Code, and shall be effective thirty (30) days after final passage.

Sec. 4. Wrangell Municipal Code Sec. 2.24.020(A) is hereby amended to read:

A. 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 applicatin shall be made not more than [FOURTEEN] thirty days [NOT] nor later than five p.m. of the day preceding such election, and shall be duly signed and sworn to by such elector before an officer qualified 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 the [CITY] Municipal Code Chapter 2.08. I expect to be absent from the City of Wrangell on the date of the above election. I

published July 22, 1981

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/Notary Public

Sec. 5. Wrangell Municipal Code Sec. 2.24.030(C) is hereby repealed.

Sec. 6. Wrangell Municipal Code Sec. 2.24.060 is hereby amended to read:

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 in this chapter 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. All absentee ballots under this section shall be held, unopened, by the Election Board, together with the emergency applications, and delivered to the Election Supervisor, to be forwarded, unopened, to the Canvass Board.

Sec. 7. Wrangell Municipal Code Sec. 2.24.080 is hereby repealed and reenacted to read:

2.24.080 Absentee ballots--Forwarding to Canvass Board--Time limits. A. 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 delivered unopened to the Canvass Board."

B. The city clerk shall hold the same until the canvass board convenes, at which time he shall deliver same to the canvass board.

Sec. 8. Wrangell Municipal Code Sec. 2.24.090 is hereby repealed.

Sec. 9. Wrangell Municipal Code Sec. 2.24.100 is hereby repealed.

Sec. 10. Wrangell Municipal Code Sec. 2.24.110 is hereby repealed.

Sec. 11. Wrangell Municipal Code Sec. 2.28.040 is hereby amended to read:

When the tally of votes is completed, a certification 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 and emergency absentee ballots, to be retained in a depository until submitted to the canvass board.

Sec. 12. Wrangell Municipal Code Sec. 2.28.050 is hereby repealed and reenacted to read:

2.28.050 Canvass Board. The canvass board shall consist of the city clerk who acted as election supervisor, the inspector from each election precinct, and three members of the Council. The Council shall prior to the date of the election, designate three councilmen to serve on the canvass board. Vacancies shall be filled by appointment of the Mayor.

Sec. 13. Wrangell Municipal Code Sec. 2.28.060 is hereby amended to read:

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 in 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 Section 2.28.020. In full view of those present the canvass board shall judge separately the validity of all challenged and absentee ballots, and shall open and tally those accepted and shall compile the total votes cast in the election. Absentee voters may be challenged as though they were present.

PASSED IN FIRST READING: JUNE 23, 1981.

PASSED IN SECOND READING: JULY 14, 1981.

Foster J. Stone
Mayor

ATTEST: *Jacqueline Bell*
City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 418

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 14, BOAT HARBORS, TO PROVIDE FOR AN INCREASE IN DOCKAGE FEES AND MINIMUM CHARGES.

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 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 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 Charter and the Wrangell Municipal Code, and shall be effective thirty (30) days after final passage.

Sec. 4. Public Hearing. A Public Hearing was held June 4, 1981, on the proposed rate increase as provided in Wrangell Municipal Code Sec. 14.12.110.

Sec. 5. Wrangell Municipal Code Sec. 14.20.080 A is hereby repealed and reenacted to read:

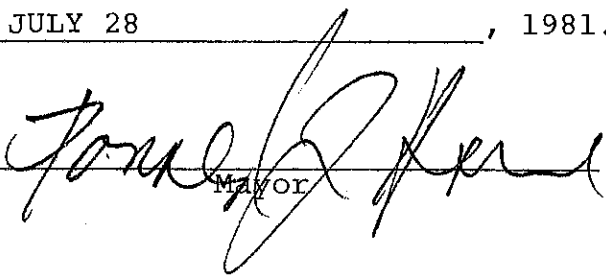
VESSELS OF GROSS REGISTERED TONS		
FROM	TO	RATE
10	1000	25.00
1001	1500	80.75
1501	2000	87.50
2001	2500	125.00
2501	3000	162.50
3001	7000	200.00
7001	10000	300.00

Sec. 6. Wrangell Municipal Code Sec. 14.20.090 B is hereby repealed and reenacted to read:

The minimum dockage charge shall be \$25.00 for vessels 1000 gross registered tons and less and \$50.00 for vessels over 1000 gross registered tons.

PASSED IN FIRST READING: JULY 14, 1981.

PASSED IN SECOND READING: JULY 28, 1981.


MAYOR

ATTEST: 
City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 419

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING THE ZONING ORDINANCE TO CLARIFY AND CONFIRM THE INTENT OF THE COUNCIL ON CONDITIONAL USES ALLOWED IN LIGHT INDUSTRIAL ZONE 2.

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 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 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 Charter and the Wrangell Municipal Code, and shall be effective thirty (30) days after final passage.

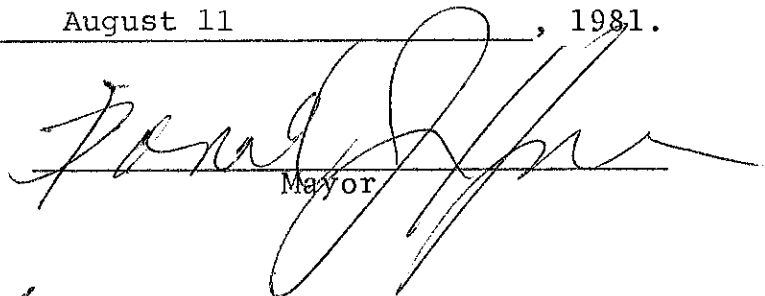
Sec. 4. Wrangell Municipal Code Sec. 20.36.040 is hereby amended to read:

The following are uses which may be permitted in Zone 2 by action of the commission under the conditions and procedures specified in Chapter 20.68:

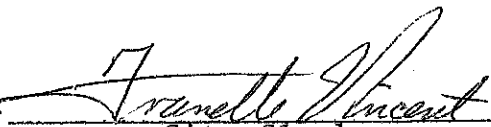
- A. Mobile homes on single lots;
- B. Those commercial uses as specified in Section 20.28.020.

PASSED IN FIRST READING: July 28, 1981.

PASSED IN SECOND READING: August 11, 1981.



 Mayor

ATTEST: 

 Acting City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 420

AN ORDINANCE OF THE CITY OF WRANGELL AMENDING THE WRANGELL MUNICIPAL CODE, TITLE 5, REVENUE AND FINANCE, SPECIFICALLY REPEALING SECTIONS 5.04.540, 5.04.550, 5.04.560, 5.04.570, 5.04.580, 5.04.590, 5.04.600, 5.04.610, AND AMENDING SECTIONS 5.04.010, 5.04.030, 5.04.040, 5.04.100, 5.04.270, 5.04.290, 5.04.330, AND 5.04.530 CONCERNING THE ELIMINATION OF A PERSONAL PROPERTY TAX WITHIN THE CITY OF WRANGELL, ALASKA.

WHEREAS, the cost of administration and enforcing the personal property tax in the City of Wrangell is such that it is uneconomic to continue to tax personal property, and

WHEREAS, the revenue from all other sources, including but not limited to the sales tax, is sufficient to provide the City of Wrangell with necessary operating funds;

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

Sec. 1. That the following sections of the Wrangell Municipal Code are hereby repealed in their entirety; 5.04.540, Personal Property-Owners Liability for Assessment; 5.04.550, Personal Property Tax-Demand for Payment; 5.04.560, Distraint and Sale of Personal Property; 5.04.570, Warrant of Distraint; 5.04.580, Notice of Sale at Public Auction; 5.04.590, Sale of Seized Property; 5.04.600, Return of Sale; and 5.04.610, Proceeds of Sale.

Sec. 2. That Wrangell Municipal Code Section 5.04.010 is hereby repealed and enacted to read as follows:

Sec. 5.04.010. Levy and Limitations. There shall be assessed, levied and collected a general tax for school and municipal purposes upon all real 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 percent (3%) of the assessed value of the real property assessed. There shall be no tax on personal property of any nature, and it is the intent of the city that all property affected by previous exemptions concerning boats, raw natural resources, inventories or any other personal property shall not be taxed.

Sec. 3. That Wrangell Municipal Code Section 5.04.030 is hereby repealed and enacted to read as follows:

Sec. 5.04.030. Exemptions. The following are exempted from the levy imposed under this chapter:

A. All property exempt from taxation as prescribed by A.S. 29.53.020.

Sec. 4. That Wrangell Municipal Code Section 5.04.040 is hereby repealed and enacted to read as follows:

Sec. 5.04.040. Returns - Required. On or before February 1st of each year the assessor shall mail blank assessment forms for every owner of real property described in Section 5.04.010 and to the agents of nonresident real property owners, if known. Every person prior to February 21st shall submit to the assessor a return of any real property owned by him, or in which he has an interest, and in the real property held or controlled by him in a representative capacity, in the manner prescribed by this chapter, which return shall be based on property values existing as of January 1st of the same year.

Sec. 4. That Wrangell Municipal Code Section 5.04.100 is hereby repealed and enacted to read as follows:

Sec. 5.04.100. Listing of Property. The assessor shall complete the listing of all real property within the limits of the city before March 20th of each year. The listing of all taxable real property may be made upon permanent separate ledger cards which will be the combined assessment roll and tax ledger. Real property shall be assessed to the owner of record as shown in the records of the Recorder for the Wrangell Recording District; provided, however, that any other person having an interest in the property may be listed on the records with the owner. The person in whose name any real property is listed as owner shall be conclusively presumed to be the legal owner of record. If the owner of the land is unknown the land may be assessed to an "unknown owner" or "unknown owners". No assessment shall be invalidated by a mistake, omission or error in the name of the owner of the real property assessed, if the property is correctly described.

Sec. 6. That Wrangell Municipal Code Section 5.04.270 is hereby repealed and enacted to read as follows:

Sec. 5.04.270. Assessment - Computation. All taxes to be levied or collected, except as otherwise provided, shall be calculated, levied and collected upon the assessed values entered in the assessment roll and certified by the assessor as correct, subject to the taxpayer's rights to appeal and to the corrections made in the rolls pursuant to this chapter.

Sec. 7. That Wrangell Municipal Code, Section 5.04.290 is hereby repealed and enacted to read as follows:

Sec. 5.04.290. Assessment Roll - Delivery to Council. When the final assessment records have been completed by the assessor as provided in this chapter, the assessor shall deliver to the council on or before June 1st of each year a statement of the total assessed valuation of all real property within the city.

Sec. 8. That Wrangell Municipal Code, Section 5.04.330 is hereby repealed and enacted to read as follows:

Sec. 5.04.330. Council Authority to Fix Tax Rate. The council shall fix a rate of tax levy and designate the number of mills upon each dollar of value assessed taxable real property that shall be levied in accordance with the provisions of Section 5.04.010.

Sec. 9. That Wrangell Municipal Code, Section 5.04.530 is hereby repealed and enacted to read as follows:

Sec. 5.04.530. Taxes Deemed Lien. All taxes levied by the council pursuant to this chapter shall be a lien upon all real property assessed, and such lien shall be prior and paramount to all other liens or encumbrances against the property assessed.

Sec. 10. 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).

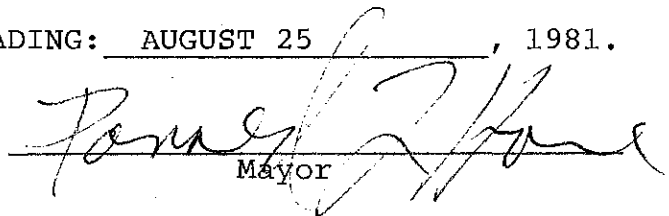
Sec. 11. Classification. This Ordinance is of a general and permanent nature and shall be codified in the Wrangell Municipal Code.

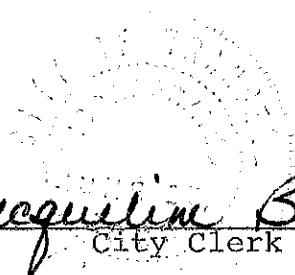
Sec. 12. Severability. If any provisions of this Ordinance or any application thereof to any person or circumstance are held invalid, the remainder of this Ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 13. Effective Date. This Ordinance shall become effective within thirty (30) days after final passage and approval as provided by law.

PASSED AND APPROVED IN FIRST READING: AUGUST 11, 1981.

PASSED AND APPROVED IN SECOND READING: AUGUST 25, 1981.


Mayor

ATTEST: 
Jacqueline Bell
City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 421

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING CHAPTER 16 OF TITLE 13, PUBLIC FIREARMS RANGE, PROVIDING FOR THE USE OF METALLIC TARGETS DURING COMPETITIVE EVENTS.

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.

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. 13.16.020 Prohibited Acts (d) is amended to read as follows:

D. No person shall discharge any firearm at any target other than paper targets for which the range is designed, located downrange at the target area. Targets must be hung only in the frames provided. Approved metallic targets may be used for competitive events approved by the Chief of Police or his designee.

PASSED IN FIRST READING: SEPTEMBER 8, 1981.

PASSED IN SECOND READING: SEPTEMBER 23, 1981.

Donald J. Howell
Mayor

ATTEST: *Jaqueline Bee*
City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 422

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 14, BOAT HARBOR CODE, TO CORRECT A TYPOGRAPHICAL ERROR IN ORDINANCE NO. 418 AND PROVIDING FOR AN INCREASE IN DOCKAGE FEES AND MINIMUM CHARGES.

WHEREAS, Ordinance No. 418, through typographical error incorrectly listed Sec. 14.20.080 as being repealed; and

WHEREAS, it was not the intent of the Council to repeal said section;

NOW, THEREFORE, 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 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 circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Repealer. Ordinance No. 418 is hereby repealed.

Sec. 4. 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. 5. Public Hearing. A Public Hearing was held June 4, 1981, on the proposed rate increase as provided in Wrangell Municipal Code Sec. 14.12.110.

Sec. 6. Wrangell Municipal Code Sec. 14.20.080 is hereby reenacted to read:

14.20.080 Wrangell Wharf--Wharfage demurrage. The following schedule applies to wharfage demurrage fees:

Charges are 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	\$0.04	\$0.08
Outbound traffic	\$0.08	\$0.08

Sec. 7. Wrangell Municipal Code Sec. 14.20.090 A and B are hereby repealed and reenacted to read:

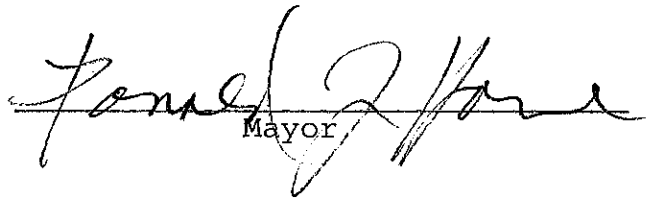
14.20.090 Wrangell Wharf--Dockage. A. The following charges shall be assessed upon gross registered tonnage of vessels as follows (the rate shall be for each twenty-four-hour period):

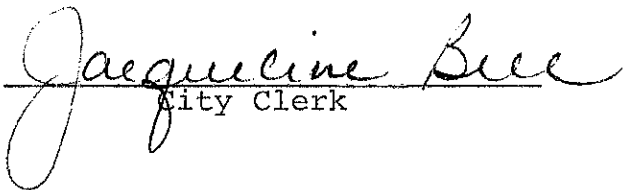
VESSELS OF GROSS REGISTERED TONS		RATE
FROM	TO	
10	1000	25.00
1001	1500	80.75
1501	2000	87.50
2001	2500	125.00
2501	3000	162.50
3001	7000	200.00
7001	10000	300.00

B. The minimum dockage charge shall be \$25.00 for vessels 1000 gross registered tons and less, and \$50.00 for vessels over 1000 gross registered tons.

PASSED IN FIRST READING: SEPTEMBER 23, _____, 1981.

PASSED IN SECOND READING: OCTOBER 13, _____, 1981.


Mayor

ATTEST: 
City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 423

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING CHAPTER 20 OF TITLE 18, TRAILER AND TRAILER CAMPS, PROVIDING FOR THE USE OF PURE WATER FROM SOURCES OTHER THAN THE CITY SUPPLY SYSTEM.

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.

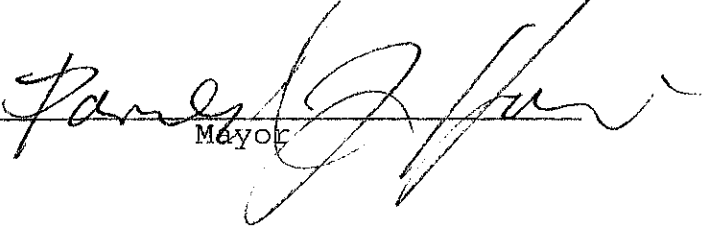
Sec. 3. Effective Date. This ordinance shall be published as provided in the Wrangell Municipal Code and shall be effective thirty days after passage.

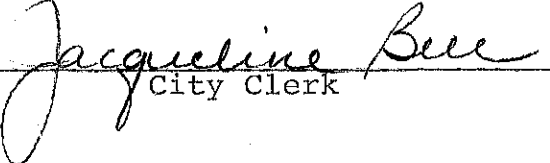
Sec. 4. Wrangell Municipal Code, Sec. 18.20.080 Water Supply, is hereby amended to read:

An adequate supply of pure water for drinking and domestic purposes from the city water supply system or State approved source shall be supplied to [TO MEET THE REQUIREMENT OF] the trailer court.

PASSED IN FIRST READING: NOVEMBER 24, 1981.

PASSED IN SECOND READING: DECEMBER 8, 1981.


Mayor

ATTEST: 
City Clerk

Published Dec. 16, 1981

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 424

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, EXTENDING THE DEADLINE FOR CONSTRUCTION REQUIREMENTS FOR A PORTION OF BLOCK 28, U. S. SURVEY 1119, CITY OF WRANGELL, ALASKA, FIRST JUDICIAL DISTRICT.

The City conveyed Block Twenty-Eight (28), U. S. Survey 1119 on or about July 9, 1980, to C & E Bradley, Inc., an Alaska corporation, as grantee. Said grantee also is the owner of property generally described as:

Lot 2-D, Block 27, U. S. S. 125, Wrangell Townsite, Wrangell, Alaska.

which Lot 2-D is separated from said Block Twenty-Eight (28) by Wood Street.

The City agreed to permit the United States Forest Service to construct a road to a timber sale via Wood Street. The United States Forest Service staked the Wood Street right-of-way for the timber sale in the spring or summer of 1980. The grantee to said Block Twenty-Eight (28) surveyed his property in May or June of 1981 at which time it was discovered the right-of-way as staked was not completely within the platted Wood Street right-of-way, but may be all or partially on said Block Twenty-Eight-(28).

The grantee, as a condition of the conveyance from the City, has certain construction requirements, which include construction prior to January 8, 1982. The grantee contends the construction requirements have been frustrated. The City and grantee desire to resolve this matter by granting an extension of the construction requirements and by taking the necessary steps to vacate all or a portion of Wood Street, in exchange for a quitclaim deed from grantee to a portion of Block Twenty-Eight (28), U. S. Survey 1119. Grantee has agreed to pay one-half of the costs of the resurvey and relocation costs of Wood Street, with the City to pay the other one-half.

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

Sec. 1. Classification. This ordinance is of a non-permanent nature and shall not be codified in the Wrangell Municipal Code.

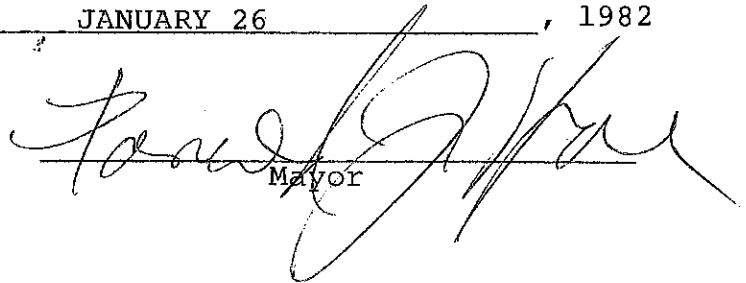
Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstances is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

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. The Council hereby extends the construction requirements of the Wrangell Municipal Code, Sec. 16.12.090, for an eight-month period, said construction requirements to be extended from January 8, 1982 to August 8, 1982. The Council agrees to vacate all or a portion of Wood Street, which upon vacation will vest in C & E Bradley, Inc., or designee, grantee, and said grantee agrees to convey by quitclaim deed an equal portion of Block Twenty-Eight (28), U. S. Survey 1119, to the City for the realignment of Wood Street. Grantee and City further agree to share equally in the costs of survey, staking, legal descriptions and replat for the realignment of Wood Street.

PASSED IN FIRST READING: JANUARY 12, 1982.

PASSED IN SECOND READING: JANUARY 26, 1982


Mayor

ATTEST: Jacqueline Bell
City Clerk



CITY OF WRANGELL, ALASKA

ORDINANCE NO. 425

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF WRANGELL BY REZONING PROPERTY HEREINAFTER DESCRIBED FROM LOW DENSITY RESIDENTIAL-1 TO GENERAL 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 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 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 76 of Title 20 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 the the following described real property should be rezoned from Low Density Residential-1 to General Industrial.

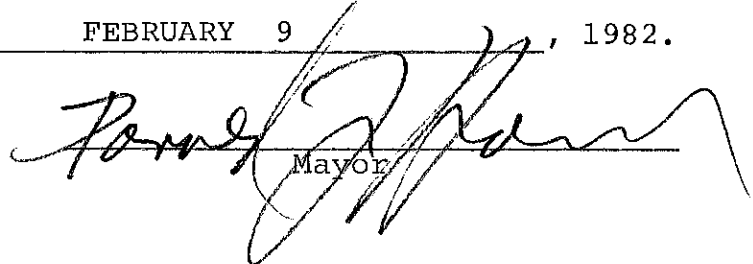
Sec. 5. Property Rezoned. The property hereinafter described is here by rezoned from Low Density Residential-1 to General Industrial:

Block 59, Wrangell Townsite, First Judicial District, Wrangell Recording District, State of Alaska.

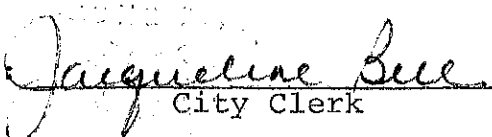
The official zoning map of the City of Wrangell is hereby amended to reflect the above rezone and said official zoning map should be physically amended.

PASSED IN FIRST READING: JANUARY 26, 1982.

PASSED IN SECOND READING: FEBRUARY 9, 1982.



Mayor

ATTEST: 

City Clerk

published February 17, 1982

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 426

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF WRANGELL BY REZONING PROPERTY HEREINAFTER DESCRIBED FROM MEDIUM DENSITY RESIDENTIAL TO APARTMENT RESIDENTIAL ZONE 1 AND AUTHORIZING A CONTRACT ZONING AGREEMENT.

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 the Wrangell Municipal Code, statutes or applicable law, having been followed and complied with, 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 medium density residential to apartment residential zone 1.

Sec. 5. Property Rezoned. The property hereinafter described is hereby rezoned from medium density residential to apartment residential zone 1:

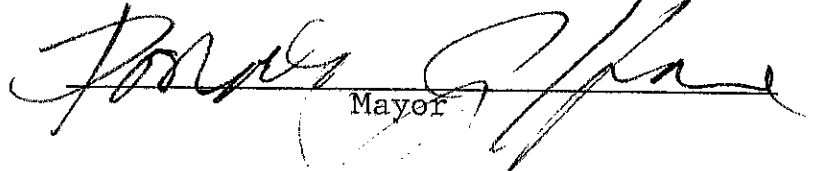
Lot Two (2), Block Eighteen (18), of Wrangell Townsite, according to the plat thereof in Wrangell Recording District, First Judicial District, State of Alaska.

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.

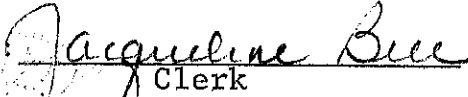
Sec. 6. Authority for Contract Zoning Agreement. The City Manager and City Clerk are hereby authorized to execute the Contract Zoning Agreement which agreement is attached hereto and incorporated herein by reference.

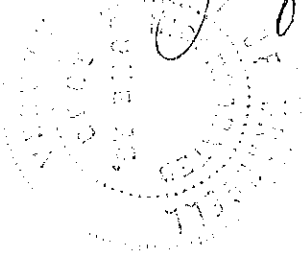
PASSED IN FIRST READING: JANUARY 26, 1982.

PASSED IN SECOND READING: FEBRUARY 9, 1982.



Mayor

ATTEST: 
Clerk



CONTRACT ZONING AGREEMENT

THIS AGREEMENT made as of the last date hereinafter stated between CARL H. PORTER, 1831 Tongass Avenue, Ketchikan, Alaska 99901 (hereinafter "PORTER"), and the CITY OF WRANGELL, Alaska, P. O. Box 531, Wrangell, Alaska 99929 (hereinafter "CITY").

R E C I T A L S

A. PORTER is the owner of the following described real estate:

Lot Two (2), Block Eighteen (18), of Wrangell Townsite according to the plat thereof in Wrangell Recording District, First Judicial District, State of Alaska.

B. Said property has improvements and is generally referred to as the Bishop Rowe Apartments, formerly known as the Bishop Rowe Hospital. Said real property, including buildings is presently zoned medium density residential pursuant to the Wrangell Municipal Code.

C. PORTER desires to expand the existing use of said Bishop Rowe Apartments from five existing apartment units to eight units.

D. PORTER has made application for apartment residential zone 1 contract zoning as provided by Alaska Statutes 29.33.090(a) to expand an existing non-conforming medium density residential use from five apartment units to eight apartment units in said building.

E. Public hearings both by the Planning and Zoning Commission and the City Council have been held, and there have been no objections to the expansion of the use such that the Planning and Zoning Commission has recommended that the rezone and contract zoning agreement be entered into under certain conditions and requirements. PORTER has agreed to said conditions and requirements and the Council and PORTER desire to enter into

1 a contract zoning agreement to permit a less restricted use of
2 the rezoned property.

3 NOW, THEREFORE, FOR AND IN CONSIDERATION of the mutual
4 covenants contained herein, PORTER and the CITY agree as follows:

5 1. Said real property above described is to be rezoned
6 to apartment residential zone 1 and shall be subject to all of
7 the provisions of the Wrangell Municipal Code applicable thereto,
8 and in addition shall be subject to and governed by this agreement.

9 2. The parties hereto agree that the real property
10 described above as rezoned shall be subject to the following
11 conditions:

12 a. The existing building shall not be enlarged or
13 added to;

14 b. In addition to the matters specifically set
15 forth herein, PORTER shall comply with all laws, rules, and
16 regulations applicable to said property and improvements.

17 c. Minimum parking requirements of the Wrangell
18 Municipal Code presently set out in WMC 20.60.070, Multi-
19 Family Dwelling shall apply. The CITY is concerned that the
20 minimum off-street parking required by the code may not be
21 sufficient to meet the needs of the tenants; for example,
22 for the parking of tenant boats, two-car families in the
23 apartments, guests of tenants or other legitimate parking
24 uses for which the minimum parking requirements may not be
25 adequate, in which situation, PORTER agrees that the CITY
26 may require more than the minimum parking space requirements
27 presently set out herein.

28 d. The building must be kept in good repair.

29 e. In addition, the existing building must remain
30 the same height and square footage.

31 f. There shall be no more than eight individual
32 apartments.

1 g. The apartment residential zone 1 and this
2 contract shall exist only for the life of the existing
3 structure. It is agreed that the estimated remaining life
4 of the existing structure is forty (40) years. In the event
5 of fire or other extended casualty loss of this non-conforming
6 structure resulting in damage exceeding 50% of its then
7 assessed value, the structure may not be replaced.

8 h. The parties agree that one dumpster is
9 presently adequate and should be kept and maintained at the
10 apartment site. PORTER agrees to supply and/or conform
11 with or meet any other reasonable requirements of the
12 CITY in order to properly take care of garbage and
13 refuse in, on or around said real property.

14 i. PORTER shall commence construction of the
15 alterations which will result in seven apartments within six
16 months of the date of execution of this agreement or the
17 effective date of the rezone ordinance whichever is later
18 and said apartments shall be completed within twelve months
19 from said date. As to the eighth apartment unit, it is
20 presently recognized that the area comprising this apartment
21 is rented to Deane Smith. At such time as the said Deane
22 Smith tenancy is terminated either by said tenant or PORTER,
23 said eighth apartment shall be constructed within six months
24 of the termination of said tenancy and be completed within
25 twelve months of the date of tenancy termination.

26 3. Time is of the essence of this agreement.

27 4. The parties hereto agree that should the real
28 property subject to this agreement be zoned such that the zoning
29 classification permits the use of the property as a multi-family
30 dwelling as contemplated herein, then the provisions of this
31 agreement restricting said property use shall be null and void.
32 It is further agreed that should any petition or application be

1 filed by PORTER, singly or jointly with one or more adjacent
2 property owners to rezone the real property described above, that
3 weight shall be given to the provisions of this agreement in
4 considering such a petition, but that, for the purposes of such a
5 petition, said real property shall be considered vacant land.

6 5. Administration and Enforcement of Contract Zone.

7 The remedies provided for herein shall be in addition to those
8 remedies provided for in the administration and enforcement of
9 planning and zoning laws of the State of Alaska, the Charter and
10 ordinances of the City of Wrangell, or the rules and regulations
11 promulgated and adopted thereby.

12 a. Definition. Refuse herein shall mean all
13 waste material, which if thrown or deposited or left to
14 remain on the property herein or the surrounding property,
15 tends to create a danger to public health, safety and
16 welfare. Refuse shall include any putrescible animal or
17 vegetable waste resulting from the multi-family dwelling.
18 Refuse shall further include all putrescible and nonputresc-
19 ible solid wastes including garbage and any other wastes.
20 Refuse shall further include, nonputrescible solid wastes
21 consisting of both combustible and noncombustible waste such
22 as paper, wrappings, cardboard, tin cans, wood, glass and
23 similar materials, and vehicles, the value of which is \$100
24 or less.

25 b. Owner to Maintain Premises Free of Refuse. The
26 owner or person in control of the above described private
27 property shall at all times maintain the premises and the
28 surrounding property free of refuse; provided, however, that
29 this section shall not prohibit the reasonable storage of
30 refuse in authorized, private receptacles for collection.

31 c. Enforcement. For a violation under this
32 agreement, by PORTER, the CITY or its authorized

1 representative is hereby authorized and empowered to notify
2 PORTER of any violation thereof, and to further advise
3 PORTER to properly dispose of said refuse located on said
4 property or accomplish any act as required herein. Such
5 notice shall be by registered mail, addressed to PORTER at
6 his last known address.

7 (1) Action Upon Non-Compliance. Upon the
8 failure, neglect, or refusal of PORTER or his agents so
9 notified to comply within fifteen (15) days after
10 receipt of written notice provided for above, or within
11 twenty-five (25) days after the date of such notice in
12 the event the same is returned to the City of Wrangell
13 because of its inability to be delivered, provided the
14 same was properly addressed to the last known address
15 of such owner or agent, the CITY or its authorized
16 representative, is hereby authorized and empowered
17 to pay for the disposing of such refuse or to order its
18 disposal by the CITY, or to require compliance as set
19 out herein.

20 d. Charge Included in Tax Bill. When the CITY
21 has accomplished the removal of said refuse or the required
22 compliance or has paid for its removal or the required
23 compliance, the actual cost thereof, plus accrued interest
24 at the rate of twelve percent (12%) per annum from the date
25 of the completion of the work, if not paid by such owner
26 prior thereto, shall be charged to the owner of such property
27 on the next monthly bill forwarded to such owner by the CITY
28 and said charge shall be due and payable by PORTER within
29 thirty (30) days of the date of said bill.

30 (1) Recorded Statement Constitutes Lien.
31 Where the full amount due the City is not paid by
32 PORTER within ninety (90) days after the disposal of

1 said refuse or the required compliance, as provided for
2 above, then, and in that case, the CITY or its authorized
3 representative shall cause to be recorded in the
4 Wrangell Recording District, a sworn statement showing
5 the cost and expense incurred for the work, the date
6 the work was done, and the location of the property on
7 which the work was done. The recordation of such sworn
8 statement shall constitute a lien on the property of
9 PORTER and shall remain in full force and effect for
10 the amount due in principal and interest, plus costs of
11 court, if any, for collection until final payment has
12 been made. Said costs and expenses shall be collected
13 in the manner fixed by law for the collection of taxes.
14 Sworn statements recorded in accordance with the
15 provisions hereof shall be prima facie evidence that
16 all legal formalities have been complied with, and that
17 the work has been done properly and satisfactorily, and
18 shall be full notice to every person concerned that the
19 amount of the statement, plus interest, and costs, if
20 any, constitutes a charge against the property designated
21 or described in the statement and that the same is due
22 and collectable as provided by law.

23 5. Termination. As an additional enforcement tool,
24 and not by way of limitation of any other right or remedy that
25 the CITY may have, in the event PORTER or any of his agents or
26 employees violate any of the agreements, covenants, or provisions
27 of this contract, a violation by PORTER shall entitle the CITY to
28 terminate this agreement provided that the CITY for such violation
29 shall give PORTER at least thirty (30) days written notice,
30 specifying the particulars wherein it is claimed that there has
31 been a violation hereof. If at the end of such thirty-day
32 period, PORTER has not removed the cause of the complaint,

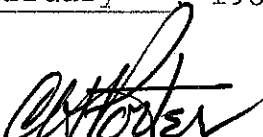
1 remedied the purported violation, or is actively pursuing to
2 remove the complaint, or remedying the violation, then this
3 agreement shall be deemed terminated. It is specifically agreed
4 that enforcement by termination shall be available to the CITY
5 against PORTER during any period when the property has ceased to
6 be used as a multi-family dwelling.

7 6. Compliance with Laws. PORTER shall be required to
8 comply with all applicable Federal, State and local laws, rules
9 and regulations and nothing shall be construed herein to be
10 authorized that would otherwise be precluded by any applicable
11 law.


12 7. Binding on Heirs. This agreement shall be binding
13 on all of the heirs, successors, assigns, agents, and transferees
14 of the parties hereto, whether said transfer, assignment, or
15 conveyance occurs by operation of law or otherwise.

16 8. Attorney's Fees. In case suit or action is
17 instituted to enforce this agreement, the non-defaulting party,
18 in addition to the court costs, shall pay reasonable attorney's
19 fees.


20 IN WITNESS WHEREOF, the parties have executed this
21 agreement the 19th day of February 1982.

22
23 
24 _____
CARL H. PORTER

25
26 CITY OF WRANGELL, ALASKA

27
28 By 

Joyce Rasler, City Manager

29
30 By 

Jacqueline Bell, City Clerk

1 STATE OF ALASKA)
2 FIRST JUDICIAL DISTRICT) ss:

3 THIS CERTIFIES that on this 17th day of February,
4 1982, before me, the undersigned, a Notary Public in and for the
5 State of Alaska, personally appeared CARL H. PORTER, to me known
6 to be the person named in the foregoing Contract Zoning Agreement
7 and he acknowledged to me that he executed the same freely and
8 voluntarily for the uses and purposes therein mentioned.

9 WITNESS my hand and official seal the day and year in
10 this certificate first above written.

11 *Joan M. Martin*
12 Notary Public for Alaska
13 My commission expires: 3/16/86

14 STATE OF ALASKA)
15 FIRST JUDICIAL DISTRICT) ss:

16 THIS IS TO CERTIFY that on this 19th day of February,
17 1982, in Wrangell, Alaska, before me, the undersigned, a Notary
18 Public in and for the State of Alaska, duly commissioned and
19 sworn, personally appeared JOYCE RASLER and JACQUELINE BELL, the
20 City Manager and City Clerk, respectively, of the CITY OF WRANGELL,
21 ALASKA, to me known and known to me to be the persons they
22 represent themselves to be and the same identical persons who
23 executed the above and foregoing instrument on behalf of the CITY
24 OF WRANGELL, ALASKA, and who acknowledged to me that they had
25 full power and authority to and did execute the above and foregoing
26 instrument on behalf of the CITY OF WRANGELL, ALASKA, and as a
27 free and voluntary act and deed of said CITY, for the uses and
28 purposes therein mentioned, and that the seal affixed to this
29 instrument is the corporate seal of the CITY OF WRANGELL, ALASKA.

30 IN WITNESS WHEREOF, I have hereunto set my hand and
31 affixed the seal of my office the day and year first above
32 written.

33 *Radonna Klein*
34 Notary Public for Alaska
35 My commission expires: 8-6-82

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 427

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, PROVIDING FOR THE PURCHASE AND INSTALLATION OF SEWAGE PUMPS BY THE CITY OF WRANGELL, PROVIDING A CUT-OFF DATE FOR SEWAGE PUMPS TO BE ACQUIRED AND PAID FOR BY THE CITY.

WHEREAS, public interceptor and collector sewer mains have been constructed by the City of Wrangell with most sewer connections to said public sewer mains accomplished by means of a gravity flow system; and

WHEREAS, it was economically not feasibly to provide a gravity flow system to all users, with some resulting overall cost saving to the gravity flow system but resulting in an increased cost to non-gravity users, and

WHEREAS, the Council desires to partially equalize the disproportionate cost to the users that are required to pump sewage.

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

Sec. 1. Classification. This ordinance is an ordinance 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 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. Wrangell Municipal Code Chapter 15.08 Sewers is amended by adding to said Chapter the following:

15.08.025 Sewage pumps. A. The City will purchase and install for residential users only, a sewage pump where a gravity flow system is not reasonably possible from the sewer main to the residential dwelling. Only existing occupied residential dwellings on existing public sewer mains shall be eligible for the purchase and installation of a sewage pump by the City after application, and submission of such information as is required to the City Manager.

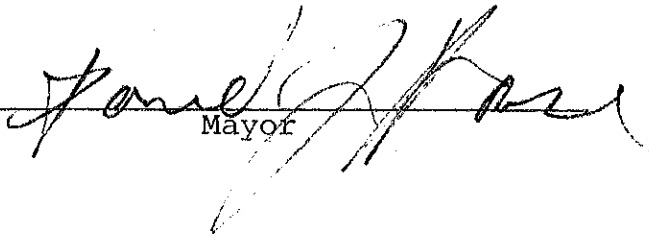
B. The City Manager, subject to appeal and final determination by the Council, shall determine who will qualify to have a sewage pump purchased and paid for by the City, which determination as to sewer mains to be constructed in the future, to be determined on the cut-off date as hereinafter provided. The City has determined that five residential users now qualify for the purchase and installation of a sewage pump by the City.

C. In a residential district which is not presently served by a public sewer main, the City will purchase and install a sewage pump when a public sewer line is constructed and installed; however, the City will only purchase and install a sewage pump in lieu of a gravity flow system for those existing occupied residential structures which the City Manager may determine cannot be served by a gravity flow system, such determination to be made as of the date of award of the construction contract for the sewer main. If during the course of construction of the sewer main, it is determined that a gravity flow system is not reasonably possible for other sewer users, additional sewage pumps may be purchased and installed by the City after application to and approval by the City Manager.

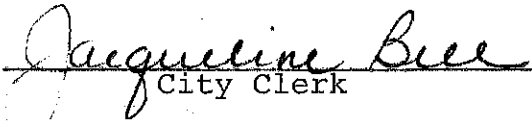
D. In all cases the City shall only purchase and install the sewage pumps or pay the cost of a sewage pump determined to be adequate by the City. Any substitution, replacement, operation, maintenance or other cost associated with the sewage pump shall be the responsibility of the residential user.

PASSED IN FIRST READING: _____ FEBRUARY 9 _____, 1982.

PASSED IN SECOND READING: _____ FEBRUARY 23 _____, 1982.



Mayor

ATTEST: 

City Clerk



CITY OF WRANGELL, ALASKA

ORDINANCE NO. 428

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, ADOPTING THE NATIONAL ELECTRICAL CODE, 1981 EDITION, INCLUDING AMENDMENTS, AND REPEALING JAIL SENTENCES FOR VIOLATIONS OF BUILDING AND CONSTRUCTION CODES.

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. 18.04.090, Penalty for violations, is hereby amended to read:

Any persons, firm, copartnership or corporation violating any of the provisions of this chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than three hundred dollars [AND IMPRISONED FOR NOT MORE THAN THIRTY DAYS, OR BOTH].

Sec. 5. Wrangell Municipal Code, Sec. 18.08.030, Penalty for violations, is hereby amended to read:

Any person, firm, copartnership or corporation violating any of the provisions of this chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than three hundred dollars [AND IMPRISONED FOR NOT MORE THAN THIRTY DAYS, OR BOTH].

Sec. 6. Wrangell Municipal Code, Sec. 18.12.010, National Electrical Code adopted by reference, is hereby amended to read:

For the purpose of regulating the construction, reconstruction, addition, enlargement, conversion, equipment, use and maintenance of all electrical wiring and devices within and without all buildings and structures within the city there is adopted, as the electrical code of the city, that certain compilation of rules and regulations prepared and published by the National Fire Protection Association, a nationally recognized technical trade association, which compilation is entitled "National

Electrical Code, [1978] 1981 Edition," including Tentative Interim Amendments 70-81-5 through 70-81-11, five copies of which have been filed in the office of the clerk for public use, inspection and examination, and which compilation is made a part of this chapter as if fully set forth herein, subject only to the enumerated additions and deletions set forth in this chapter.

Sec. 7. Wrangell Municipal Code, Sec. 18.12.020, Addition to N.E.C. following Article 348-2, is hereby repealed.

Sec. 8. Wrangell Municipal Code, Sec. 18.12.030, Article 230-70 of the N.E.C. amended, is hereby repealed.

Sec. 9. Wrangell Municipal Code, Sec. 18.12.050, Underground installation drawings, is hereby amended to read:

The installation of all underground electrical installations beneath city streets and sidewalks shall be by permission of the [CITY ENGINEER] City Manager who shall be furnished a detailed scale drawing of the as-built installations.

Sec. 10. Wrangell Municipal Code, Sec. 18.12.060, Penalty for violations, is hereby amended to read:

Any person, firm, copartnership or corporation violating any of the provisions of this chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than three hundred dollars [AND IMPRISONED FOR NOT MORE THAN THIRTY DAYS, OR BOTH].

Sec. 11. Wrangell Municipal Code, Sec. 18.16.230 A., Violations--Penalties, is hereby amended to read:

A. Any person, firm, copartnership or corporation violating any of the provisions of this chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than three hundred dollars [AND IMPRISONED FOR NOT MORE THAN THIRTY DAYS, OR BOTH].

PASSED IN FIRST READING: FEBRUARY 9, 1982.

PASSED IN SECOND READING: FEBRUARY 23, 1982.



James J. Jones
Mayor

ATTEST: Jaqueline Bee
City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 429

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 16, CHAPTER 12 OF THE WRANGELL MUNICIPAL CODE, TITLED DISPOSITION OF PUBLIC LANDS, SAID AMENDMENT AUTHORIZING THE COUNCIL TO WAIVE VARIOUS PROCEDURAL STEPS, CONSTRUCTION REQUIREMENTS, AND SEALED BIDS IN SELLING, EXCHANGING, LEASING OR OTHERWISE DISPOSING OF LAND VALUED AT LESS THAN \$25,000.

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

Sec. 1. Classification. This ordinance is an ordinance 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 by law and shall be effective thirty (30) days after final passage.

Sec. 4. Wrangell Municipal Code Title 16, Chapter 12, Disposition of Public Lands is amended by adding to Sec. 16.12.010 Applicability of provisions: Said section is amended to read:

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. Nothing herein shall preclude the council from waiving all of the provisions of this chapter, when in the judgement of the council the public interest so requires, so as to dispose of public lands by lease, exchange, trade, sale, or other disposition of said public lands when the value of said property is less than \$25,000 (as determined by a qualified appraiser or the city assessor) and is accomplished by resolution after public notice published fourteen days prior to passage of the resolution.

PASSED IN FIRST READING: FEBRUARY 9, 1982.

PASSED IN SECOND READING: FEBRUARY 23, 1982.

ATTEST: Jaqueline Beece
City Clerk

James G. [Signature]
Mayor

published March 3, 1982

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 430

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, EXTENDING THE DEADLINE TO CONSTRUCT CERTAIN IMPROVEMENTS PURSUANT TO CONSTRUCTION REQUIREMENTS CREATED AS A CONDITION OF THE CONVEYANCE OF LOT 14, BLOCK 30-B, U. S. SURVEY 1119, CITY OF WRANGELL, FIRST JUDICIAL DISTRICT, ALASKA.

R E C I T A L S

The City conveyed Lot 14, Block 30-B, U. S. Survey 1119, as recorded in Book 8, Page 152 and 153, Wrangell Recording District on or about September 3, 1981, to Steven E. Clark and Sherry B. Clark, his wife, as grantee (hereinafter "Clark"). The conveyance from the City to Clark included as a condition of the conveyance that certain construction requirements occur as set out in the Wrangell Municipal Code, which requirements included construction completion on or before two years from the date of sale or by April 28, 1983.

It is the policy of the Council of the City of Wrangell that extensions of time for the construction of improvements will only be granted for extraordinary, good and sufficient cause. The Council finds that Clark has constructed a driveway, cleared the building site, as well as prepared plans and arranged with a local contractor to construct his home. Due to reasons beyond Clark's control, that is lack of U. S. Forest Service timber sales in the Wrangell and Petersburg areas, Alaska Lumber & Pulp, Clark's employer, reduced its logging engineering staff in Wrangell, thus necessitating the permanent transfer of Clark to Sitka, Alaska, effective April 1, 1982. Without the circumstances beyond Clark's control, Clark's house would have been constructed and completed on said Lot 14 during the 1982 building season. Under said circumstances the Council is therefore willing to grant an extension of the deadline for the construction improvements such that the deadline will expire December 1, 1983.

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

Sec. 1. Classification. This ordinance is of a non-permanent nature and shall not be codified in the Wrangell Municipal Code.

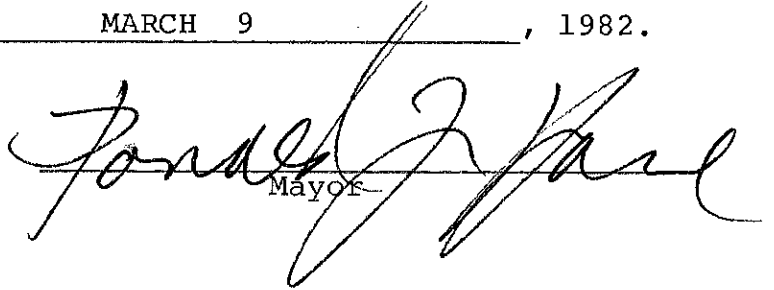
Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstances is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

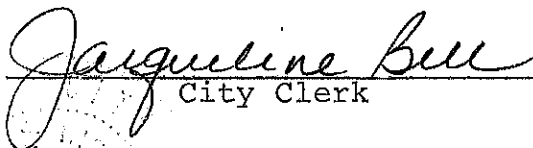
Sec. 3. Effective Date. This ordinance shall be published as provided in the Wrangell Municipal Code and shall be effective thirty (30) days after passage.

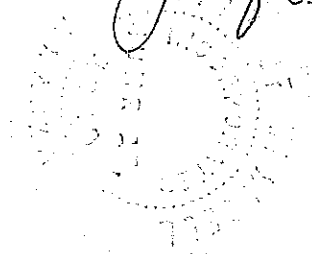
Sec. 4. The Council hereby extends the construction requirements of the Wrangell Municipal Code Sec. 16.12.090, from April 28, 1983 to December 1, 1983, on real property described as Lot 14, Block 30-B, subdivision of Block 29, Block 30 and Block 38, U. S. Survey 1119, Wrangell townsite, known as the Lemieux Subdivision, Wrangell Recording District, First Judicial District, State of Alaska.

PASSED IN FIRST READING: FEBRUARY 23, 1982.

PASSED IN SECOND READING: MARCH 9, 1982.


Mayor

ATTEST: 
City Clerk



CITY OF WRANGELL, ALASKA

ORDINANCE NO. 432

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 15, CHAPTER 4, WATER, SPECIFICALLY ESTABLISHING PROCEDURES AND FEES FOR SPECIAL SERVICES, ESTABLISHING ADDITIONAL PROCEDURES FOR NEW WATER SERVICES, INCREASING WATER RATES BY TWELVE PERCENT 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 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 (30) days after final passage.

Sec. 4. Providing for a Public Hearing. A public hearing shall be held with notice thereof fifteen days prior to said public hearing.

Sec. 5. Wrangell Municipal Code, Sec. 15.04.070, Application for service, is hereby amended to read:

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. The city may refuse to install new services between October 15 and April 1 due to frozen ground or "spring thaw" conditions that would adversely affect city utilities and/or right-of-ways.

Sec. 6. Wrangell Municipal Code, Title 15, Chapter 4, is amended by adding a new section to read:

Sec. 15.04.495 Temporary discontinuance of service - upon customer request. When a customer requests a temporary discontinu-

ance of water service for any reason, all costs shall be paid by the customer. The charges shall be computed at actual costs to the city for labor, materials and equipment, plus fifteen percent overhead, with a minimum charge of twenty-five dollars.

Sec. 7. Wrangell Municipal Code, Sec. 15.04.630, Service connection charges, subsection A, is hereby amended to read:

A. The following service connection charges shall apply under this chapter:

SERVICE CONNECTION CHARGES

<u>Size of Service</u> <u>(in inches)</u>	<u>Charges</u>
3/4	[\$250.00] <u>\$280.00</u>
1	[290.00] <u>325.00</u>
2	[425.00] <u>475.00</u>

Sec. 8. Wrangell Municipal Code, Sec. 15.04.640, Monthly water rates, is hereby amended to read:

The following monthly water rates shall apply under this chapter:

MONTHLY WATER RATES

<u>Class A--Residential--Flat Rates</u>	<u>Monthly Rate</u>
<u>Designation</u>	
Inside city limits, per family unit	\$ [9.00] <u>10.00</u>
Outside city limits, per family unit	[15.75] <u>17.85</u>

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>
Bakeries	\$ [33.75] <u>37.80</u>
Bars	[33.75] <u>37.80</u>
Barbershops--one chair	[8.45] <u>9.45</u>
per each additional chair	[6.75] <u>7.55</u>
Beautyshops--one basin	[8.45] <u>9.45</u>
per each additional basin	[6.75] <u>7.55</u>

<u>Designation</u>	<u>Monthly Rate</u>	
Canneries:		
Shellfish canneries (hand pick)	[168.75]*	<u>189.00</u>
Fish processing	[180.00]*	<u>201.60</u>
Churches	[8.45]	<u>9.45</u>
Cleaners and cleaning plants	[16.90]	<u>18.90</u>
Clubs, lodges--without bar or restaurant facilities	[8.45]	<u>9.45</u>
Cold storage plants	[180.00]	<u>201.60</u>
Docks	[42.20]	<u>47.25</u>
Docks or marinas for small boats, including oil docks	[28.15]	<u>31.50</u>
Garages, service stations, car lots:		
Without washrack	[16.90]	<u>18.90</u>
With washrack	[25.30]	<u>28.35</u>
Hospitals	[67.50]	<u>75.60</u>
Grocery stores:		
Without meat market	[12.65]	<u>14.15</u>
With meat market	[26.15]	<u>29.30</u>
Hydrants, fire, each	[5.35]	<u>6.00</u>
Hotels and motels:		
Ten rooms or less	[25.30]	<u>28.35</u>
Over ten rooms, per room	[1.95]	<u>2.20</u>
Laundromats, self service:		
Under thirty pound capacity, per machine	[9.00]	<u>10.00</u>
Thirty pounds or over capacity, per machine	[18.00]	<u>20.15</u>
Meat markets	[13.50]	<u>15.10</u>
Oceangoing freight and passenger vessels taking water:		
Fifteen tons or less	[16.90]	<u>18.90</u>
Each ton over fifteen tons	[.55]	<u>.60</u>
Office building, first office	[8.45]	<u>9.45</u>
Each additional plumbed office	[8.45]	<u>9.45</u>
Each additional unplumbed office	[1.95]	<u>2.20</u>
Offices, medical and dental:		
With laboratory and/or x-ray unit	[28.70]	<u>32.15</u>
Without laboratory and/or x-ray unit	[8.45]	<u>9.45</u>
Plane floats	[16.90]	<u>18.90</u>
Public showers:		
First two stalls	[9.00]	<u>10.10</u>
Per each additional stall	[2.25]	<u>2.50</u>
Restaurants, lunchcounters, etc.:		
Up to and including thirty seats	[25.30]	<u>28.35</u>
Over thirty seats	[33.75]	<u>37.80</u>
Fountain only	[8.45]	<u>9.45</u>
Sawmills	[562.50]	<u>630.00</u>
Schools, per classroom	[5.60]	<u>6.25</u>
Shops, miscellaneous	[8.45]	<u>9.45</u>

* Rates herein apply to the average monthly usage. No adjustments will be made for seasonal work.

Designation

Monthly Rate

Stores--drygoods, gift, etc.	[9.00]	<u>10.10</u>
Theaters, seating five hundred people or less	[16.90]	<u>18.90</u>

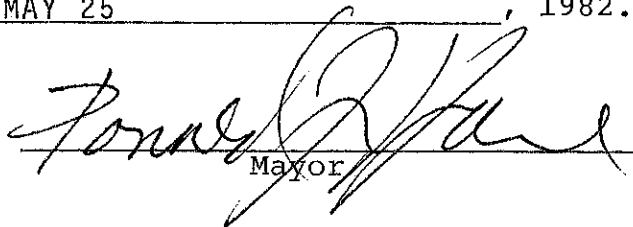
Note 1: A commercial enterprise consisting of more than one facility shall be charged the sum of the applicable rates for each facility.

Note 2: All commercial and industrial rates to customers outside the city limits shall be seventy-five percent 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.

PASSED IN FIRST READING: MAY 11, 1982.

PASSED IN SECOND READING: MAY 25, 1982.


Mayor

ATTEST: 
City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 431

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING CHAPTER 20.36. LIGHT INDUSTRIAL ZONES TO ADD AUTO REPAIR AND INCIDENTAL RETAIL SALE OF AUTO PARTS OR SUPPLIES AND INCIDENTAL SALES OF MARINE REPAIR, RELATED PARTS AND SUPPLIES, AS ADDITIONAL PERMITTED PRINCIPAL USES IN SAID LIGHT INDUSTRIAL ZONES.

R E C I T A L S

It is the desire of the Planning and Zoning Commission to add the retail sale of auto parts in combination with but subordinate, or incidental to auto repair, and to add incidental retail sale of marine parts, as permitted uses in the light industrial zones.

The Planning and Zoning Commission specifically determined that the addition of such principal uses are compatible with the comprehensive plan.

The Council concurs that the principal uses permitted in the light industrial zones should be expanded as recommended by the Planning and Zoning Commission.

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 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 (30) days after final passage.

Sec. 4. Wrangell Municipal Code Sec. 20.36.020 is amended by adding subsection I and by adding language to subsection D, such that said section as amended will read as follows:

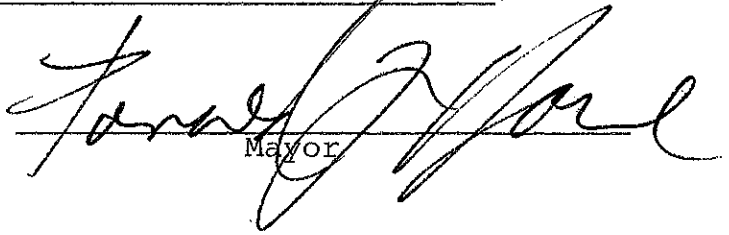
20.36.020 Principal uses permitted. The following are principal permitted uses in these zones:

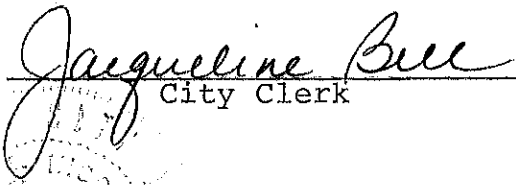
- A. Docks and wharfs;
- B. Transportation and transshipment facilities;
- C. Warehouses and storage;
- D. Marinas, small boat harbors and other facilities for boat storage and repair and subordinate incidental retail sale of supplies or parts;

- E. Manufacturing, fabricating, assembling, and storage of a light industrial nature meeting the development requirements stated under this chapter;
- F. One-family and two-family dwellings;
- G. Multifamily structures, dormitories and rooming-houses and boardinghouses;
- H. Public parks or playgrounds;
- I. Auto repair, and subordinate or incidental retail sales of supplies or parts.

PASSED IN FIRST READING: FEBRUARY 23, 1982.

PASSED IN SECOND READING: MARCH 9, 1982.


Mayor

ATTEST: 
City Clerk



CITY OF WRANGELL, ALASKA

ORDINANCE NO. 433

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 15, CHAPTER 16 CEMETERY OF THE WRANGELL MUNICIPAL CODE, SPECIFICALLY REPEALING THE CHARGE FOR OPEN AND CLOSING GRAVES.

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

Sec. 1. Classification. This ordinance is an ordinance 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 by law and shall be effective thirty (30) days after final passage.

Sec. 4. Wrangell Municipal Code Title 15, Section 15.16.070, Digging Graves--Permission and charges is hereby amended to read as follows:

No person shall be permitted to dig graves within the cemetery without first obtaining permission from the caretaker or superintendent in charge. The City shall open and close graves at no charge. [A REASONABLE UNIFORM CHARGE SHALL BE MADE FOR THE DIGGING OF GRAVES, PAYABLE TO THE FINANCE DIRECTOR. THE CHARGE FOR OPENING AND CLOSING A GRAVE DURING NORMAL WORKING HOURS SHALL BE FIFTY DOLLARS AND SIXTY-FIVE DOLLARS FOR THE SAME SERVICE PERFORMED AT ANY OTHER TIME.]

PASSED IN FIRST READING: June 11, 1982.

PASSED IN SECOND READING: June 22, 1982.

ATTEST: *Tranella Vincent*
City Clerk
(Acting)

Paul J. Hare
Mayor

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 434

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 20, CHAPTER 48 OF THE WRANGELL MUNICIPAL CODE TO PROVIDE FOR THE CONSTRUCTION OF WOODSHEDS AS AN ACCESSORY STRUCTURE.

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

Sec. 1. Classification. This ordinance is an ordinance 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 by law and shall be effective thirty (30) days after final passage.

Sec. 4. Wrangell Municipal Code Title 20, Section 20.48.070, Accessory Structures, is hereby amended by adding the following:

D. An attached or unattached, unenclosed, covered woodshed may extend into either side yard, but such structure shall not be closer than eighteen inches (18") to an adjoining lot. The following requirements shall apply:

1. Storage is limited to firewood only and does not include storage of construction materials such as studs, beams and siding;
2. The structure shall not exceed eight feet (8') in height and seven feet (7') in width.
3. The structure shall comply with the requirements of Wrangell Municipal Code 20.52.020.

PASSED IN FIRST READ: July 13, 1982

PASSED IN SECOND READING July 27, 1982

ATTEST

Lance K. Anderson
City Clerk

Danney J. Ford
Mayor

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 435

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 3, CHAPTER 56, PERSONNEL, SPECIFICALLY PROVIDING FOR FIVE WEEKS VACATION FOR REGULAR EMPLOYEES AFTER TEN YEARS SERVICE.

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

Sec. 1. Classification. This ordinance is an ordinance 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 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 thirty (30) days after final passage.

Sec. 4. Wrangell Municipal Code Section 3.56.190 Vacations, is amended as follows:

Regular employees in the classified service are entitled to two weeks of vacation pay after having completed one 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 years of service the entitlement shall be three weeks of pay and three weeks of vacation, (AND) after five years of service the entitlement shall be four weeks of pay and four weeks of vacation and after ten years of service the entitlement shall be five weeks of pay and five 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.

PASSED IN FIRST READING: July 13, 1982

PASSED IN SECOND READING: July 27, 1982

ATTEST Lanau K. Henderson
City Clerk

James J. [Signature]
Mayor

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 436

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 14, BOAT HARBORS, TO PROVIDE FOR AN INCREASE IN SMALL BOAT HARBORS ANNUAL MOORAGE FEES.

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 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 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 Charter and the Wrangell Municipal Code, and shall be effective thirty (30) days after final passage.

Sec. 4. Public Hearing. A Public Hearing was held June 16, 1982, on the proposed rate increase as provided in Wrangell Municipal Code Sec. 14.12.110.

Sec. 5. Wrangell Municipal Code Sec. 14.20.020 Small boat harbors--Annual moorage fees--Terms, is amended as follows:

The following annual moorage fees are established for small boat harbors:

A. [~~SIX DOLLARS AND FIFTY CENTS~~] Seven Dollars per foot annually for the length of the vessel or length of the stall, whichever is greater. A minimum of twenty feet shall be charged for stalls.

B. Three dollars and [~~TWENTY-FIVE~~] seventy-five cents 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 [~~SIX DOLLARS AND FIFTY CENTS~~] Seven Dollars per foot per year.

D. Statements for annual moorage shall be mailed before July 15th of each year and shall be due and payable on July 31st, but an owner may elect to pay one-half before July 31st and the balance before December 31st. Owner's address for mailing purposes shall be that recited on the registration filed with the harbormaster and the mailing of a statement thus addressed shall constitute notice to the owner.

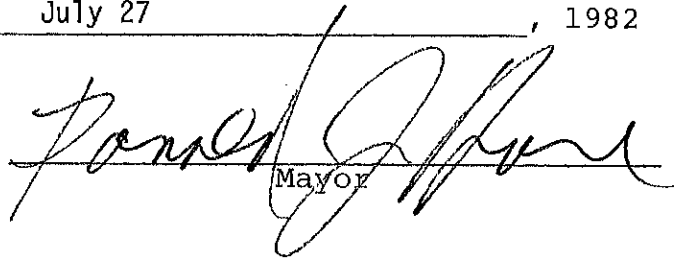
E. All boats and barges tied to city dolphins shall be charged three dollars and [~~TWENTY-FIVE~~] seventy-five cents per foot annually. Rafting at city dolphins shall be charged [~~ONE DOLLAR AND SEVENTY-FIVE~~] two dollars and twenty-five cents per foot annually.

Published Aug. 4, 1982

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 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 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.

PASSED IN FIRST READING: July 13, 1982

PASSED IN SECOND READING: July 27, 1982


Mayor

ATTEST


City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 437

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, PROVIDING FOR ON SITE SEWAGE DISPOSAL FOR PROPERTY WHICH CANNOT CONNECT TO THE PUBLIC SEWER SYSTEM BY GRAVITY FLOW.

WHEREAS, The council has previously provided for the purchase and installation of sewage pumps to non-gravity users by the City of Wrangell; and

WHEREAS, a portion of the non-gravity users have indicated their desire to install their own on-site sewage disposal as opposed to sewage pumps connecting to the City public sewer mains; and

WHEREAS, the State Department of Environmental Conservation has indicated their willingness to allow on-site sewage disposal by non-gravity users if said disposal is an approved method by their department; and

WHEREAS, the Council desires to be responsive to the non-gravity users concerns regarding the costs of operating, maintaining and replacing sewage pumps.

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

Sec. 1. Classification. This ordinance is an ordinance 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 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 thirty (30) days after final passage.

Sec. 4. Wrangell Municipal Code Section 15.08.020 Connection to City Sewer Required is amended as follows:

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 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 days after date of official notice to do so, provided that the public sewer is within one hundred feet of the property line(.)

unless the connections cannot be made with a gravity flow system then the property owner may install on-site sewage disposal approved by the State Department of Environmental Conservation.

Sec. 5. Wrangell Municipal Code Section 15.08.020 Sewage Pumps is amended by adding to said section the following:

E. Nothing in this section shall preclude a residential, commercial or industrial user who cannot install a gravity flow system, from designing, purchasing, installing, operating and maintaining a sewer system upon their own property if said system receives approval from the Alaska Department of Environmental Conservation. Any property owner that installs their own sewer system shall be responsible for all costs of design, purchase, installation, operation, and maintenance, replacement or other costs associated with the system.

PASSED IN FIRST READING: July 13, 1982

PASSED IN SECOND READING: July 27, 1982

ATTEST

Anna K. Benson
City Clerk

James J. Hare
MAYOR

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 438

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF WRANGELL BY REZONING PROPERTY HEREINAFTER DESCRIBED FROM LIGHT INDUSTRIAL ZONED PURSUANT TO A CONTRACT ZONING AGREEMENT AS A BAIT HERRING PROCESSING PLANT TO LIGHT INDUSTRIAL BY CONTRACT ZONING AGREEMENT FOR THE STORAGE OF BOAT AND BOAT TRAILERS.

RECITALS

Ordinance No. 378, dated December 12, 1978, authorized a certain contract zoning agreement between the City of Wrangell and Orden Phillips, and Nadine Phillips; which contract zoning agreement was mutually cancelled, according to oral statement and agreement reached at a public council meeting attended by Orden Phillips and his wife, Nadine Phillips, June 22, 1982.

Orden and Nadine Phillips thereafter applied for rezoning of certain property in U.S. Survey 1518 and adjoining lease and/or lease rights to the tideland. Said application for rezone having been properly reviewed by the Planning and Zoning Commission, and the Council;

NOW THEREFORE, 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 forth in Chapter 20.76 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 shall be rezoned from the light industrial contract zone bait herring processing

plant as authorized by Ordinance #378, to light industrial contract zone, generally involving boat and boat trailer storage as more specifically set out in the contract zoning agreement attached hereto and incorporated herein by reference.

Sec. 5. Property Zoned. The property hereinafter described is hereby contract rezoned from the light industrial contract zone bait herring processing plant as authorized by Ordinance #378, to light industrial contract zone, generally involving boat and boat trailer storage as more specifically set out in the contract zoning agreement attached hereto and incorporated herein by reference. 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:

Tract A

Real property 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.

Tract B

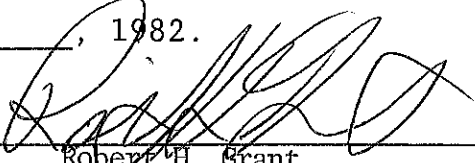
All upland and tideland property lying seaward of the above described Tract A, including any area leased or to be leased or in some manner acquired by the owner of said Tract A adjacent or adjoining Tract A above described. Wrangell Recording District, First Judicial District, State of Alaska.

Sec. 6. Authority for Contract Zoning Agreement. The Mayor and Clerk are hereby authorized to execute the contract

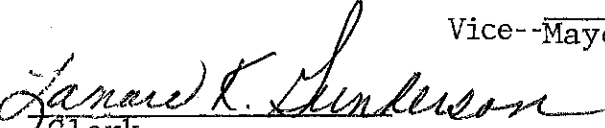
zoning agreement which agreement is attached hereto and incorporated herein by reference.

PASSED AND APPROVED: August 10, 1982.

August 30, 1982.


Vice-Mayor Robert H. Grant

ATTEST:


Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 439

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 3, CHAPTER 56, PERSONNEL, SPECIFICALLY CHANGING ONE HOLIDAY AND ESTABLISHING THE DATE OF OBSERVANCE

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

Sec. 1. Classification. This ordinance is an ordinance 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 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 thirty (30) days after final passage.

Sec. 4. Wrangell Municipal Code Section 3.56.230 Holidays A, is hereby repealed and reenacted to read:

The following are holidays designated as paid holidays for permanent employees: (1) the first of January, known as New Year's Day; (2) the third Monday in February, known as Washington's Birthday; (3) the last Monday of March, known as Seward's Day; (4) the last Monday in May, known as Memorial Day; (5) the fourth of July, known as Independence Day; (6) the first Monday in September, known as Labor Day; (7) the eighteenth of October, known as Alaska Day; (8) the fourth Thursday in November, known as Thanksgiving Day; (9) the Friday in November following Thanksgiving Day; (10) the 25th of December, known as Christmas Day.

Sec. 5. Wrangell Municipal Code Section 3.56.230 Holidays, is amended by adding the following:

E. If a holiday listed in this section falls on a Sunday, the following Monday will be observed as a holiday. If a holiday listed in this section falls on a Saturday, the preceding Friday will be observed as a holiday.

PASSED IN FIRST READING: August 24, 1982

PASSED IN SECOND READING: September 14, 1982

ATTEST Lanaw K. Anderson
City Clerk

James D. Brown
Mayor

CITY OF WRANGELL, ALASKA

Ordinance No. 440

AN ORDINANCE OF THE CITY OF WRANGELL, ALASKA AMENDING WRANGELL MUNICIPAL CODE CHAPTER 5.04 ENTITLED PROPERTY SPECIFICALLY BY EXEMPTING RESIDENTIAL REPAIR AND REHABILITATION FROM TAXATION

WHEREAS, Alaska Statutes provide that a municipality may by ordinance, exempt from taxation all or any part of the increase in assessed value of improvements to real property if an increase in the assessed value is directly attributable to new maintenance, repair or renovation or an existing structure, and if the alteration, maintenance, repair or renovation, when completed, enhances the exterior appearance or aesthetic quality of the structure. Said exemption may only continue for up to four (4) years from the date the improvement is completed, or from the date of approval of the exemption by the local assessor, whichever is later.

WHEREAS, the council desires to encourage repair and rehabilitation of residential structures in the City of Wrangell.

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

Sec. 1. Classification. This ordinance is an ordinance of a permanent and general nature and shall become a part of the code of the City of Wrangell, Alaska, hereinafter referred to as WMC.

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 thirty (30) days after final passage.

Sec. 4. WMC Section 5.04.030 Exemptions is amended to read:

5.04.030 Exemptions. The following are exempted from the levy imposed under this chapter:

(A) All property exempt from taxation as prescribed by [A.S. 29.53.020] Alaska law;

(B) For four (4) tax years, that part of residential property equal in value to the cost of qualifying repairs and rehabilitation as provided in Section 5.04.035, but not exceeding \$10,000.00. Residential property is a structure used solely for non-transient residential purposes containing eight or fewer living units.

Sec. 5. WMC 5.04 Property Tax is amended by adding a new section, 5.04.035 to read as follows:

5.04.035 Repair and Rehabilitation Exemption Qualification.

(A) An exemption under Section 5.04.030 (B) shall be in an amount equal to the value of qualifying work as defined and computed in accordance with this section. The exemption shall be granted only if an application for the exemption is filed with the building official prior to the issuance of the applicable building permit and the building official certifies that the work has been completed in accordance with the applicable building codes.

(B) No work shall qualify unless it exceeds a total value of \$500.00, a building permit is required for the work, such permit has been issued prior to the commencement of said work, and it is work which is necessary to accomplish one or more of the following purposes:

- (1) To eliminate a health or safety hazard which has been found to exist by an appropriate governmental agency;
- (2) To eliminate a health, fire, safety, building or similar code violation;
- (3) To bring a structure up to health, safety, fire, building and other similar code standards;
- (4) For repair and replacement of worn out, obsolete or deteriorated electrical, plumbing or heating systems;
- (5) Repair and replacement of roofs, roofing and siding;
- (6) Energy conservation;
- (7) Repair and replacement of gutters, downspouts, windows, frames, masonry, floors, ceilings, fixtures and similar work which is clearly related to and is done in connection with work under (b) (1) through (6) of this section.

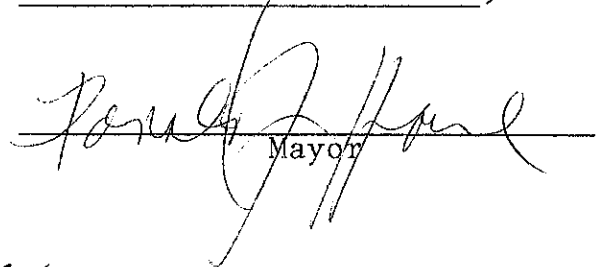
(C) The value of all qualifying work shall be the value determined by the building official for building permit purposes. If a building permit application includes qualifying and nonqualifying work, the building official shall make a separate determination of the value of qualifying work for the purpose of the exemption.

(D) Notwithstanding the requirement that qualifying work must be such as requires a building permit, energy conservation work of a value in excess of that established in subsection (C) above shall qualify and the building official shall determine the value of the work without regard to whether a building permit must be issued.

(E) A person who contests the value determination of the building official may appeal such determination to the manager within three (3) days of receipt of notice of the building official's determination. The decision of the manager shall be final. A person who accepts a building permit or begins construction for which a building permit application has been made waives all rights to an appeal of the building official's determination of value.

PASSED AND APPROVED IN FIRST READING October 26, 1982

PASSED AND APPROVED IN SECOND READING November 9, 1982



Mayor

Attest: 

City Clerk

CITY OF WRANGELL, ALASKA

Ordinance No. 441

AMENDING WRANGELL MUNICIPAL CODE TITLE 5, REVENUE AND FINANCE, CHAPTER 5.04, PROPERTY TAX, SPECIFICALLY AMENDING THOSE SECTIONS OF SAID CHAPTER DEALING WITH LEVY AND COLLECTION OF A PERSONAL PROPERTY TAX.

Whereas, the Council has exempted Personal Property from taxation for the reason among others that the cost of administration and enforcement was uneconomical; and

Whereas, said exemption has been attacked as frustrating the scheme of taxation as required by the Alaska Legislature and unconstitutional by violating the equal protection clause in that it shifted the personal property tax burden to the real property taxpayer; and

Whereas, the Council is aware that no court has declared the exemption of personal property as invalid or unconstitutional but does not want to place a disproportionate burden, if any, on its taxpayers.

Whereas, the Alaska Legislature has passed a law which was vetoed in 1982, which would have clarified the authority of the City of Wrangell to exempt all personal property.

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

Sec. 1. Classification. This ordinance is an ordinance of a permanent and general nature and shall become a part of the code of the City of Wrangell, Alaska, hereinafter referred to as WMC.

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. WMC § 5.04.010 Levy and Limitations is amended to read:

5.04.010 Levy and Limitations.

(a) 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 which is not exempt. The levies for school and municipal purposes shall not be

separately made and fixed, and the aggregate levy shall not exceed three percent (3%) of the assessed value of the real property assessed. [THERE SHALL BE NO TAX ON PERSONAL PROPERTY OF ANY NATURE, AND IT IS THE INTENT OF THE CITY THAT ALL PROPERTY AFFECTED BY PREVIOUS EXEMPTIONS CONCERNING BOATS, RAW NATURAL RESOURCES, INVENTORIES OR ANY OTHER PERSONAL PROPERTY SHALL NOT BE TAXED].

(b) There shall be a tax of \$15.00 per year upon boats and vessels having a registered or certified net tonnage greater than 225 tons. There shall be no tax levied on boats or vessels of a net tonnage less than 225 tons and such vessels shall not be subject to the reporting requirements of WMC \$5.04.040 or this chapter.

Sec. 5. WMC \$5.04.030 Exemptions is amended to read:

5.04.030 Exemptions. The following are exempted from the levy imposed under this chapter:

A. All property exempt from taxation as prescribed by [A.S. 29.53.020] Alaska Law;

B. An exemption not exceeding Two Hundred Dollars 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;

Sec. 6. WMC \$5.04.040 Returns - Required is amended to read:

5.04.040 Returns - Required. On or before February 1st of each year the assessor shall mail blank assesment forms for every owner of [REAL] personal property described in Section 5.04.010 and to the agents of nonresident [REAL] property owners, if known. Every person prior to February 21st shall submit to the assessor, a return of any [REAL] property owned by him, or in which he had an interest, and in the [REAL] property held or controlled by him in a representative capacity, in the manner prescribed by this chapter, which return shall be based on property values existing as of January 1st of the same year.

Sec. 7. WMC \$5.04.100 Listing of Property is amended to read:

5.04.100 Listing of Property. The assessor shall complete the listing of all real and personal property within the limits of the city before March 20th of each year. The listing of all taxable [REAL] property may be made upon permanent separate ledger cards which will be the combined assessment roll and tax ledger. Real property shall be assessed to the owner of record as shown in the records of the Recorder for the Wrangell Recording District; provided, however, that any other person having an interest in the property may be listed on the records with the owner. The person in whose name any [REAL] property is listed as owner shall be conclusively presumed to be the

legal owner of record. If the owner of the land is unknown the land may be assessed to an "unknown owner" or "unknown owners". No assessment shall be invalidated by a mistake, omission, or error in the name of the owner of the real property assessed, if the property is correctly described.

Sec. 8. WMC §5.04.270 Assessment - Computation, is amended to read as follows:

5.04.270 Assessment - Computation. All taxes to be levied or collected, except as otherwise provided, shall be calculated, levied and collected upon the assessed values entered in the assessment roll and certified by the assessor as correct, subject to the taxpayer's rights to appeal and to the corrections made in the rolls pursuant to this chapter. If any person owning personal property subject to assessment by the city fails to file a statement thereof, as required in this chapter, the assessor shall prepare and file, as a part of the supplemental personal property rolls, a statement and valuation of all personal property owned by the person, and proceedings thereafter shall be in accordance with this chapter.

Sec. 9. WMC §5.04.290 Assessment Roll - Delivery to Council is amended to read as follows:

5.04.290 Assessment Roll - Delivery to Council. When the final assessment records have been completed by the assessor as provided in this chapter, the assessor shall deliver to the council on or before June 1st of each year, a statement of the total assessed valuation of all real and personal property within the city.

Sec. 10. WMC §5.04.330 Council Authority to Fix Tax Rate, is amended to read as follows:

5.04.330 Council Authority to Fix Tax Rate. The council shall fix a rate of tax levy and designated 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 5.04.101.

Sec. 11. WMC §5.04.530 Taxes Deemed Lien is amended to read as follows:

5.04.530 Taxes Deemed Lien. All taxes levied by the council pursuant to this chapter shall be a lien upon all [REAL] property assessed, both real and personal, and such lien shall be prior and paramount to all other liens or encumbrances against the property assessed.

Sec. 12. WMC §5.04 designated "Property Tax", is amended by enacting the following sections:

5.04.540 Personal Property - Owners Liability for Assessment; 5.04.550 Personal Property Tax - Demand for Payment; 5.04.560 Distraint and Sale of Personal Property;

5.04.570 Warrant of Distrainment; 5.04.580 Notice of Sale at Public Auction; 5.04.590 Sale of Seized Property; 5.04.600 Return on Sale; and 5.04.610 Proceeds of Sale, which sections as enacted shall read as follows:

5.04.540 Personal Property - Owner's Liability for Assessments. The owner of all personal property assessed shall be personally liable for the amount of taxes assessed against his personal property, and the tax, together with penalty and interest, or any unpaid remainder thereof, may be collected, after the same becomes due, in a personal action brought in the name of the city against the owner in the courts of the state, or in any other manner now or hereafter provided by law.

5.04.550 Personal Property Tax - Demand for Payment.

A. When personal property taxes have become delinquent, the city clerk shall demand immediate payment of said taxes, together with penalty and interest. This demand shall be in writing and may be made by personal delivery thereof by the city clerk, or by depositing the demand in the post office with postage prepaid for delivery by certified mail. This demand shall in all cases precede the institution of action by the city to recover delinquent personal property taxes, either under the remedy of a personal action or the remedy of distraint and sale described in this chapter.

B. The demand shall be in substantially the following form:

DEMAND FOR PAYMENT OF DELINQUENT PERSONAL PROPERTY TAXES

To: _____

You are hereby notified that according to the tax and assessment rolls of the City of Wrangell you are delinquent in the payment of personal property taxes, penalties and interest, due and payable as follows:

	Year	Year	Year
Taxes	\$	\$	\$
Penalty	\$	\$	\$
Interest	\$	\$	\$
Total	\$	\$	\$

You are further notified that unless within ten (10) days of the date of this notice you pay the whole of said taxes, penalty and interest, the City of Wrangell will commence either a personal action against you on your personal liability to pay this tax, or

the assessed property will be seized according to law under
distrain proceedings and be sold to satisfy the said tax.

Dated at Wrangell, Alaska, _____, 198__.

City Clerk
City of Wrangell, Alaska

5.04.560 Distrain and Sale of Personal Property. In addition to the remedy of an action on personal liability described in Section 5.04.510, which shall not be construed as exclusive, the lien of personal property taxes may be enforced by distrain and sale of the personal property of the person assessed.

5.04.570 Warrant of Distrain. Should the delinquent personal property tax, penalty and interest for which demand has been made not be paid, the clerk may issue a warrant of distrain which shall be in form and substance as follows:

CITY OF WRANGELL, ALASKA

WARRANT OF DISTRIN

No. _____

TO: CHIEF OF POLICE, WRANGELL, ALASKA, GREETINGS:

You are hereby directed to serve a copy of this warrant upon _____, at _____, and levy upon as much of the following described personal property of the said person assessed as the tax may have been levied upon, namely:

(Describe Property)

You are hereby further directed to distrain the same and sell such personal property at public auction not less than ten (10) days after notice of such sale has been given by posting, for and on behalf of the City of Wrangell under the authority given it by law to foreclose its tax lien on said personal property to satisfy delinquent personal property taxes of \$_____, together with penalty of \$_____, and interest of \$_____, plus reasonable costs, including attorney's fees, and expenses of sale.

And, if such personal property be insufficient to satisfy the total of said tax, penalty and interest due and payable, the City of Wrangell does hereby further direct you to seize, levy upon, distrain and sell as aforesaid such other personal property as the person assessed may possess to satisfy according to law the said lien of the City of Wrangell for unpaid personal property taxes.

GIVEN under my hand and the seal of the City of Wrangell, Alaska, this _____ day of _____, 19__.

Clerk, City of Wrangell

5.04.580 Notice of Sale at Public Auction. Upon the warrant of distraint having been served and the property seized, the chief of police shall cause notice of sale to be posted in three public places within the city in substantially the following form:

NOTICE OF SALE AT PUBLIC AUCTION
OF PERSONAL PROPERTY FOR UNPAID TAXES

NOTICE IS HEREBY GIVEN:

That the following described personal property will be sold at public auction at _____, in the City of Wrangell, on the ____ day of _____, 19____, at the hour of _____ of said day, which day is not less than ten (10) days from and after the date of this Notice and the posting thereof:

Said personal property will be sold to satisfy the lien of the City of Wrangell for delinquent personal property taxes thereon in the amount of \$ _____, penalty of \$ _____, and interest of \$ _____, and reasonable costs including attorney's fees and expenses of sale, unless said taxes, penalty and interest are paid in full prior to date of sale, and such sale will continue until each and all of the items of personal property herein described are sold to the extent necessary to satisfy said lien and the costs and expenses of said sale.

All of the personal property described herein or so much thereof as may be necessary in each individual case will be sold at public auction for cash to the highest bidder to discharge said tax claim. To defray such costs, in addition to storage or moving costs, if any, there will be assessed a commission of ten (10%) percent on the first One Hundred (\$100.00) Dollars, and five (5%) percent on any sales in excess thereof received when said property is sold.

Dated at Wrangell, Alaska, this ____ day of _____,
19____

Chief of Police
Wrangell, Alaska

5.04.590 Sale of Seized Property. At the time and place given in the notice of sale aforesaid, the chief of police shall proceed to sell at public auction to the highest and best bidder for cash so much of the personal property of the person assessed as is needed to satisfy the tax lien of the City. If the property seized is insufficient to discharge the tax lien and pay all costs and expenses of sale, the chief of police shall cause to be seized and distrained sufficient additional property of the person assessed to satisfy the remainder of the tax lien.

5.04 Return on Sale. After completion of the public sale, the chief of police shall make his return on the back of the warrant of distraint, under oath, and shall deliver the proceeds of sale to the city clerk together with the return in substantially the following form:

RETURN OF SALE

STATE OF ALASKA)
FIRST JUDICIAL DISTRICT)

I, _____, Chief of Police for the City of Wrangell, Alaska, do hereby certify that I received the Warrant of Distraint on the reverse hereof on _____, 19____, and did levy upon and seize the following personal property of _____:

(Describe Property)

That I thereafter on _____, 19____, did post notice of sale in three public places within the City of Wrangell, namely, _____, _____, and _____, pursuant to said notice did offer at public auction and sell on _____, 19____, the following property:

(Describe Property Sold)

Subscribed and sworn to before me this _____ day of _____, 19____.

Notary Public for Alaska
My commission expires: _____

5.04.610 Proceeds of Sale. The City Clerk shall receive the proceeds of the sale from the chief of police and shall credit the same to expenses of sale, other costs including attorney's fees, penalty, interest and tax, in that order. Any excess shall be held in trust by the city for the owner of the property and shall be paid over to him upon written demand and receipt therefor.

PASSED AND APPROVED IN FIRST READING November 9, _____, 1982

PASSED AND APPROVED IN SECOND READING November 23, _____, 1982

Attest: Lawrence K. Anderson
City Clerk

[Signature]
Vice-Mayor

CITY OF WRANGELL, ALASKA

Ordinance No. 5-83-443

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA ENCOURAGING MORE INTENSIVE LAND UTILIZATION AND COMPACT GROWTH, AMENDING THE WRANGELL MUNICIPAL CODE, SPECIFICALLY THOSE SECTIONS DEALING WITH SUBDIVISIONS TO PERMIT "FLAG LOTS", SAID FLAG LOT SUBDIVISION PERMITTING ACCESS BY A PRIVATE EASEMENT WHICH EASEMENT STANDARDS AND CONSTRUCTION ARE LESS RESTRICTIVE THAN REQUIREMENTS FOR A DEDICATED RIGHT-OF-WAY

Whereas, the Planning and Zoning Commission has reviewed the question of the desirability of flag lots, and

Whereas, the Planning and Zoning Commission found that flag lots would enable owners to subdivide their lots when there is no dedicated access from a public right-of-way to a subdivided lot, and

Whereas, the Planning and Zoning Commission specifically found that there is a need in Wrangell for available land on which to build improvements and desires to encourage more intensive land utilization and compact growth within the City.

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

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. 20.08.270 is amended to read as follows:

20.08.270 Frontage. "Frontage" means all the property abutting the right-of-way of a dedicated street or a private road easement. Frontage is measured along the right-of-way or easement between side lot lines of a lot.
[FRONTING ON ONE SIDE OF A STREET BETWEEN INTERSECTING STREETS.]

PUBLISHED: May 18, 1983

Sec. 5. Wrangell Municipal Code, Sec. 20.08.360 is amended to read as follows:

20.08.360 Lot. "Lot" means a parcel of land occupied or to be occupied by a principal use and having frontage on a public street or private road easement as permitted by a flag lot subdivision.

Sec. 6. Wrangell Municipal Code, Chapter 19.08 entitled "Definitions" is amended by adding an additional section entitled "Flag Lots" as follows:

19.08.045 Flag Lots. A lot which does not have the required frontage on a dedicated right-of-way and where access to said lot is provided from an approved dedicated right-of-way by a private road easement.

Sec. 7. Wrangell Municipal Code, Sec. 19.08.040 is amended to read as follows:

19.08.040 Easement. "Easement" means a grant by the property owner to the public of the use of a strip of land for specific purposes. An easement created in conjunction with a flag lot shall be a private, non-dedicated easement.

Sec. 8. Wrangell Municipal Code, Sec. 19.20.020 is amended to read as follows:

19.20.020 Dedications. All streets, alleys and easements shown on the plat not previously dedicated to public use shall be so dedicated, except easements created in conjunction with a flag lot subdivision, which shall be private, non-dedicated easements.

Sec. 9. Wrangell Municipal Code, Title 19, entitled "Subdivisions" is amended by adding a new chapter, designated "Flag Lot Subdivisions", said chapter to read as follows:

Chapter 19.30

FLAG LOT SUBDIVISIONS

Sections

19.30.010 Purpose. The purpose of this chapter is to encourage more intensive land utilization and compact growth by permitting modification of the frontage requirements for certain large, residential lots. Approval of flag lots and parcels shall be based on the requirements of this code and this chapter.

19.30.020 Standards. The minimum standards for flag lots shall be as follows:

A. All rear lots and parcels must be at least Five Thousand (5,000) square feet, or Fifteen Thousand (15,000) square feet in areas where City water and sewer are not available, exclusive of the easement traversing any other lot.

B. All front lots and parcels must be at least Five Thousand (5,000) square feet, or Fifteen Thousand (15,000) square feet in areas where City water and sewer are not available.

C. When determining the square footage lot size, the easement area within the lot may be considered as a part of the total square footage requirements.

D. An easement shall be created running from the dedicated right-of-way to the lots created by the flag lot subdivision. Said easement shall be a minimum improved, constructed roadway surface width of 20 feet, with a 30-foot minimum road easement width. The improved surface of said easement shall be durable, well-drained, and dust-free. Said easement area shall provide for proper drainage from the roadway surface.

E. The maximum length of any easement shall not exceed 400 feet, measured along the centerline.

F. The setback yard requirements for a flag lot shall be a 5-foot setback from the easement. This shall apply to all easements, whether public or private. Additional yard requirements are as set forth in Wrangell Municipal Code §20.16.060 and §20.20.060.

G. A maximum of two rear lots or parcels may be assigned to the easement. A maximum number of three lots can be created under a flag lot subdivision.

H. Prior to approval of a flag lot subdivision, the applicant shall prepare and record in the Wrangell Recording District, an access easement maintenance agreement which easement shall remain in effect as long as a flag lot is in existence.

I. Each rear lot or parcel shall have two parking spaces, with sufficient turnaround area to eliminate the necessity of a vehicle backing out onto the dedicated street. The two parking spaces shall not be located in the easement portion of the lot.

J. An abutting property owner may request a visual buffer at the time of the creation of the flag lot. The buffer shall consist of the following:

1. A minimum 5-foot high, 75 percent site obscuring fence or wall; or

2. Landscaping that will be five feet high and 75 percent site obscuring within five years.

K. The easement area shall remain free of structures and shall be available for access from the flag lots to the public street.

Sec. 10. Wrangell Municipal Code, Title 20, Zoning, specifically the chapters dealing with low and medium density residential zones, specifically §20.16.060 and §20.20.060 are amended to read as follows:

20.16.060 Yards. The following minimum yard requirements shall apply in these zones:

A. Front yard shall be twenty feet; provided, that in addition, setbacks from major roads shall be as specified in Section 20.48.060.

B. Side yards shall be ten feet; provided, that the minimum side yards on the street side of a corner lot shall be twenty feet.

C. Rear yards shall be twenty-five feet.

D. Yard requirements for flag lots shall be a minimum of ten feet on the side and rear yards. The minimum yard requirement on the side with the easement shall be five feet measured from the edge of the easement.

Sec. 20.20.060 Yards. The following minimum yard requirements shall apply in these zones:

A. Front yards shall be twenty feet; provided, that in addition, setbacks from major roads shall be specified in Section 20.48.060.

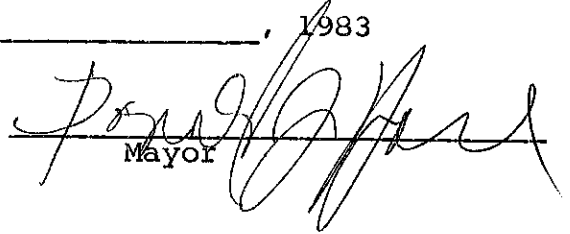
B. Side yards shall be seven feet; provided, that the minimum side yard on the street side of a corner lot shall be twenty feet.

C. Rear yards shall be twenty feet.

D. Yard requirements for flag lots shall be a minimum of seven feet on the side and rear yards. The minimum yard requirement on the side with the easement shall be five feet measured from the edge of the easement.

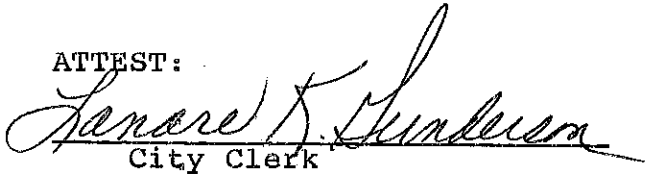
PASSED IN FIRST READING: APRIL 26, 1983

PASSED IN SECOND READING: MAY 10, 1983



Mayor

ATTEST:



City Clerk

CITY OF WRANGELL, ALASKA

Ordinance No. 1-83-442

AN ORDINANCE OF THE CITY OF WRANGELL, ALASKA AMENDING WRANGELL MUNICIPAL CODE CHAPTER 3.32 ENTITLED HOSPITAL AND LONG-TERM CARE FACILITY BOARD SPECIFICALLY BY REENACTING PROVISIONS ON BOARD ESTABLISHMENT AND MEMBERSHIP OMITTED IN THE PRINTING OF THE WRANGELL MUNICIPAL CODE.

WHEREAS, it has been discovered that prior code section 3.63.010 and 3.63.020 establishing the Hospital Board and its membership was inadvertently omitted in the printing of the Wrangell Municipal Code during recodification; and

WHEREAS, it was intended that the recodification would include said prior code sections and the City Council has followed the omitted sections as though they were codified.

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

Sec. 1. Classification. This ordinance is an ordinance of a permanent and general nature and shall become a part of the code of the City of Wrangell, Alaska, hereinafter referred to as WMC.

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 thirty (30) days after final passage.

Sec. 4. WMC 3.32 is amended by adding a new section, 3.32.005, to read as follows:

3.32.005. Board Established. There is hereby established a board to be known as "Wrangell General Hospital and Long-Term Care Facility Board" herein designated as "Board" or "Hospital Board," which shall be composed of five (5) members who shall be qualified electors of the City of Wrangell, Alaska.

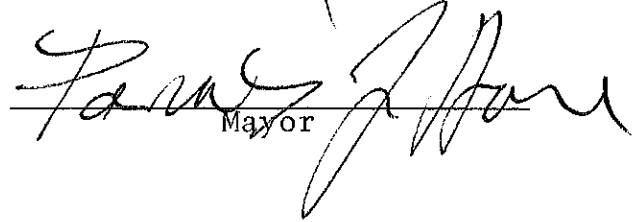
Sec. 5. WMC 3.32 is amended by adding a new section, 3.32.007, to read as follows:

3.32.007. Board Membership. The Wrangell General Hospital and Long-Term Care Facility Board shall consist of one member of the City Council selected annually by

that body by election or otherwise, plus four (4) other members appointed by the Mayor, subject to approval by the Council, none of whom shall be engaged in the medical or health profession. Members appointed to the Board shall serve respective terms expiring ten (10) days after the General Municipal Election in the years 1970, 1971, 1972 and 1973, respectively. Thereafter, within ten (10) days after each general election, the Mayor shall appoint a member of the Board for a period of four (4) years, which appointment shall be subject to approval of the City Council. Notwithstanding the foregoing provisions, the term of each Board member shall continue until his successor is appointed and has qualified by taking an Oath of Office.

PASSED AND APPROVED IN FIRST READING December 14, 1982

PASSED AND APPROVED IN SECOND READING January 11, 1983


Mayor

Attest: 
City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 5-83-444

AN ORDINANCE OF THE COUNCIL OF THE CITY
OF WRANGELL, ALASKA, ESTABLISHING FORMAL
PROCEDURES FOR CITY PURCHASES AND SALES.

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

Sec. 1. Classification. This ordinance is an ordinance
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 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
published as provided in the City ordinances and shall be
effective thirty (30) days after final passage.

Sec. 4. Wrangell Municipal Code Title 5 Revenue and
Finance, is amended by adding the following chapter:

CHAPTER 5.10

PURCHASES AND SALES

5.10.010 Contractual services defined. "Contractual
services," for the purpose of this chapter, means services
performed for the city by persons not in the employment of
the city, and may include the use of equipment or the
furnishing of commodities in connection with said services
under express or implied contract. Contractual services
include travel; telephone; telegraph; utilities; rents;
printing and binding; repairs, alterations, and maintenance
of buildings, equipment, streets and bridges, and other
physical facilities of the city; and other services per-
formed for the city by persons not in the employment of the
city.

5.10.012 Public improvement defined. "Public improve-
ment," as used in this chapter, means the erection, building,
construction, placement, creation or expulsion, demolition
or removal of an improvement to land.

5.10.020 City manager or authorized personnel to make purchases. All purchases of supplies, materials, equipment, and contractual services for the offices, departments, and agencies of the city government, shall be made by the city manager or by other city personnel in accordance with purchase authorization issued by the city manager.

5.10.030 When prior approval by the council is required. Every contract for, or purchase of, supplies, materials, equipment, contractual services, or public improvements for more than five thousand dollars, excluding freight, shall require the prior approval by motion or resolution of the council; and under no circumstances may such contract or purchase be made without first obtaining the approval of the council.

5.10.040 When competitive bidding or quotations are required. (a) Purchases of, or contracts for, supplies, materials, equipment, contractual services, or public improvements whose cost does not exceed five thousand dollars and in a single transaction, may be made on the open market without competitive bidding or quotations, provided that such purchases or contracts are for budgeted items or items previously approved by the council.

(b) Except as otherwise provided in Section 5.10.050, purchases of or contracts for supplies, materials, equipment, or contractual services whose cost exceeds five thousand dollars but does not exceed ten thousand dollars in a single transaction shall, at the option of the city purchasing authority, be made in the open market by written quotation or telephone solicitation or through the competitive bidding process set out in subsection (c) of this section.

(c) Except as otherwise provided in Section 5.10.050, before any purchase of, or contract for, supplies, materials, equipment, or contractual services is made whose costs exceed ten thousand dollars, the city purchasing authority shall submit to at least three persons, firms or corporations dealing in and able to supply the same, or to a smaller number if there are not three dealing in and able to supply the same, invitations to bid and specifications to give them opportunity to bid. He shall also publish notice of the proposed purchase in the newspaper of general circulation within the city.

When there are at least three such persons, firms or corporations in the city, he need not, but he may, submit invitations to bid to those outside the city; provided, that he can always do this at no additional cost to the city. He shall, however, submit invitations to bid to those outside the city when this may be necessary to secure bids or to create competitive conditions, or when he thinks that by so doing he can make a saving for the city.

or services are being provided the other government unit on the basis of formal bids submitted and where the city contract is on substantially the same terms as those bid, or to contract with or through such other government unit so that the benefit of the lowest and best responsible bid accrues to the city;

(10) When competitive bidding has been followed, but no bids or quotations are received or the bids or quotations are rejected. In such a case, after council approval, the city manager may proceed to have the services performed or the supplies purchased without further competitive bidding or quotation.

(11) Public improvement whose cost does not exceed five thousand dollars in a single transaction.

5.10.060 Sale of surplus, obsolete, or unneeded personal property. (a) No surplus, obsolete, or unneeded, supplies, materials, equipment, or other personal property may be sold until the council has declared, by motion or resolution, them obsolete or surplus.

(b) Before the city manager sells any surplus, obsolete, or unneeded supplies, materials, equipment, or any other personal property, the city manager shall advertise them for sale in a newspaper of general circulation in the city and give notice in such other manner as he deems necessary to adequately reach prospective buyers to give them an opportunity to make bids. All bids shall be sealed and shall be opened in public at a designated time and place, except when the sale is by auction. The city manager may repeatedly reject all bids and advertise or give notice again. He shall sell such supplies, materials, equipment, or other personal property to the highest responsible bidder for cash. In case of a tie, the successful bidder shall be determined by publicly drawing lots at a time and place specified by the city manager, always selling to the highest responsible bidder or bidders for cash. A sale of property of twenty-five thousand dollars or more in value must meet with the requirements of Section 5-17 of the city Charter.

5.10.070 Local hire required on public improvement contracts. Contracts for public improvements which are funded in whole or in part by local funds, or funds which in accordance with a federal grant or otherwise, the city expends or administers, and to which the City is signatory to the public improvement contract, may include the requirement that 50% of the work shall be accomplished by bona fide local residents, if qualified and available. In the case of Federal funds used on a public improvement, the Federal program should be intended to encourage economic revitalization including improved opportunities for the poor and unemployed.

All bids shall be sealed and shall be opened in public at a designated time and place. He may repeatedly reject all bids and again may submit to the same or other persons, firms or corporations an invitation to bid, and again publish notice of the proposed purchase.

He shall purchase from the bidder whose bid is most advantageous to the city.

5.10.050 When competitive bidding or quotations are not required. The following may be purchased or contracted for without giving an opportunity for competitive bidding or soliciting quotations:

(1) Supplies, materials, equipment, or contractual services whose cost does not exceed five thousand dollars, excluding freight costs, in a single transaction;

(2) Supplies, materials, equipment or contractual services which can be furnished only by a single dealer, or which have a uniform price wherever bought;

(3) Supplies, materials, equipment or contractual services purchased from another unit of government at a price deemed below that obtainable from private dealers, including war surplus;

(4) Contractual services purchased from a public utility corporation at a price or rate determined by state or other governmental authority;

(5) Contractual services of a professional nature, such as legal, engineering, architectural, and medical services;

(6) Supplies, materials, equipment or contractual services which must be purchased from a specific source in order to prevent incompatibility with previously purchased supplies, materials, equipment or contractual services. For purposes of this subparagraph, the term "incompatibility" is defined as the inability to (A) interconnect, combine, interchange, or join, or (B) that which causes or necessitates maintenance expertise or training where such acquisition would result in substantial duplication. The council must approve by motion or resolution any purchase whose cost exceeds five thousand dollars which is to be excluded from competitive bidding by the authority of this subparagraph.

(7) Supplies, materials, equipment, contractual services or public improvements which the council declares to be required on an emergency basis or which the council declares is impractical or impossible.

(8) Placement of insurance coverage;

(9) When it is advantageous to the city to enter into a contract with a bidder for the same supplies or services such bidder is providing another Alaskan local government, the state of Alaska, or the United States where such supplies

Resident means a person who (a) Except for brief intervals, military service, attendance at an educational or training institution, or for absences for good cause, is physically present in the city for a period of 30 days immediately before the time his status is determined;

(b) Maintains a place of residence in the city;

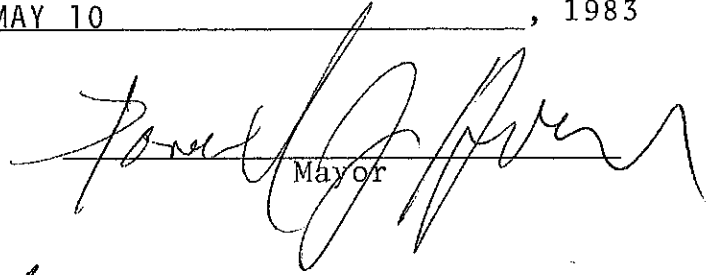
(c) Has established residency for voting purposes in the city;

(d) Has not, within the period of required residency, claimed residency in another state, and

(e) Shows by all attending circumstances that his intent is to make Wrangell his permanent residence.

PASSED IN FIRST READING APRIL 26, 1983

PASSED IN SECOND READING MAY 10, 1983


Mayor

ATTEST: 
City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 445

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 14, BOAT HARBORS, TO PROVIDE FOR AN INCREASE IN SMALL BOAT HARBORS ANNUAL MOORAGE FEES, RAFTING FEES AND AMENDING THE SEASONAL AND TRANSIENT FEES AND REGULATIONS.

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 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 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 Charter and the Wrangell Municipal Code, and shall be effective thirty (30) days after final passage.

Sec. 4. Public Hearing. Public Hearings were held April 7, 1983 and May 5, 1983, on the proposed rate increase as provided in Wrangell Municipal Code Sec. 14.12.110.

Sec. 5. Wrangell Municipal Code Sec. 14.16.020 Registration A. is hereby amended to read as follows:

A. Every owner, master or managing agent of any boat using the mooring facilities of the Wrangell Harbor is 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 harbormaster on forms to be provided by him for that purpose, within [SEVEN DAYS] fifteen hours after such boat enters and moors at any float in the Wrangell Harbor.

Sec. 6. Wrangell Municipal Code Sec. 14.20.000 Small Boat Harbors - Annual Moorage Fees - Terms is hereby amended to read as follows:

A. Seven dollars and fifty cents per foot annually for the length of the vessel or length of the stall, whichever is greater. A minimum of twenty feet shall be charged for stalls.

B. [THREE DOLLARS AND SEVENTY-FIVE CENTS] Seven dollars and fifty cents 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 seven dollars and fifty cents per foot per year.

D. Statements for annual moorage shall be mailed before July 15th of each year and shall be due and payable on July 31st, but an owner may elect to pay one-half before July 31st and the balance before December 31st. Owner's address for mailing purposes shall be that recited on the registration filed with the harbormaster and the mailing of a statement thus addressed shall constitute notice to the owner.

E. All boats and barges tied to city dolphins shall be charged three dollars and seventy-five cents per foot annually. Rafting at city dolphins shall be charged two dollars and twenty-five cents 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 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 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.

Sec. 7 Wrangell Municipal Code Sec. 14.20.030 Small boat harbors--Seasonal and transient moorage fees is repealed and reenacted to read as follows:

14.20.030 Small boat harbors--Seasonal and Transient Moorage Fees. Seasonal and transient moorage fees for small boat harbors are established as follows:

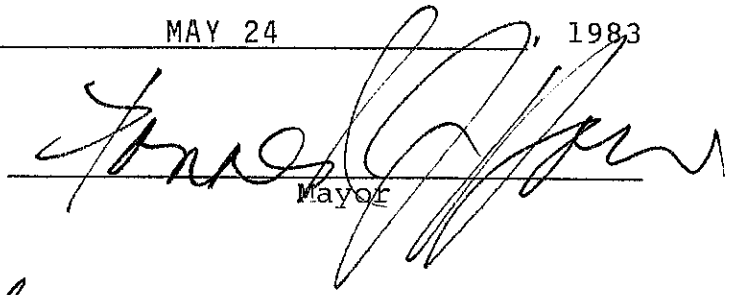
A. Standard Rates. Vessels shall be charged ten cents per foot per day or fraction thereof. A minimum of two dollars per day or fraction thereof shall be charged.

Vessels moored in designated seasonal and transient space may occupy such space without charge for a period of fifteen hours. Vessels moored in such space in excess of fifteen hours shall be charged in accordance with the rates set forth above. The above fees are applicable to boats mooring up to three weeks.

B. Vessels mooring in designated seasonal and transient space shall register with the harbormaster within fifteen hours as required in Sec. 14.16.020. Permits for mooring in designated seasonal and transient space shall be signed by the owner or authorized agent on behalf of the owner of the vessel, and the permit shall designate the duration of the permitted moorage, rate applicable, name of vessel, owners of vessel, and name and mailing address of person signing permit. The person signing the permit shall be responsible for payment. Fees shall be paid within thirty days of permit issuance.

PASSED IN FIRST READING: MAY 10 , 1983

PASSED IN SECOND READING: MAY 24 , 1983



Mayor

ATTEST: 

City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 446

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, REPEALING TITLE 11, CHAPTER 56, VEHICLES FOR HIRE, OF THE WRANGELL MUNICIPAL CODE.

WHEREAS, the Council of the City of Wrangell, Alaska, has reviewed the provisions of Title 11, Chapter 56, Vehicles For Hire, of the Wrangell Municipal Code; and

WHEREAS, the council has determined that regulation or licensing of vehicles for hire is not necessary or desirable on the local level and the provisions should be removed from the Wrangell Municipal Code.

NOW, THEREFORE, 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 shall be codified in the Wrangell Municipal Code.

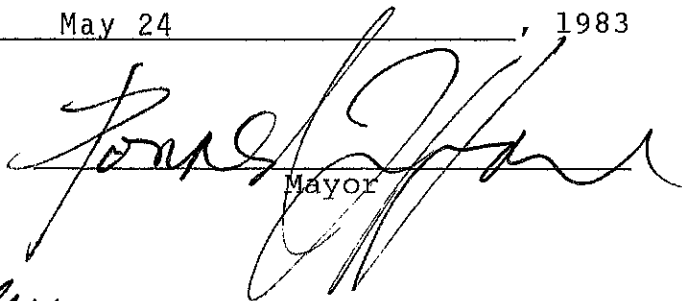
Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided in the Charter and the Wrangell Municipal Code, and shall be effective thirty (30) days after final passage.

Sec. 4. Wrangell Municipal Code, Title 11, Chapter 56, Vehicles For Hire, is hereby repealed.

PASSED IN FIRST READING May 10, 1983

PASSED IN SECOND READING May 24, 1983


Mayor

ATTEST: 
City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 447

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 14, CHAPTER 12 OF THE WRANGELL MUNICIPAL CODE TO FORMALLY ENACT THE RULES GOVERNING THE PORT COMMISSION.

WHEREAS, the Wrangell City Council established the Wrangell Port Commission and provided that they shall have jurisdiction, supervision and control of the Port of Wrangell, subject to the paramount control of the City Council; and

WHEREAS, it is necessary for the Port Commission to meet regularly to conduct the affairs of the Port of Wrangell; and

WHEREAS, the Port Commission adopted By-Laws in 1975, setting forth rules for officers, meetings, quorum and absences, which rules were not enacted by the Wrangell City Council; and

WHEREAS, the Wrangell City Council is desirous of formally enacting the By-Laws adopted by the Port Commission in 1975.

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 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 14, Chapter 12, Administration, is hereby amended by adding the following Section:

14.12.11 Absence from meetings. If any member of the Port Commission is absent from more than one-half of all meetings of the commission, regular and special, held within any period of four consecutive months, he shall thereupon cease to hold office.

Sec. 5. Wrangell Municipal Code Title 14, Chapter 12, Administration, is hereby amended by adding the following Section:

14.12.12 Election of Chairman. The Commission, at its first meeting following the municipal annual election, shall elect from its own members, a chairman who shall serve for one year to preside over meetings.

Sec. 6. Wrangell Municipal Code Title 14, Chapter 12, Administration, is hereby amended by adding the following Section:

14.12.13 Quorum voting. A. Three members of the Commission shall constitute a quorum, except for fixing rates, which shall require a quorum of four members. Any number less than a quorum may adjourn to a later date.

B. An affirmative vote of a majority of the Commission is required for a subject matter's passage or enactment.

Sec. 7. Wrangell Municipal Code Title 14, Chapter 12, Administration, is hereby amended by adding the following Section:

14.12.14 Regular Meetings. A. Regular meetings of the Port Commission shall be held on the first Thursday of each month.

B. The meetings shall be held at seven-thirty p.m., in the Council Chambers, City Hall, Wrangell.

C. If any such Thursday falls on a legal holiday as defined by the laws of the State, the meeting scheduled for that day shall be held at the same hour on the next succeeding day which is not a holiday.

Sec. 8. Wrangell Municipal Code Title 14, Chapter 12, Administration, is hereby amended by adding the following Section:

14.12.15 Special meetings. A. Special meetings of the Port Commission may be called by the Chairman, any two members of the Commission, or the Harbormaster.

B. Notice of special meetings shall be given in the same manner as special council meetings.

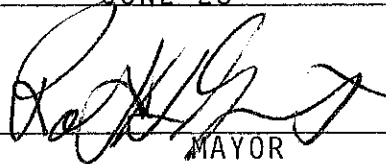
Sec. 9. Wrangell Municipal Code Title 14, Chapter 12, Administration, is hereby amended by adding the following Section:

14.12.16 Executive session. The Port Commission 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 final action shall not be taken by the Port Commission 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.

PASSED IN FIRST READING _____ JUNE 14 _____, 1983

PASSED IN SECOND READING _____ JUNE 28 _____, 1983



MAYOR

ATTEST: 
CITY CLERK

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 448

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AUTHORIZING THE DISPOSAL OF CITY PROPERTY BY LEASING AND/OR EXCHANGING THE CITY REAL PROPERTY WITH THE FOREST SERVICE, U.S.D.A., AUTHORIZING THE CITY COUNCIL TO DETERMINE THE EXCHANGE VALUES, TERMS AND CONDITIONS OF THE LEASE AND/OR EXCHANGE, AND CALLING FOR A GENERAL ELECTION FOR VOTER APPROVAL OF SAID LEASE AND EXCHANGE.

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

WHEREAS, the Forest Service, United States Department of Agriculture, has requested that the City of Wrangell trade certain property that the City owns for certain property of the United States government. In addition, pending the exchange, review, and approval process by the U.S. government, the Forest Service desires to enter into a nominal fee, 30-year lease, subject to conversion of said long-term lease after three (3) years if said exchange of property is not accomplished. At the end of the three-year period, the lease amount shall be at market value.

WHEREAS, the Forest Service will not convey title to the United States property by warranty deed, and will only convey by quitclaim deed. Said quitclaim deed practice could adversely effect the marketability and future use of the City-acquired property.

WHEREAS the exchange/lease agreement also contemplates and requires the City of Wrangell to design and furnish all materials to construct a water and sewer extension. The labor and equipment for the water and sewer extension are to be provided by the Forest Service.

WHEREAS, the Council has decided that the trade and lease of the property is of a substantial benefit to the people of Wrangell, and would be used for a public purpose, including the City's desire to perpetuate the existence of the U.S. Forest Service in Wrangell by cooperating with them, especially at a time when the timber industry on which Wrangell is substantially dependent, is declining.

WHEREAS Section 5-17 of the Wrangell Charter requires that the City may dispose of any real property, the value of which is \$25,000.00, only by authority of an ordinance enacted or ratified at an election by an affirmative vote of a majority of the qualified voters of the City.

Published: August 31, 1983

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA AS FOLLOWS:

Sec. 1. Classification. This ordinance is an ordinance of a permanent and general nature but 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 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 4, 1983.

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 LEASE AND/OR EXCHANGE THE FOLLOWING DESCRIBED CITY-OWNED REAL PROPERTY FOR REAL PROPERTY OWNED BY THE FOREST SERVICE, U.S. DEPARTMENT OF AGRICULTURE, SAID PROPERTIES LOCATED IN THE CITY OF WRANGELL? BY VOTING FOR THIS PROPOSITION, YOU WILL GIVE TO THE COUNCIL THE ABILITY TO DECIDE ALL OF THE TERMS AND CONDITIONS OF A LONG-TERM LEASE, and/OR THE VALUES, TERMS AND CONDITIONS OF A REAL PROPERTY EXCHANGE WITH THE FOREST SERVICE, U.S. DEPARTMENT OF AGRICULTURE. THE PROPERTY THAT THE CITY OF WRANGELL WILL LEASE AND/OR EXCHANGE IS:

Lot 3, Lot 4, Lot 5, Lot 6, Lot 7, and Lot 8, located in Block 60, Wrangell Townsite, which property abuts Third and Fourth Avenues and Bennett Street in Wrangell, Alaska.

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 4, 1983

Sec. 7. Election Precincts. 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. Polls Open. That the polls will be open for voting on the proposition between the hours of 8:00 am. and 8:00 p.m., on October 4, 1983.

Sec. 9. Voter Qualifications. That the qualifications for voters on the aforementioned proposition shall be the same as for voters at municipal elections generally.

Sec. 10. Notice. 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. 11. Public Review. In addition to the notice for the general election, the Clerk is directed to give public notice that the statement of intent concerning the exchange and lease of the property may be reviewed at the office of the City Clerk, or a copy thereof shall be given upon payment of a reasonable copying charge.

PASSED IN FIRST READING: AUGUST 16, 1983

PASSED IN SECOND READING: AUGUST 23, 1983

Attest: Lanore K. Gunderson
City Clerk

James J. Hare
Mayor

Proposition No. 2 (Forest Service Land)	YES 719	NO 252
---	------------	-----------

I, Lanore K. Gunderson, City Clerk, City of Wrangell, Alaska, hereby certify that the foregoing is a true and correct copy of the results of the General Election held October 4, 1983.

Lanore K. Gunderson
Lanore K. Gunderson, City Clerk

CITY OF WRANGELL, ALASKA
ORDINANCE NO. 449

AN ORDINANCE OF THE CITY OF WRANGELL, ALASKA, AUTHORIZING THE SALE AND/OR DISPOSAL OF A ROCK CRUSHER AND RELATED EQUIPMENT AT A SALE PRICE AND/OR UNDER TERMS TO BE DETERMINED BY THE CITY COUNCIL; CALLING FOR AN ELECTION TO RATIFY THE QUESTION OF WHETHER SAID ROCK CRUSHER SHOULD BE SOLD UNDER THE TERMS AND CONDITIONS TO BE ESTABLISHED THEREAFTER BY THE COUNCIL.

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

WHEREAS, the City owns a rock crusher valued at more than \$25,000.00 and desires to sell or dispose of same as surplus equipment.

WHEREAS, Charter Sec. 5-17 provides that property valued at more than \$25,000 may only be sold after the electorate has authorized and approved the sale thereof.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL AS FOLLOWS:

Sec. 1. Classification. This ordinance is an ordinance of a permanent and general nature but 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 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 4, 1983.

Sec. 4. Repealer. This ordinance repeals no existing or effective Wrangell ordinance.

Sec. 5. Ability to Sell. The Council desires to obtain the highest price for said rock crusher and related equipment and therefore will first advertise by competitive bid to sell same. Thereafter, should no bids be received or the bids are rejected, the Council may elect to rebid by competitive bid or may sell said rock crusher without bid, over the counter, at a minimum price to be established by a competent appraisal. If the City is thereafter unable to sell said rock crusher within a reasonable time period not to exceed four months, then said rock crusher may be sold below said minimum bid price over the counter, by the Council.

Sec. 6. 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 SELL AND/OR DISPOSE OF ITS ROCK CRUSHER AND RELATED EQUIPMENT AT A PRICE TO BE DETERMINED BY COMPETITIVE SEALED BID? IF COMPETITIVE BIDS HAVE BEEN REJECTED OR NONE RECEIVED, SAID SALE WOULD THEN BE AT A MINIMUM BID PRICE TO BE DETERMINED BY A COMPETENT APPRAISER. IF SAID ROCK CRUSHER IS NOT SOLD WITHIN FOUR MONTHS AT THE MINIMUM APPRAISED PRICE, THEN AN OVER-THE-COUNTER SALE WILL BE DONE, AT A PRICE BELOW SAID APPRAISAL.

Sec. 7. 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 4, 1983.

Sec. 8. Election Precincts. 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. 9. Polls Open. 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 4, 1983.

Sec. 10. Voter Qualifications. That the qualifications for voters on the aforementioned proposition shall be the same as for voters at municipal elections generally.

Sec. 11. Notice. 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.

PASSED IN FIRST READING: AUGUST 16, 1983

PASSED IN SECOND READING: AUGUST 23, 1983

Attest: Lanore K. Gunderson
City Clerk

James J. Hoel
Mayor

	YES	NO
P. roposition # 3 (Rock Crusher)	823	153

I, Lanore K. Gunderson, City Clerk, City of Wrangell, Alaska, hereby certify that the foregoing is a true and correct copy of the results of the General Election held October 4, 1983.

Lanore K. Gunderson
Lanore K. Gunderson, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 450

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING THE WRANGELL MUNICIPAL CODE, TITLE 5, REVENUE AND FINANCE, SPECIFICALLY THOSE SECTIONS OF SAID TITLE TO PROVIDE THAT BUSINESS INVENTORIES SHALL BE EXEMPT FROM TAXATION.

WHEREAS, the Alaska Legislature, by Senate Bill No. 53, effective in 1983, passed a law authorizing municipalities to exempt business inventories from taxation; and

WHEREAS, the Council desires to exempt business inventories from taxation;

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

Sec. 1. Classification. This ordinance is an ordinance 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 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 Charter and shall be effective thirty (30) days after final passage.

Sec. 4. WMC Sec. 5.04.030 is repealed and re-enacted to read as follows:

5.04.030 Exemptions. The following are exempted from the levy imposed under this chapter:

A. All property exempt from taxation as prescribed by Alaska law.

B. For four tax years, that part of residential property equal in value to the cost of qualifying repairs and rehabilitation as provided in Sec. 5.04.035, but not exceeding Ten Thousand (\$10,000) Dollars. Residential property is a structure used solely for non-transient, residential purposes containing eight or fewer living units.

C. An exemption on all residential personal property, household goods, furniture and motor vehicles.

D. Business inventories.

E. An exemption not exceeding Two Hundred (\$200.00) Dollars in value shall apply to the imposition of the personal property tax, inventories, business machines and equipment, and other commercial, personal property of any nature.

Passed and Approved in First Reading: September 13, 1983

Passed and Approved in Second Reading: September 27, 1983



Mayor

Attest: 

City Clerk

ORDINANCE NO. 451

AN ORDINANCE of the Council of the City of Wrangell, Alaska, providing for the issuance of a general obligation bond of the City in the aggregate principal amount of \$1,000,000 for the purpose of acquiring, constructing and equipping certain facilities within the City, creating a construction fund and a bond redemption fund; fixing the date, form, terms, maturities and covenants of said bond; providing for the payment of the principal thereof and interest thereon; providing for the sale thereof; and declaring an emergency.

PASSED: OCTOBER 25, 1983

Prepared by:

PRESTON, THORGRIMSON, ELLIS & HOLMAN
2000 IBM Building
Seattle, Washington 98101

	<u>PAGE</u>
Recitals.	1
Section 1. Definitions.	1
Section 2. Authorization of Bond.	2
Section 3. Redemption of the Bond	3
Section 4. Form of Bond	3
Section 5. Execution of Bond.	6
Section 6. Construction Fund.	6
Section 7. Bond Fund.	6
Section 8. Sale of Bond	7
Section 9. Defeasance	7
Section 10. Transfer of Bond	8
Section 11. Arbitrage Covenant	8
Section 12. Emergency Section.	8

*This Table of Contents is not a part of this ordinance.

AN ORDINANCE of the Council of the City of Wrangell, Alaska, providing for the issuance of a general obligation bond of the City in the aggregate principal amount of \$1,000,000 for the purpose of acquiring, constructing and equipping certain facilities within the City, creating a construction fund and a bond redemption fund; fixing the date, form, terms, maturities and covenants of said bond; providing for the payment of the principal thereof and interest thereon; providing for the sale thereof; and declaring an emergency.

WHEREAS, at a bond election held in the City of Wrangell, Alaska, on October 4, 1983, pursuant to Resolution No. 08-83-178, 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 \$8,100,000 for the purpose of acquiring, constructing and equipping a gymnasium, swimming pool and related facilities at the City's high school campus; and

WHEREAS, it is deemed necessary and advisable that the City now issue and sell \$1,000,000 of such 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) "Authority" means the Alaska Municipal Bond Bank Authority.

(B) "Bond" means the fully registered general obligation bond of the City in the principal amount of \$1,000,000 issued pursuant to this ordinance.

(C) "Bond Fund" means the "1983 General Obligation Bond Redemption Fund" created by Section 7 of this ordinance.

municipal corporation duly organized and existing under the laws of the State of Alaska.

(E) "Government Obligations" mean obligations of, or obligations insured or guaranteed by, the United States of America or its agencies or instrumentalities.

Section 2. Authorization of Bond. For the purpose of providing funds to pay part of the cost of acquiring, constructing and equipping the improvements as provided in Resolution No. 08-83-178 of the City, the City shall issue its fully registered general obligation bond in the principal amount of \$1,000,000.

The Bond shall be registered as to both principal and interest and shall be dated December 1, 1983, (or as of the date of delivery thereof, at the discretion of the City Manager).

The Bond shall be payable in principal installments on December 1 of each year as follows:

<u>Maturity Year</u>	<u>Principal Installment Due</u>
1984	\$ 15,000
1985	20,000
1986	20,000
1987	25,000
1988	25,000
1989	25,000
1990	30,000
1991	35,000
1992	35,000
1993	40,000
1994	45,000
1995	50,000
1996	55,000
1997	60,000
1998	65,000
1999	75,000
2000	80,000
2001	90,000
2002	100,000
2003	110,000

Such installments shall bear interest at a rate producing an effective rate not greater than 14% per annum, payable on June 1, 1984, and semiannually thereafter on the first days of June and December of each year from date of issue. Both principal

the United States of America to the registered owner or owners at the address appearing on the registration certificate.

Section 3. Redemption of the Bond. The City hereby reserves the right (subject to any applicable provisions of the agreement with the Authority described in Section 8 of this Ordinance) to prepay any or all unpaid installments or portions thereof, of the Bond in inverse chronological order and in multiples of \$5,000, on December 1, 1993, or on any interest payment date thereafter, at par plus accrued interest to the date of prepayment.

Notice of any such intended prepayment shall be given by mailing notice thereof to the registered owner of the Bond 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. Form of Bond. The Bond and the Registration Certificate thereon shall be in substantially the following form:

UNITED STATES OF AMERICA

NO. R-1

\$1,000,000

STATE OF ALASKA

CITY OF WRANGELL

GENERAL OBLIGATION BOND, 1983

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

ONE MILLION DOLLARS

in the following installments on December 1 of each of the following years, together with interest on such installments, payable June 1, 1984 and semiannually thereafter on the first days of June and December of each year from the date hereof until such installments have been paid, or such payment has been duly provided for, as follows:

<u>maturity year</u>	<u>Due</u>	<u>Rate</u>
1984	\$ 15,000	
1985	20,000	
1986	20,000	
1987	25,000	
1988	25,000	
1989	25,000	
1990	30,000	
1991	35,000	
1992	35,000	
1993	40,000	
1994	45,000	
1995	50,000	
1996	55,000	
1997	60,000	
1998	65,000	
1999	75,000	
2000	80,000	
2001	90,000	
2002	100,000	
2003	110,000	

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 bond registration books of the City. 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 a loan agreement between the City and the Alaska Municipal Bond Bank Authority, dated _____, 1983) to prepay any or all unpaid installments, or portions thereof, in inverse chronological order and in multiples of \$5,000, on December 1, 1993, or on any interest payment date thereafter, at par plus accrued interest to the date of prepayment.

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, 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 acquiring, constructing and installing certain capital improvements for the City.

This bond is payable, both principal and interest, out of the special fund of the City entitled the "1983 General Obligation Bond Redemption Fund" created by Ordinance _____ of the City 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 moneys of the City available for such purposes as the City 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 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, does not exceed any constitutional or statutory limitation.

IN WITNESS WHEREOF, the City of Wrangell, Alaska, has caused this bond to be signed by its Mayor, to be attested by its Clerk, and the official seal of the City to be impressed hereon, this ____ day of _____, 1983.

CITY OF WRANGELL, ALASKA

By /s/ manual signature
Mayor

Attest:

/s/ manual signature
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 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
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

The Bond in fully registered form 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 _____.

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 "School Facilities Construction Fund" into which shall be paid the sum of \$1,000,000 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 acquiring, constructing and installing the improvements specified in Resolution No. 08-83-178.

Said funds shall be drawn upon for paying the costs of acquiring, constructing and equipping the facilities described in Resolution No. 08-83-178, 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 1983 General Obligation Bond Redemption Fund hereinafter created for the uses and purposes herein provided.

Section 7. Bond Fund. There is hereby created a special fund of the City to be known as the "1983 General Obligation 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 the Bond in its annual budgets and further covenants that it will make annual levies of ad valorem taxes, for payment into such 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 the 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. Sale of Bond. The City Manager is 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. 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 Bond Fund securing the installments of the Bond so provided for, for the payment of the principal of and interest on such installments of the Bond, and, to the extent of such installments, 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 shall be deemed not to be outstanding hereunder.

Section 10. Transfer of Bond. The Bond 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 books of the City.

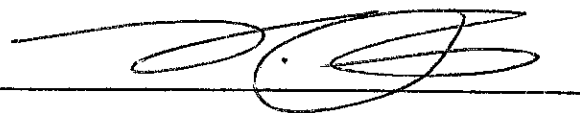
Section 11. Arbitrage Covenant. The City covenants to the purchaser of the Bond that it will make no use of the proceeds of the Bond at any time during the term thereof which would cause the Bond to be an arbitrage bond within the meaning of Section 103(c) of the United States Internal Revenue Code of 1954, as amended, and applicable regulations thereunder.

Section 12. Emergency Section. In order that the Bond may be sold to the Authority pursuant to its current plan of financing, which calls for a sale of the Authority's bonds on November 29, 1983, it is necessary that this ordinance take effect upon its final passage. Accordingly, an emergency is declared to exist affecting the welfare of the City and the ordinance shall go into effect immediately upon passage.

PASSED by the Council of the City of Wrangell, Alaska, and approved by its Mayor at a regular meeting of said Council held this 25 day of OCTOBER, 1983.

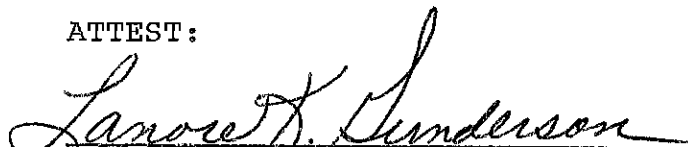
CITY OF WRANGELL, ALASKA

By



Mayor

ATTEST:


Clerk

FIRST READING: OCTOBER 25, 1983

SECOND READING AND PASSAGE DATE: OCTOBER 25, 1983

EFFECTIVE DATE: OCTOBER 25, 1983

CERTIFICATE

I, the undersigned, Clerk of the City of Wrangell, Alaska, (herein called the "City"), DO HEREBY CERTIFY:

1. That the attached Ordinance numbered 451 (herein called the "Ordinance") is a true and correct copy of an Ordinance of the City as finally passed at a meeting of City Council of the City held on the 25 day of OCTOBER, 1983, and duly recorded in my office.

2. That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such meeting was given; that a legal quorum was present throughout the meeting and a legally sufficient number of members of the City Council voted in the proper manner for the passage of the Ordinance; that all other requirements and proceedings incident to the proper passage of the Ordinance have been duly fulfilled, carried out and otherwise observed, and that I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City this 26 day of OCTOBER, 1983.


City Clerk

[CITY SEAL]

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 452

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF WRANGELL BY REZONING PROPERTY HEREINAFTER DESCRIBED FROM APARTMENT RESIDENTIAL TO COMMERCIAL PURSUANT TO A CONTRACT ZONING AGREEMENT FOR THE OPERATION OF AN AGRICULTURAL NURSERY AND SALE OF NURSERY RELATED PRODUCTS.

RECITALS

R. H. Armstrong and Annie Armstrong have applied for rezoning of certain property in the City of Wrangell, located within that area known as the Case Subdivision. Said application for rezoning having been properly reviewed by the Planning and Zoning Commission, and by the Council;

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

Sec. 1. Classification. This ordinance is not 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 its application to other 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 the Council. The procedure set forth in Chapter 20.76 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 shall be rezoned from apartment residential to commercial contract zone, for the operation of an agricultural nursery and the sale of nursery related products.

Sec. 5. Property Zoned. The property hereinafter described is hereby contract rezoned from apartment residential zone to a commercial contract zone, generally involving operation of an agricultural nursery and sale of nursery related products as more particularly set out in the contract zoning agreement attached hereto and incorporated herein by reference. 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. The property governed by this ordinance is described as follows:

Lot 17, Block 83, of the original Wrangell Townsite, and Lot 5, Block 83, Case Subdivision, of the original Wrangell Townsite.

Sec. 6. Authority for Contract Zoning Agreement. The Mayor and the Clerk are hereby authorized to execute the contract zoning agreement which is attached hereto and incorporated herein by reference.

PASSED IN FIRST READING: _____ November 8 _____, 1983

PASSED IN SECOND READING: _____ November 22 _____, 1983

Mayor

ATTEST: *Franette Vincent*
Acting City Clerk

CONTRACT ZONING AGREEMENT

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

THIS AGREEMENT, is made this 21 day of December, 1983, between R.H. ARMSTRONG and ANNIE ARMSTRONG, referred to herein as "Armstrongs", whose address is Post Office Box 4, Wrangell, Alaska 99929, and the CITY OF WRANGELL, referred to herein as "City" whose address is Post Office Box 531, Wrangell, Alaska 99929.

The parties to this agreement, in consideration of the mutual covenants and promises contained herein, agree as follows:

RECITALS

1. Armstrongs are the owners of the following described real property, to-wit:

Lot 17, Block 83, of the original Wrangell Townsite and Lot 5, Block 83, Case Subdivision, of the original Wrangell Townsite.

2. The above-described real property is presently zoned apartment residential and Armstrongs desire a rezoning of said property to commercial, limited to the operation of an agricultural nursery and the sale of nursery related products, as more specifically set out in this contract zoning agreement.

3. Armstrongs desire to develop said real property for the operation of an agricultural nursery and the sale of nursery related products.

4. Armstrongs have petitioned to rezone the above described real property to commercial use as set forth in Chapter 20.28 of the Wrangell Municipal Code.

COVENANTS

5. The parties hereto agree that the real property described in paragraph 1 above shall be rezoned for a period of ten (10) years from the effective date of the ordinance

1 rezoning said property, with an option to renew for an
2 additional ten (10) years as hereinafter set out, to commercial
3 uses subject to the condition that Armstrongs further develop
4 the property only for the operation of an agricultural nursery
5 and the sale of nursery-related products.

6 6. Armstrongs agree that the real property subject to
7 this agreement shall be used only for the operation of an
8 agricultural nursery and the sale of nursery-related products,
9 and for uses clearly and directly incidental thereto, in
10 addition to those uses permitted in the existing apartment
11 residential zone.

12 7. The parties hereto agree that the real property
13 described above is zoned as stated herein only so long as the
14 property is used for the operation of an agricultural nursery
15 and the sale of nursery-related products. Should said property
16 cease to be so used for a period of more than eighteen (18)
17 months, the zoning classification of said property shall revert
18 to apartment residential. In such event, all structures not
19 permitted in the apartment residential zone shall be removed
20 within ninety (90) days of said cessation of use.

21 8. The parties hereto agree that should the real
22 property subject to this agreement be zoned commercial or any
23 other zoning classification which permits use of the property
24 for an agricultural nursery and the sale of nursery-related
25 products, then the provisions of this agreement restricting
26 said property use shall be null and void. It is further agreed
27 that should any petition or application be filed by Armstrongs,
28 singly or jointly with one or more adjoining property owners,
29 to rezone the real property described above, no weight shall be
30 given to the provisions of this agreement in considering such
31 petition.

32

1 9. The parties additionally agree that limitations will
2 be and hereby are placed upon commercial use of the above-
3 described property as follows:

4
5 a) Setback standards applicable to the subject
6 property shall continue to be those required generally of
7 property within apartment residential zones.

8 b) Lot coverage for the subject property shall not
9 exceed fifty (50%) percent.

10 c) New commercial buildings upon the subject lots
11 shall be:

12 1) No more than two (2) quonset hut-style
13 greenhouses having tubular metal frames covered with
14 poly-tube, air-inflated plastic, heated with gas and
15 having maximum dimensions of sixteen (16) feet in
16 width, forty-eight (48) feet in length and nine (9)
17 feet in height.

18 2) No more than a single, one-story wood frame
19 building sided with T-1-11 or similar wood material,
20 to be used for storage and retail sales and having
21 maximum dimensions of thirty-nine (39) feet by forty
22 (40) feet.

23 d) New commercial buildings upon the subject
24 property shall be erected according to the following
25 schedule:

26 1) A first quonset hut-style greenhouse not
27 later than June 30, 1984.

28 2) The wood frame retail sales and storage
29 building not later than April 1, 1985

30 3) A second quonset-style greenhouse not later
31 than January 1, 1986.

32 e) A minimum of six (6) and a maximum of eight (8)
off-street parking spaces shall be provided in connection

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

with the commercial use contemplated herein for use by the employees and patrons of the business to be conducted upon the subject premises.

f) Commercial buildings and parking upon the subject property shall be placed in accord with the diagram attached hereto and incorporated by reference herein as Exhibit "A".

g) The business conducted on the subject property shall have no more than five (5) fulltime employees (or the equivalent in number of hours worked by part-time employees) during any calendar year while this agreement remains in effect.

h) No conditional or accessory uses of the subject property shall be permitted while this agreement remains in effect.

i) All zoning and building requirements and regulations applicable to commercial zones shall have full force and effect regarding the subject property to the extent that such are consistent with this agreement.

ADMINISTRATION AND ENFORCEMENT

10. The remedies provided for herein shall be in addition to those remedies provided for the administration and enforcement of planning and zoning laws by the State of Alaska, the Charter of the City of Wrangell, the ordinances of the City of Wrangell, or the rules and regulations promulgated and adopted thereby.

a) Refuse, as used herein, shall mean all waste material which, if thrown or deposited or left to remain on the above-described property or any surrounding property, tends to create a danger to public health, safety or welfare. Refuse shall include any putrescible animal or vegetable waste. Refuse shall further include

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

all putrescible and nonputrescible solid wastes including garbage and any industrial wastes. Refuse shall further include non-putrescible solid wastes consisting of both combustible and non-combustible waste such as paper, wrapping, cardboard, tin cans, wood, glass and similar materials.

b) The owners or persons in control of the above described property shall at all times maintain the premises and any surrounding property free of refuse. Provided, however, that this section shall not prohibit the reasonable storage of refuse in authorized receptacles for collection.

c) For a violation of paragraph 10(b) above by Armstrongs, the City Manager or a designated representative of the City Manager is hereby authorized and empowered to notify Armstrongs of any violation thereof, and to further advise Armstrongs to properly dispose of said refuse located on said property or accomplish any act as required. Such notice shall be by registered mail, addressed to Armstrongs at their last known address.

1) Upon the failure, neglect, or refusal of Armstrongs or their agents to comply with any authorized notice or order of the City Manager within ten (10) days of receipt thereof, or within twenty (20) days after the date of such notice or order in the event that such is returned because of an inability to have delivery made, provided that same was properly addressed and posted, the City Manager or a designated representative of the City Manager is hereby authorized and empowered to have any refuse subject to the notice or order removed.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

d) When the City has accomplished the removal of said refuse, has paid for said removal or otherwise required compliance with this agreement, the actual cost thereof, plus accrued interest at the rate of twelve (12) percent per annum from the date of the removal, if not paid by the property owners prior thereto, shall be charged to such owners on the next monthly bill forwarded to said owners by the City and said charge shall be due and payable by owners within thirty (30) days of the date of said bill.

1) Where the full amount due the City is not paid by owners within ninety (90) days after the disposal of said refuse or the required compliance, as provided for above, then and in that case, the City Manager or a designated representative of the City Manager shall cause to be recorded in the Wrangell Recording District a sworn statement showing the cost and the expense incurred for such work, the date the work was performed, and the location of the property where the work was performed. The recordation of such a sworn statement shall constitute a lien on the property and shall remain in full force and effect for the amount due in principal and interest, plus court costs and reasonable attorney fees, if any, for collection until final payment has been made. Said expenses shall be collected in the manner fixed by law for the collection of taxes. Sworn statements recorded in accord with the provisions hereof shall be prima facie evidence that all legal formalities have been complied with, and that the work has been properly and satisfactorily done and shall constitute full

1 notice to every person concerned that the amount
2 stated in such statement, plus interest, costs and
3 fees, if any, constitutes a charge against the
4 property designated or described in the statement and
5 that the same is due and collectable as provided by
6 law.

7 11. This contract zoning agreement may be renewed by
8 Armstrongs for an additional ten (10) year term. The option
9 herein created may be exercised only by notice in writing from
10 Armstrongs to the City given at least ninety (90), but no more
11 than one hundred and eighty (180) days, before the expiration
12 of the initial ten (10) year term. The second term shall be
13 subject to the following conditions:

14 a) A determination by the Planning and Zoning
15 Commission and the City Council that all provisions of
16 this agreement have been substantially complied with by
17 the Armstrongs.

18 12. As an additional remedy and/or enforcement device,
19 and not as a way of limitation of any other right or remedy which
20 may be available to the City, in the event that the Armstrongs
21 or any of their agents, successors or employees, violate any of
22 the agreements, covenants or conditions of this contract, the
23 City shall be entitled to terminate this agreement, provided
24 that the City shall give Armstrongs at least thirty (30) days
25 written notice specifying the particulars of any claimed
26 violation. If at the end of such thirty (30) day period,
27 Armstrongs have not remedied the cause of any claimed
28 violation, then this contract shall be terminated and the
29 provisions of paragraph 8 above shall apply. It is
30 specifically agreed that enforcement by termination shall be
31 available to the City against Armstrongs during any period when

32 / / / /

1 the property has ceased to be used as required herein, or for
2 any other period provided herein.

3 13. Armstrongs shall be required to comply with all
4 applicable Federal, State and local laws, rules and regulations
5 and nothing shall be construed herein to be authorized that
6 would otherwise be precluded by any applicable law.

7 14. This agreement shall be binding upon all of the
8 heirs, successors, assigns, transferees of the parties hereto,
9 whether any transfer, assignment, or conveyance occurs by
10 operation of law or otherwise.

11 15. In case suit or action is instituted to enforce this
12 agreement, the defaulting party, in addition to all court costs
13 incurred in connection with such proceeding, shall pay the
14 reasonable attorney fees of the non-defaulting party associated
15 therewith.

16 IN WITNESS WHEREOF, the parties have executed this
17 agreement the day and year first above written.

18

19

R H Armstrong
R. H. Armstrong

20

21

Annie Armstrong
Annie Armstrong

22

23

CITY OF WRANGELL

24

By [Signature]
Mayor

25

26

By [Signature]
Acting City Clerk

27

28

STATE OF ALASKA)

29

FIRST JUDICIAL DISTRICT) ss:

30

THIS IS TO CERTIFY that on this 21 day of December,
1983, before me, a Notary Public in and for the State of
31 Alaska, duly commissioned and sworn, personally appeared R. H.
ARMSTRONG and ANNIE ARMSTRONG, to me known to be the persons
32 described in and who executed the above and foregoing

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

instrument, and they acknowledged to me that they signed and sealed the same freely and voluntarily and the uses and purposes therein mentioned.

WITNESS my hand and official seal the day and year in this certificate first herein written.

Lance K. Henderson
Notary Public for Alaska
My commission expires: 7-31-86

STATE OF ALASKA)
FIRST JUDICIAL DISTRICT) ss:

THIS IS TO CERTIFY that on this 23 day of November, 1983, before me, a Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared BILL PRIVETT and FRANETTE VINCENT, to me known to be the Mayor and the Acting City Clerk, respectively, of the City of Wrangell, Alaska, and they acknowledged to me that they executed the above and foregoing instrument on behalf of the City of Wrangell, Alaska, and as a free and voluntary act and deed of said City, for the uses and purposes therein mentioned, and that the seal affixed to this instrument is the corporate seal of the City of Wrangell, Alaska

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first herein written.

Christie S. Daily
Notary Public for Alaska
My commission expires: 7-2-86

84-4

RECORDED	FILED
REC. DIST. 84	
1-3-	
DATE	12:00 19 P
TIME	City of Wrangell
Requested	P.O. Box 531
Address	Wrangell, Ak. 99929

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 453

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 A NEW RATE FOR LUNCH COUNTERS 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. Wrangell Municipal Code, Section 15.08.240, Schedule of Rates and Charges, Class B Commercial Rate designation restaurants is hereby amended to read as follows:

Restaurants, [LUNCH COUNTERS, ETC.] up to and including 30 seats	3.00
Each additional 20 seats or fraction thereof	1.00
<u>Lunch counters, drive-in or fast food, of less than 30 seats</u>	<u>1.50</u>

Only the Restaurant designation is amended and all other designations remain the same.

PASSED IN FIRST READING JANUARY 10, 1984

PASSED IN SECOND READING JANUARY 24, 1984

ATTEST:


City Clerk


Mayor

CITY OF WRANGELL, ALASKA

Ordinance No. 454

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE TEN, CHAPTER 10.28 OF THE WRANGELL MUNICIPAL CODE SPECIFICALLY DEALING WITH CURFEW FOR MINORS

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 (30) days after passage.

Sec. 4. Wrangell Municipal Code, Chapter 10.28, entitled "Curfew for Minors" is amended to read:

10.28.010 Hours and Conditions. No person under eighteen years of age shall be upon or in any street, alley, public building, place of amusement and entertainment, vacant lot or other unsupervised place between the hours of [TEN P.M. SUNDAY THROUGH THURSDAY AND TWELVE P.M. FRIDAY AND SATURDAY DURING THE SCHOOL TERM AND AT OTHER TIMES AND FIVE A.M. OF ANY DAY] Ten p.m. to Five a.m. Sunday through Thursday and Twelve p.m. to Five a.m. Friday and Saturday during the school term and Twelve p.m. to Five a.m. during the following school holidays: summer vacation, Thanksgiving, Christmas and spring vacation unless such person is accompanied by or in the charge of his parent or other competent and adult person or is upon an emergency errand or legitimate business directed by his parent, guardian or other adult person having the care and custody of the minor. The starting and ending dates of the above holidays shall be set by the City Manager to conform with established school holidays. This ordinance does not prohibit parental consent for or attendance at associational activities, such as religious or school meetings, organized dances, theatre and sporting events, legitimate employment, or interstate travel when reasonable and direct travel as a result of these activities has to be made during a curfew period. Curfew hours may be suspended or altered by the City manager to permit attendance of or participation in school, community or other group-sponsored activities by minors covered by this chapter. A request of suspension or alteration of curfew shall be at the request of the chief of police or his designee.


PASSED IN FIRST READING: February 14, 1984

PASSED IN SECOND READING: February 28, 1984



Mayor William B. Privett

ATTEST:



City Clerk

PRE/sr
#31-022-172

CITY OF WRANGELL, ALASKA

Ordinance No. 455

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 15, CHAPTER 12 ENTITLED "ELECTRICITY" OF THE WRANGELL MUNICIPAL CODE SPECIFICALLY REVISING THE SECTION DEALING WITH SERVICE ENTRANCE REQUIREMENTS, GRANTING THE CITY THE RIGHT TO DO TREE OR BRUSH TRIMMING OR REMOVAL; PROVIDING A PROCEDURE FOR DISCONTINUANCE OF SERVICE, AND A DISCONNECT AND RECONNECT FEE THEREFORE, GRANTING THE CITY THE RIGHT TO DISCONTINUE SERVICE TO THOSE PERSONS OWING THE CITY FOR ELECTRICAL SERVICE; REQUIRING TREATED POLES FOR SERVICE DROPS, PROVIDING INSPECTION AND CHECKS BY THE CITY FOR METERS, SERVICE ENTRANCES AND A FEE TO BE CHARGED THEREFORE IN CERTAIN CASES, 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 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 its effective date shall be thirty (30) days after final passage and approval as provided by law.

Sec. 4. Repealer. This ordinance repeals no existing or effective Wrangell ordinance.

Sec. 5. Public Hearing. A public hearing shall be held on this Ordinance with notice thereof given as required prior to said public hearing.

Sec. 6. Wrangell Municipal Code, Chapter 12, Section 15.12.060 entitled "Service Entrance and Connections - Terms of Service" A is hereby amended to read as follows:

A. The City shall deliver electric service at the exterior of the premises to be served, and shall provide the meter [AND METER SOCKETS] only. The Customer shall provide adequate conductors at the weather cap to provide for electrical connections to the City

service connection lines, rigid conduit [OR ENTRANCE CABLE] to connect weather cap to the meter socket, and rigid conduit [AND OR ENTRANCE CABLE] to connect entrance switch or panel from the meter socket.

Sec. 7. Wrangell Municipal Code, Chapter 12, Section 15.12.060 entitled "Service Entrance and Connections - Terms of Service" is hereby amended by adding the following section:

G. The City shall have the right to do tree and brush trimming and/or removal in order to maintain a six-foot minimum clearance for protection of electrical distribution lines and service drops.

Sec. 8. Wrangell Municipal Code, Chapter 12, Section 15.12.140 entitled "Discontinuance of Service" C is hereby amended to read as follows:

C. [TWENTY-FOUR HOURS WRITTEN AND/OR PRINTED NOTICE SHALL BE GIVEN THE CUSTOMER BEFORE SERVICE IS DISCONTINUED UNDER THIS RULE, EXCEPT IN CASE OF FRAUDULENT USE OF SERVICE IN WHICH CASE THE CITY MAY DISCONTINUE SERVICE WITHOUT NOTICE.] Service shall be discontinued by the City in the following manner: Notice shall be given by a registered or certified letter, or by publication, informing the person that service will be discontinued in 5 working days. The person shall be notified of his/her opportunity to meet with the City finance director or his designee to appeal the decision to terminate electrical service prior to termination. In the case of fraudulent use of service, as determined by the finance director or his designee, the City may discontinue service without notice.

Sec. 9. Wrangell Municipal Code, Chapter 12, Section 15.12.140 entitled "Discontinuance of Service" C is hereby amended by adding the following section:

D. 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 a person to pay a bill within 20 days from its date, the person shall be deemed to have a delinquent account. Service to delinquent persons may be discontinued in accordance with procedures in this Code. Service may not be re-established until the account is paid in full, including penalty, PLUS the following charges:

<u>Charge for disconnect</u>	<u>\$20.00</u>
<u>Charge for reconnect</u>	<u>\$20.00</u>
<u>Total extra cost</u>	<u>\$40.00</u>

Customers ordering temporary disconnection of service will be charged for this service at the following rates:

<u>Charge for disconnect</u>	<u>\$20.00</u>
<u>Charge for reconnect</u>	<u>\$20.00</u>
<u>Total extra cost</u>	<u>\$40.00</u>

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. 10. Wrangell Municipal Code, Chapter 12, Section 15.12.160 entitled "Demand-Defined-Determination - Terms" E is hereby amended to read as follows:

E. Motors. Each horsepower of manufacturer's rating shall be considered as One Thousand [SEVEN HUNDRED FIFTY] watts.

Sec. 11. Wrangell Municipal Code, Chapter 12, Section 15.12.170 entitled "Service Charges - Service Defined" B is hereby amended to read as follows:

B. For a new service the City will make a service charge based on the length of the 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 one hundred feet. Service runs exceeding one hundred 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 one hundred feet. These charges are to be computed on the basis of the City's actual cost of labor and materials. Customers shall be required to use treated poles approved by the City light department for service poles. Customers are prohibited from using trees as service poles.

Sec. 12. Wrangell Municipal Code, Chapter 12; is hereby amended by adding a new section to read as follows:

15.12.172 Customer Service-Inspection

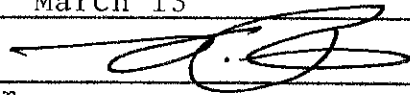
A. The City will periodically test customers' meters for accuracy and when necessary, in the opinion of the City Light Department, will replace a customer's meter. When a customer requests his meter be checked by the City Light Department, a fee of Fifteen (\$15.00) Dollars will be charged to the customer if the meter is found to be accurate.

B. When a customer requests his service to be inspected by the City Light Department, all labor costs will be charged to the

customer if the inspection reveals that no problem exists on the service that is the City's responsibility. A minimum of One hour labor will be charged.

PASSED AND APPROVED IN FIRST READING February 14, 1984

PASSED AND APPROVED IN SECOND READING March 13, 1984



Mayor

Attest:



City Clerk (Acting)

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 456

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF WRANGELL BY REZONING PROPERTY HEREINAFTER DESCRIBED FROM FUTURE DEVELOPMENT TO GENERAL 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 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 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 76 of Title 20 of the Wrangell Municipal Code having been followed and compiled the Council hereby finds that the public convenience, necessity, and general welfare of the inhabitants of the City of Wrangell requires the following described real property should be rezoned from Future Development to General Industrial.

Sec. 5. Property Rezoned. The property hereinafter described is hereby rezoned from Future Development to General Industrial:

Parcel 5 on the Wrangell Land Selection Map, more fully described as a portion of U.S. Survey 3705 within the Wrangell Recording District, First Judicial District, State of Alaska. Further described as follows:

Beginning at meander corner No. 2 U.S. Survey 3705; thence northwesterly along the meander line of said survey to a point on the eastern boundary of the Wrangell Airport Reserve; thence southwesterly along said boundary to the intersection of the northerly right-of-way of the Wrangell East Highway; thence southeasterly along the right-of-way boundary to the point of intersection with the southern boundary of USS 3705; thence east along the southern boundary to the point of beginning.

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: February 28, 1984

PASSED IN SECOND READING: March 13, 1984



Mayor

ATTEST: *Franette Vincent*
Acting City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 457

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, AMENDING TITLE 7, CHAPTER 08, THE ANIMAL CODE, TO AMEND THE REQUIREMENTS ON VACCINATIONS AGAINST RABIES ON 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 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. Wrangell Municipal Code, Section 7.08.020, Vaccination required is hereby amended to read as follows:

No license shall be granted for a dog older than six months which [HAS] does not [BEEN VACCINATED AGAINST RABIES AS PROVIDED IN THIS SECTION WITHIN A PERIOD OF SIX MONTHS PRECEDING THE APPLICATION FOR A LICENSE] have a current rabies vaccination.

PASSED IN FIRST READING February 28, 1984

PASSED IN SECOND READING March 13, 1984



Mayor

ATTEST Franelle Vincent
ACTING CITY CLERK

Published: March 21, 1984

CITY OF WRANGELL, ALASKA

Ordinance No. 458

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING WRANGELL MUNICIPAL CODE 5.04.310(c) TAX DIFFERENTIAL ZONE 3 TO ADJUST THE DIFFERENTIAL TAX 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, Section 5.04.310(c) is hereby repealed and reenacted to read:

C. 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; all of U. S. Survey No. 1336; all of U. S. Survey No. 3402; Tract A1, Tract A2, Tract B1 and Tract B2 of U. S. Survey No. 2321; and all of U. S. Survey No. 3823.

PASSED IN FIRST READING: MARCH 13, 1984

PASSED IN SECOND READING: MARCH 20, 1984



William B. Privett Mayor

ATTEST



City Clerk

Published: March 28, 1984

CITY OF WRANGELL, ALASKA

ORDINANCE No. 459

AN ORDINANCE REPEALING EXISTING BUILDING PERMIT FEES SET FORTH IN SECTION 304, TABLE 3-A OF THE 1979 EDITION OF THE UNIFORM BUILDING CODE, AND ESTABLISHING FLAT FEES FOR BUILDING PERMIT FEES

RECITALS

The City of Wrangell planning director has recommended that the City repeal Table 3-A of the Uniform Building Code and adopt a flat fee schedule for new construction and remodeling undertaken in the City of Wrangell. Said fee shall be set according to the type of construction which is performed. Said recommendation having been reviewed by the planning commission and the City council.

NOW THEREFORE, 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 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 its application to other 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. Wrangell Municipal Code, Chapter 18.04 is amended by adding a new section 18.04.100 to read as follows:

18.04.100 Building Permit Fees.

A. No building permit fees shall be charged for improvements or construction of less than two Thousand (\$2,000.00) Dollars' valuation.

B. All building permit fees for permits for construction of valuation of Two Thousand (\$2,000.00) Dollars or more shall be as follows:

- a) All residential construction - \$10.00
- b) Commercial construction - \$15.00
- c) Remodeling and miscellaneous construction - \$5.00.

Sec. 5. Wrangell Municipal Code, Chapter 18.04 is amended by repealing §304 "TABLE NO. 3-A-BUILDING PERMIT FEES" as said permit fees are set forth on page 36 of the 1979 Edition of the Uniform Building Code as adopted by reference. The "Other Inspections and Fees" set forth in said TABLE No. 3-A are also repealed.

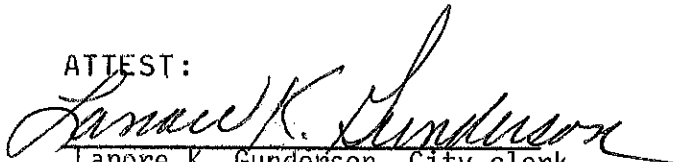
PASSED AND APPROVED: MAY 22, _____, 1984.

PASSED AND APPROVED: JUNE 12 _____, 1984.



Mayor William B. Privett

ATTEST:



Lanore K. Gunderson, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE No. 460

AN ORDINANCE OF THE CITY OF WRANGELL REGULATING
THE USE OF THE CITY-OWNED INDOOR FIREARMS RANGE,
AND DECLARING VIOLATIONS OR FAILURE TO ACT AS A
MISDEMEANOR CRIMINAL OFFENSE

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 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 its application to other 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. Wrangell Municipal Code is amended by adding a new Chapter designated 13.20 Indoor Firearms Range to read as follows:

13.20 Indoor Firearms Range.

13.20.010 Generally. The provisions set forth in this chapter shall be the sole regulations for the Wrangell Indoor Firearms Range to the exclusion of other regulations.

13.20.020 Prohibited Acts.

A. No person shall consume, have in his possession, or be under the influence of alcohol or drugs while upon the range premises.

B. With the exception of law enforcement personnel, no person shall have in his possession a loaded firearm at any location within the facility except the firing line. All firing shall be conducted from specified firing lines or stations at the direction and under the supervision of the rangemaster.

C. No person shall discharge any firearm at any target other than those for which the range is designed, located down range at the target area. Targets shall be supported only by those devices provided.

D. No person shall discharge any firearm of a caliber, velocity, or which fires a projectile which is in excess of that recommended by the manufacturer of the range equipment, or which violates or exceeds range regulations.

E. No person other than the rangemaster may at any time, or for any reason, go down range in the facility.

F. Persons having a need to go down range shall approach the rangemaster who shall then order all persons at the firing line to unload their arms and lay them in the area provided at each station.

G. No person shall discharge or in any way carry, cradle, or hold any firearm, loaded or unloaded, while another person is in the down range area.

H. All persons shall be responsible for the safety and security of their own firearms and ammunition, for their own safety, and for the safety of all other persons using or in the facility such that harm or injury does not occur to any other persons.

I. Safety glasses and ear protection shall be worn by all persons in the range, excluding the spectator area.

13.20.030 Qualifications, Approval and Responsibilities of Rangemaster.

A. All rangemasters shall successfully complete the prescribed course of instruction as set forth by the National Rifle Association.

B. All rangemasters shall be approved and appointed by the Chief of Police or his designee and shall maintain a valid Pistol and Rifle Instructor's Certificate as issued by the National Rifle Association, a copy of which shall be filed at the police station.

C. Rangemaster shall be responsible for:

a) Opening, cleaning, closing and securing the range facility.

b) Supervision of all persons using the facility in order that users use the facility solely such that injury or harm does not occur to any persons.

c) Maintaining a roster of the Date, Hours, Names, and Ages of all persons using the facility.

13.20.040 Obedience to Rangemaster.

A. All persons shall adhere to the authority of the rangemaster while upon the firearms range premises.

B. No person shall use the range without an approved rangemaster present, nor shall any person use the range when alone.

13.20.050 Reservations for Use-Preference. Any rangemaster desiring to utilize the facility for the purpose of training and/or group participation shall submit to the Chief of Police or his designee for his approval the following information no less than five (5) days in advance of the intended use:

- A. Name of rangemaster
- B. Name of organization
- C. Names of participants
- D. Type of firearms to be used
- E. Date and time desired

Preference shall be given to organized training and team shooting. The hours and times of use shall be established by the Chief of Police or his designee.

13.20.060 Posting of Regulations. These regulations pertaining to the use of the range shall be posted within the spectator and firing line areas.

13.20.070 Violations.

A. Violations of any regulation shall be cause for immediate discharge and revocation of the right to use the range. The rangemaster shall have the authority to enforce this section. In addition, violations or failure to do an act is declared to be a misdemeanor punishable as such.


PASSED AND APPROVED: _____, JUNE 26, 1984.

PASSED AND APPROVED: _____, JULY 10, 1984.



Mayor WILLIAM B. PRIVETT

ATTEST:



LANORE K. GUNDERSON, CITY CLERK

CITY OF WRANGELL, ALASKA

Ordinance No. 461

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 14, BOAT HARBORS, SPECIFICALLY CHAPTER 14.16 ENTITLED HARBOR REGULATIONS

Whereas, the Port Commission as reviewed Title 14 Boat Harbors of the Wrangell Municipal Code and desires that various amendments be made to the harbor regulations.

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 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 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 shall be effective thirty (30) days after passage.

Sec. 4. Wrangell Municipal Code, Sec. 14.16.010(B) is amended to read as follows:

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, and stores. No boat shall be moored in such designated areas for any period longer than 4 hours in any 12-hour period [A REASONABLE TIME REQUIRED FOR SUCH LOADING AND UNLOADING]. The loading zone is only to be used for the express purpose of loading and unloading and shall not be used for short time mooring or any other purpose.

Sec. 5. Wrangell Municipal Code, Sec. 14.16.010(G) is amended to read as follows:

G. Gridiron. The gridiron shall be available at all times to boat owners without charge for seventy-two (72) hours. A charge of Ten (\$10.00) Dollars per day or portion thereof shall be made for use in excess of seventy-two (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. The gridiron may only be used by any vessel with a tonnage under 110 tons (1 ton is equal to 2,000 pounds), and with a width limit such that the bearing surface of the vessel resting on the grid does not extend beyond the gridiron rails.

Sec. 6. Wrangell Municipal Code, Sec. 14.16.010 is amended by adding a new subsection as follows:

I. Seaplane float. This is a float area or a separate float set apart for the exclusive use of float planes and seaplanes. When said floats are suitably posted and marked they shall only be used by floatplanes, and no boat may be permitted to land or moor at the seaplane float at any time.

Sec. 7. Wrangell Municipal Code, Sec. 14.16.020(A) is amended to read as follows:

14.16.020 Registration A. Every owner, master or managing agent or any boat using the mooring facilities of the Wrangell Harbor is 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 harbormaster on forms to be provided by him for that purpose, within two (2) hours[FIFTEEN HOURS] after such boat enters and moors at any city float in the Wrangell Harbor.

Sec. 8. Wrangell Municipal Code, Sec. 14.16.030(C) is amended to read as follows:

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, an individual must report his intent every six (6) months to the harbormaster (and six (6) months from time of original application). A boat owner may specify a certain area of preference between the five (5) 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. 9. Wrangell Municipal Code, Sec. 14.16.040 is amended to read as follows:

Moorage--Transfer and subleasing. Right to assigned moorage space inures to the owner, not the vessel. [WITH THE EXCEPTION OF SUBLEASING] Subleasing and the transfer of assigned moorage space is prohibited unless cleared in writing by the harbormaster on forms to be provided by the harbormaster.

Sec. 10. Wrangell Municipal Code, Sec. 14.16.050(j) is amended to read as follows:

J. All boats and vessels may moor at designated stall spaces only. It is unlawful to anchor in the Wrangell Boat Harbor or to moor in the stall or space assigned to another without [HIS PREVIOUS CONSENT] first obtaining permission from the assigned owner and registering with the harbormaster.

Sec. 11. Wrangell Municipal Code, Sec. 14.16.050 is amended by adding a new subsection as follows:

K. All attachments to floats shall be approved by the harbormaster with the agreement between the City of Wrangell and the State of Alaska as a guide. Specifically, for example, bumpers made of tires, ropes, old fire hose or similar material, shall not be permitted on the floats. Premolded rubber or vinyl bumpers of commercial manufacture are recommended.

Sec. 12. Wrangell Municipal Code, Sec. 14.16.080 is amended to read as follows:

A. Both the owner and operator of a boat or vessel which moors in a stall or space assigned to another without the assigned owner's written 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 the trespassing boat to a stall or space designated by the harbormaster; and

3) Within one hour thereafter notify the harbormaster 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] the harbormaster may [SHALL NOTIFY THE HARBORMASTER OF THE TRESPASS FORTHWITH. THE HARBORMASTER SHALL CHAIN AND LOCK A] move the vessel to a suitable location and secure the 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 [TEN DOLLARS PLUS FIVE] Fifty Dollars plus Ten dollars for each day or part of a day which the vessel has been [CHAINED] secured. An owner or operator wishing to contest the violation shall pay the redemption fee to the City to be held [BY THE PORT COMMISSION AS BOND] pending final determination of the action.

Sec. 13. Wrangell Municipal Code, Sec. 14.16.090 is repealed and re-enacted to read as follows:

14.16.090 Removal of Nuisance and Denial of Facilities to Hazardous Vessels.

A. Any vessel constituting a nuisance is subject to removal from the harbor facility by the Port Commission or its agents, without liability to the City for any damage done by virtue of said removal. A nuisance is defined as a derelict, unfit or unseaworthy, or a vessel maintained in such a manner as to make it liable to sinking, or a vessel which in the opinion of the harbormaster constitutes a fire hazard to the boat harbor or to other boats, sunken, or sinking boats or boats in imminence of sinking.

B. Boats removed from the harbor facility under the provisions of this section shall be disposed of as provided in Section 14.16.100 Abandoned Property.

C. Vessels which, in the opinion of the harbormaster, do not meet normal safety standards, or because of their size and construction may be hazardous to the harbor facility, other vessels or property, will be denied use of the harbor facility.

Sec. 14. Wrangell Municipal Code, Section 14.16.100(B),(C) and (D) is amended to read as follows:

B. Immediately upon impounding or removing any boat in Wrangell Harbor, the harbormaster shall cause to be posted in the City Clerk's office, at the harbormaster's office [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 the notice shall be mailed to the owner, master or registered agent of the 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.

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

D. Any boat impounded or removed shall be held by the Port Commission or its agent for a period of not less than thirty (30) days, during which time the Port Commission or its agent 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 Ten (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] City for the owner of the boat to claim; and if not claimed within two (2) years, the balance shall be deposited into the Port Commission fund.

Sec. 15. Wrangell Municipal Code, Sec. 14.16.110(A) is amended to read as follows:

The harbormaster is 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. The harbormaster has authority to move a boat from an unauthorized area or mooring space.

Sec. 16. Wrangell Municipal Code, Sec. 14.16.110(B)(2) is amended to read as follows:

B. Whenever the harbormaster performs any of the acts authorized under subsection A of this section, 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 required to pay to the port commission the following fees:

1. Replacing or securing with additional mooring lines, [TEN (\$10.00) DOLLARS], Five (\$5.00) Dollars plus the cost of the materials used;
2. Pumping, Ten (\$10.00) dollars, plus applicable hourly rate for all labor, including fringes and other labor costs, plus the cost of any other necessary equipment [TWENTY DOLLARS];
3. Moving, fifty (\$.50) cents per foot of length of boat, minimum fee shall be Five (\$5.00) Dollars.

Sec. 17. Wrangell Municipal Code, Sec. 14.16.120 is amended to read as follows:

It is 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. Operate or cause to be operated any vessel [BOAT] in a reckless manner [AND IN WILLFUL AND WANTON DISREGARD FOR THE SAFETY OF PERSON OR PROPERTY] which is in a manner which creates a substantial and unjustifiable risk of harm to a person or to property within the limits of the Wrangell Harbor. A substantial and unjustifiable risk is a risk of such a nature and degree that the conscious disregard of it or a failure to perceive it constitutes a gross deviation from the standard of conduct that a reasonable person would observe in the situation.

B. A person who operates a vessel within the limits of the Wrangell Harbor in a manner which creates an unjustifiable risk of harm to a person or to property and who, as a result of the creation of the risk, actually endangers a person or property, is guilty of negligent operation of a vessel. An unjustifiable risk is a risk of such a nature and degree that a failure to avoid it constitutes a deviation from the standard of care that a reasonable person would observe in the situation. Proof that a defendant actually endangered a person or property is established by showing that, as a result of the defendant's driving; 1) an accident occurred; 2) a person, including the defendant, took evasive action to avoid an accident; 3) a person, including the defendant, stopped or slowed down suddenly to avoid an accident; or 4) a person or property, including the defendant or his property, was otherwise endangered.

The offense of negligent operation of a vessel is a lesser offense than, and included in, the offense of reckless operation of a vessel.

[B. 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. Operate or cause to be operated any boat within the limits of the Wrangell Harbor in excess of three (3) miles per hour or operation which causes an excessive wake.

D. Failing to register with the harbor office within two (2) hours of entering the harbor.

E. Mooring a vessel in any area not designated for moorage, such as a no-parking zone, or to a channel marker.

- F. Mooring, tying to, or landing at a seaplane float with a boat.
- G. To moor any vessel in an area not designated for that sized vessel.
- H. To use another person's stall without the assigned owner's written authorization.
- I. No more than one vessel will be allowed per stall at any one given time unless permission is previously obtained and the vessel has been registered with the harbormaster.
- [I. 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 HARBORMASTER.]
- J. [M] It is unlawful for a person or group or firm to anchor logs in Wrangell Harbor or moor logs at any float or dock in the Wrangell Harbor.
- K. Parking in loading or unloading zone in excess of four (4) hours.
- L. [G] 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, except for a maximum of four (4) hours at such place or places as may be designated as loading and unloading spaces by the harbormaster.
- M. Deposit, place or leave any cargo, merchandise, supplies, freight, articles or thing upon the public hoist area in excess of four (4) hours.
- N. Using work float for uses other than working on a vessel or gear associated with the vessel with the condition that the work float is required to accomplish said work.
- O. [D] Throw or otherwise cause to be deposited gasoline, oil, trash, garbage, or refuse on any float or wharf or into the water of the Wrangell Harbor.
- P. [F] For any owner or person in charge of any dog or animal to [ALLOW SUCH DOG OR ANIMAL TO RUN AT LARGE ON ANY MUNICIPALLY OPERATED FLOAT OR WHARF OR TO BECOME A NUISANCE THEREON:] have or bring such dog or animal upon or within the harbor facility unless the dog or animal is on a leash. Owner or person in

charge will be responsible for proper cleanup and disposal of animal wastes.

Q. Using harbor facility firefighting equipment for any purpose other than fighting fires; or tampering with harbor facility fire fighting equipment.

R. Causing or creating a fire hazard; blocking a fire lane.

S. [H] Tap, connect, disconnect, interfere with, or tamper with any water outlet, water pipe, water connection or any electrical wiring, electrical outlet or electrical device, of any kind installed or maintained in the Wrangell Harbor facilities by the City 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.

T. To use electrical facilities without authorization or to use electrical facilities with unsafe or inadequate electrical equipment as in Chapter 14.25.

U. To have or cause an extension cord or electrical wire to cross a float or gangway unless previously approved by the harbormaster.

V. Using harbor tools or equipment without having previous permission from the harbormaster.

W. [J] 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 harbormaster; all unauthorized advertising and signs shall be removed by the harbormaster.

X. [K] Disregard, deface, remove, tamper with or damage any sign or notice posted or erected by the harbormaster or by direction of the Port Commission relating to the use of mooring areas or other uses of the Wrangell Harbor facilities.

Y. [E] 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 defining offenses and prescribing penalties for the violation thereof are expressly extended to the Wrangell Harbor.

Z. Using unauthorized bumpers such as used tires, rope, or old firehose.

Al. [L] It is unlawful for any person to refuse to comply with any lawful order by the harbormaster or his designated agent.

Sec. 18. Wrangell Municipal Code Sec. 14.20.030(A) is amended to read as follows:

A. Standard Rates: Vessels shall be charged Ten (\$.10) cents per foot per day or fraction thereof. A minimum of two (\$2.00) Dollars per day or fraction thereof shall be charged. Vessels moored in designated seasonal and transient space may occupy such space without charge for a period of [FIFTEEN] Twenty-four (24) hours. Vessels moored in such space in excess of [FIFTEEN] twenty-four hours or moored for any period of time on any two (2) or more consecutive days shall be charged in accordance with rates set forth in subsection A of this section. The fees set forth in Subsection A of this section are applicable to boats mooring up to three weeks.

Sec. 19. Wrangell Municipal Code, Title 14 is amended by adding a new chapter, 14.24 Enforcement.

14.24.010 Enforcement Powers of Harbormaster. The harbormaster shall be a peace officer and as such is only authorized to enforce Title 14 boat harbor laws of the City of Wrangell. The harbormaster shall indicate a violation of said laws by completing the standard citation annexed to this chapter as appendix A.

14.24.020 Disposition of Certain Harbor Offenses.

a) When a person is given a citation for a harbor offense, the harbormaster shall, except when otherwise required by law or the immediate circumstances, issue a citation to the person in charge of or operating the vessel involved. A copy of the standard citation is annexed as Appendix "A".

b) The citation shall have printed on it, a schedule of vessel offenses which may be paid by a fine without a Court appearance, with the appropriate bail or fine for each offense as determined and set forth in Appendix "B" attached hereto.

c) If the offense for which a 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 (as set forth in Appendix "B") either in person or by mail within five (5) days of the date of the arrest, to the City Accounting Clerk in Wrangell City Hall at 206 Brueger Street, P.O. Box 531, Wrangell, Alaska 99929. 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, should it be desired by the offender.

d) A harbor 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 subsection "c" of this section.

e) If the offender refuses to accept the citation or refuses to sign the acknowledgment of receipt and promise to appear, the 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. The maximum penalty which may be imposed for the original offense may not exceed the penalty set out in the schedule of fines as set forth in Appendix "B".

14.24.030 Mandatory Appearance. Commission of offenses involving a moving violation including a speeding violation in excess of the speed limit and other offense as more specifically set out in Appendix "C" annexed to this chapter shall require mandatory Court appearance.

Sec. 20. Wrangell Muncipal Code, Title 14, is amended by adding a new chapter, 14.25, Electrical Service to Vessels--Conductor Specifications.

Electric connections to any vessel are under the direction of the harbormaster and must comply with the following regulations:

a) Cords with current carrying capacity of less than fifteen (15) amps shall not be used.

b) Flexible cords shall be used only in continuous lengths without splice or taps.

c) Cords shall not be smaller than required for the rated current of the connected equipment.

d) Attachment plugs and connector bodies shall not be smaller than that required for the rated current of the attached cord.

e) Attachment plugs shall be of the weatherproof type.

f) Infrared heating lamps may be used with porcelain-type sockets only.

g) Any heater capable of causing a fire if overturned must be equipped with a safety switch that will automatically disconnect electric current if overturned.

h) The following power cords are approved for use and listed below by type: S0, ST, ST0, POW, K, S.

i) The following power cords are not approved and must not be used: SP3, SPT-3, TP, TPT, TS, TST, AFC, AFPO, AFD, CFC, CFPO, CFPD, PO-1, PO-2, PO, SPT-1, SPT-2, SP-1, C, PD, P-1, P-2, P, PW-1, PW-2, SV, SVT, SJ, SJO, SJT, SJTO.


j) Any cord not listed must be inspected and approved by the City light department prior to being put in service.

k) Current-carrying capacity of flexible cords:

<u>Size, AWG</u>	<u>Amps.</u>
<u>14</u>	<u>15</u>
<u>12</u>	<u>20</u>
<u>10</u>	<u>25</u>
<u>8</u>	<u>35</u>
<u>6</u>	<u>45</u>
<u>4</u>	<u>60</u>

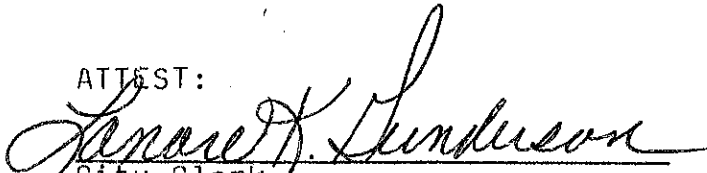
PASSED IN FIRST READING: JULY 10, 1984

PASSED IN SECOND READING: JULY 24, 1984



Mayor William B. Privett

ATTEST:



City Clerk

DISTRICT COURT FOR THE CITY OF WRANGELL
FIRST JUDICIAL DISTRICT, AT WRANGELL
HARBOR TICKET AND COMPLAINT

City of Wrangell v. _____
Plaintiff
STATE OF ALASKA)
FIRST JUDICIAL DISTRICT)

The undersigned, being duly sworn, upon his oath deposes and says:

On the _____ day of _____, 19____, at _____ a.m.
p.m.

(Last) (First) (Middle)

(Mailing Address) (City) (State)

did unlawfully (operate) (park) (place) a/an (vessel) (item)

(Type) (Length) (Color)

(Boat name or number) (Item description)

within a public harbor, at _____ in violation of
(Location)

Wrangell Municipal Code () . () . () . ()

NON-MANDATORY COURT APPEARANCE	1. <input type="checkbox"/> Mooring in no parking zone (\$15.00 per notice to move)	2. <input type="checkbox"/> Mooring at seaplane float (\$15.00 per notice to move)	
	3. <input type="checkbox"/> Mooring in wrong area for boat size (\$10.00 per notice to move)	4. <input checked="" type="checkbox"/> Unauthorized use of another person's stall (\$50.00)	
	5. <input type="checkbox"/> More than one boat per stall (\$10.00 per notice to move)	6. <input type="checkbox"/> Parking in loading zone over 4 hours (\$5.00 per _____)	
	7. <input type="checkbox"/> Cargo, freight, etc. on float, wharf, etc. over 4 hours (\$5.00 per period)	8. <input type="checkbox"/> Animals being a nuisance (\$25.00)	
	9. <input type="checkbox"/> Causing fire hazard/blocking fire lane/illegal use of fire equipment (\$100.00)	10. <input type="checkbox"/> Unauthorized use of electrical facilities (\$25.00)	
	11. <input type="checkbox"/> Other (\$15.00)		
	MANDATORY COURT APPEARANCE	12. <input type="checkbox"/> Speeding or excessive wake _____ mph in a _____ mph zone wake ht	
		13. <input type="checkbox"/> Reckless or negligent operation	
		14. <input type="checkbox"/> Failure to comply with lawful order of harbormaster	
		15. <input type="checkbox"/> Other _____	

The undersigned further states that this Harbor Ticket is based upon his personal observations and/or belief that the person named herein committed the offense, contrary to law.

COMPLAINT:

Sworn To and Subscribed)
Before me this _____ day of _____)
_____, 19____.)
(NOTARY))

(Signature of Complainant)

(Title)

Court Appearance _____ day of _____, 19____, at _____ a.m.
p.m.

Court Address:

I promise to appear in court at the time and place indicated.

Signature X _____

PLEASE READ THE BACK OF THIS TICKET AND COMPLAINT

INSTRUCTIONS TO PERSON GIVEN HARBOR TICKET
READ THE FOLLOWING INSTRUCTIONS CAREFULLY

W H E N C O U R T A P P E A R A N C E M A N D A T O R Y :

You have been charged with a Harbor Violation and requested to appear in District Court. You must appear in court on the date specified if you are charged with a MANDATORY COURT APPEARANCE VIOLATION as indicated on other side of this summons.

W H E N C O U R T A P P E A R A N C E N O N - M A N D A T O R Y :

You have been charged with a Harbor Violation and are not required to appear in court if you have been charged with a NON-MANDATORY COURT APPEARANCE VIOLATION as indicated on the other side of this summons. You may plead guilty to the offense by signing the appropriate blank on the citation and paying the fine or bail specified on the citation either in person to the City Accounting Clerk in Wrangell City Hall at 206 Brueger Street, downtown Wrangell within five (5) days of the date of the arrest, or by mail to the City Accounting Clerk, P.O. Box 531, City of Wrangell, AK 99929 within five (5) days of the arrest. Acceptance and payment of the fine or bail is a complete satisfaction for the offense, and the offender shall be given a receipt which so states, should it be desired by the offender.

N O T I C E

The court will issue a warrant for the arrest of any defendant who has failed to appear or answer a Harbor summons duly served upon him and upon which a complaint has been filed.

APPEARANCE, PLEA OF GUILTY AND WAIVER FORM

I, the undersigned, do hereby enter my appearance on the complaint of the offense charged on the other side of this summons. I have been informed of my right to a trial, that my signature on this plea of guilty will have the same force and effect as a judgement of court, I do hereby PLEAD GUILTY to said offense as charged and WAIVE my rights to a hearing by court. I further agree to pay the penalty prescribed for my offense.

AMOUNT \$ _____

(Defendant's Name) (Please Print)

(Address)

(Defendant's Signature)

(Receipt No.)

(Date)

APPENDIX "B"

Sec. 14.24.020Non-mandatory Appearances, Bail Schedule

<u>CODE SECTION</u>	<u>OFFENSE</u>	<u>BAIL</u>
14.16.120(D)	Failure to register within 2 hours of entering harbor	\$15.00
14.16.120(E)	Mooring in No Parking Area	\$15.00 per notice to move
14.16.120(F)	Mooring at seaplane float	\$15.00 per notice to move
14.16.120(G)	Mooring in wrong area for size of vessel	\$10.00 per notice to move
14.16.120(H)	Unauthorized use of another person's stall	\$50.00
14.16.120(I)	More than one boat per stall unless registered	\$10.00 per notice to move
14.16.120(J)	Anchor logs in harbor or moor logs to float	\$15.00
14.16.120(K)	Parking in loading zone in excess of 4 hours	\$ 5.00 per period
14.16.120(L)	Cargo, freight, stores, etc., on float of wharf in excess of 4 hours	\$ 5.00 per period
14.16.120(M)	Cargo, freight, stores, etc., in public hoist area in excess of 4 hours	\$ 5.00 per period
14.16.120(N)	Illegal use of work float	\$15.00
14.16.120(O)	Trash, refuse on float or water	\$15.00
14.16.120(P)	Animals being a nuisance	\$25.00
14.16.120(Q)	Illegal use of fire fighting equipment	\$100.00
14.16.120(R)	Causing fire hazard/blocking fire lane	\$100.00
14.16.120(S)	Interfere with electrical, water or any other city provided facilities	\$15.00
14.16.120(T)	Unauthorized use of electrical facilities	\$25.00
14.16.120(U)	Unauthorized crossing of a float, wharf with electrical power cord	\$15.00
14.16.120(V)	Unauthorized use of harbor tools or equipment	\$15.00
14.16.120(W)	Unauthorized posting of advertisement or signs	\$15.00
14.16.120(X)	Deface or remove harbor signs	\$15.00
14.16.120(Y)	Creating a nuisance or conducting unlawful business	\$15.00
14.16.120(Z)	Bumpers on floats of illegal material	\$15.00

APPENDIX "C"

14.24.030

Mandatory Appearances, Bail Schedule

<u>CODE</u> <u>SECTION</u>	<u>OFFENSE</u>	<u>BAIL</u>
14.16.120(A)	Reckless Operation	Determined by Court
14.16.120(B)	Negligent Operation	Determined by Court
14.16.120(C)	Speed Limit, 3 miles over limit	Determined by Court
14.16.120(A1)	Non-Compliance with Harbormaster's Orders	Determined by Court

IN THE TRIAL COURTS FOR THE STATE OF ALASKA
FIRST JUDICIAL DISTRICT AT WRANGELL

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

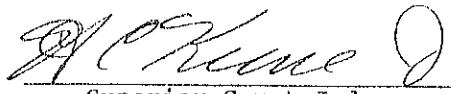
IN THE MATTER OF A)
)
BAIL SCHEDULE FOR)
HARBOR REGULATIONS,)
)
CITY OF WRANGELL.)
)

ORDER

The procedure set forth in the proposed new Section 14.24.020 of Title 14, Wrangell Municipal Code, entitled Disposition of Certain Harbor Offenses, and specifically setting forth the method of handling non-mandatory appearances and the procedure whereby the "mail-in bail" procedure will be handled directly by the City is approved by the court subject to approval and ratification by the Wrangell City Council.

The proposed Non-Mandatory Appearance Bail Schedule set forth in Appendix "B" of proposed Section 14.24.020 of the Ordinances of the Council of the City of Wrangell is approved, subject to passage and approval by the Wrangell City Council.

Dated: June 18, 1984



Superior Court Judge

CITY OF WRANGELL, ALASKA

ORDINANCE No. #462

AN ORDINANCE OF THE CITY OF WRANGELL COMPLETELY REVISING TITLE 20, ENTITLED "ZONING" AND AMENDING CHAPTER 18.20 ENTITLED "TRAILERS AND TRAILER CAMPS" OF THE WRANGELL MUNICIPAL CODE, REZONING PROPERTY IN THE CITY OF WRANGELL PURSUANT TO A NEW OFFICIAL ZONING MAP ADOPTED HEREBY AND PROVIDING FOR A PUBLIC HEARING

RECITALS

Whereas, after many public hearings, a complete revision of the zoning ordinances have been accomplished by the Environmental Services, and

Whereas, the Planning and Zoning Commission and the zoning administrator have completely reviewed the revised zoning ordinances and recommend their adoption by the council; and

Whereas, the council deems that a public hearing should be held on this ordinance before it is adopted,

NOW THEREFORE, 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 its effective date shall be thirty (30) days after final passage and approval as provided by law.

Sec. 4. Public Hearing. A public hearing shall be held on this ordinance with notice thereof given as required prior to said public hearing.

Sec. 5. Intent. It is the intent of the council that those chapters and those sections of the various chapters of Title 20 of the Wrangell Municipal Code which have not been specifically repealed or amended by this ordinance shall remain in full force and effect. For clarification purposes, this ordinance uses the following format:

a) The material that is in brackets [] and capital letters is deleted;

b) The material that is underlined is to be added.

c) For convenience, where a whole section or paragraph has been added, it has been designated as "new" and has not been completely underlined as indicated in paragraph b) above.

d) Many sections have been "renumbered" and are self-explanatory in that the deleted numbering is in brackets.

e) Those sections which are followed by [REPEALED] shall be and hereby are repealed.

Sec. 6. Wrangell Municipal Code, Title 20, "Zoning" is hereby amended and repealed consistent with the intent of this ordinance and as follows:

Chapter 20.04

GENERAL PROVISIONS

Sections:

20.04.020	Statutory Authority.
20.04.040	Planning and Zoning Commission--Established.
20.04.050	<u>Districts [ZONES] and Map--Purpose Generally.</u>
20.04.060	<u>Districts [ZONES]--Basis and Purpose.</u>
20.04.070	<u>Preliminary Report and Actions to Effect Provisions.</u>
20.04.080	Regulations Deemed Minimum Standards.
20.04.090	Compliance Required.
20.04.100	Structure Compliance Required.
20.04.110	Essential Service Permitted in All <u>Districts [ZONES].</u>
20.04.120	Zoning of Annexed Lands.
20.04.140	Interpretation of Regulations for Permitted Uses.

20.04.020 Statutory authority. Alaska Statutes [TITLE 29, CHAPTER 10, ARTICLE 5, EMPOWERS] empower the City to enact a zoning ordinance and to provide for its administration, enforcement, and amendment.

20.04.040 Planning and Zoning Commission--Established. The city council, pursuant to the provisions of A.S. 29.10.207, has appointed a planning commission to recommend the boundaries of the various districts [ZONES], appropriate regulations to be enforced therein, and appoints and constitutes the members thereof to the zoning commission which commission shall be entitled the planning and zoning commission and referred to in this title as the "commission."

20.04.050 Districts [ZONES] and Map--Purpose Generally. The commission has divided the city into districts [ZONES] and has prepared a zoning map and regulations pertaining to such districts [ZONES] in accordance with a comprehensive plan designed to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to facilitate [THE] adequate [PROVISION OF] transportation, water, and sewage facilities [SEWERAGE], schools, parks and other public requirements.

20.04.060 Districts [ZONES]--Basis and Purpose. The commission has given reasonable consideration, among other things, to the character of the districts [ZONES] and their suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the city.

20.04.070 Preliminary Report and Actions to Effect Provisions. The commission has made a preliminary report and held public hearings thereon, pursuant to notice, and submitted its final report to the city council, and the city council has given due public notice of hearings relating to districts [ZONES], regulations, and restrictions, and has held such public hearings, and all requirements of the Alaska Statutes, with regard to the preparation of the report of the commission and the subsequent action of the city council have been met.

20.04.080 Regulations Deemed Minimum Standards. The regulations set forth in this title within each district [ZONE] shall be minimum regulations and shall apply uniformly to each class or kind of structure or land and, particularly, except as otherwise provided in this chapter.

20.04.090 Compliance Required. No building or land shall be used or occupied and no building or part thereof shall be erected, moved, or altered after the effective date of the ordinance codified in this title unless in conformity with the regulations specified in this title for the district [ZONE] in which it is located.

20.04.100 Structure Compliance Required. After the effective date of an [the] ordinance codified in this title no structure shall be erected or altered as follows:

- A. To exceed the height;
- B. To accommodate or house a greater number of families;
- C. To occupy a great percentage of lot area; or
- D. To have narrower or small rear yard, front yard or side yard than is specified in this title for the district [ZONE] in which such building is located.

20.04.110 Essential Service Permitted in All Districts [ZONES]. Essential services, as defined in Section 20.08.230, shall be permitted in all districts [ZONES].

20.04.120 Zoning of Annexed Lands. All territory which may be annexed to the city after the effective date of the ordinance codified in this title is zoned single family [LOW-DENSITY] residential (SF) until otherwise classified by the order of annexation and by amendment of this title as provided by law.

20.04.140 Interpretation of Regulations for Permitted Uses.

A. The express enumeration and authorization of a particular class of building, structure, or use in a designated district [ZONE] shall be deemed a prohibition of such building, structure, or use in all other districts [ZONES] unless otherwise specified.

B. In case of reasonable doubt as to whether a use is permitted in a specific district [ZONE], the zoning administrator shall rule as to the intent and meaning of this title. When it is alleged that there is an error in the zoning administrator's interpretation of this title, the commission shall rule. If the commission upholds the decision of the zoning administrator, appeals from this decision may be made to the board of adjustment as provided in Section 20.80.010.

C. The zoning regulations shall apply equally to private and public property.

Chapter 20.08

DEFINITIONS

Sections:

20.08.440	<u>Major Utility [MOBILE HOME]</u> .
20.08.445	<u>Modular Dwelling or Manufactured Housing</u> .
20.08.450	<u>Mobile Home</u> .
20.08.460	<u>Mobile Home Parks</u> .
20.08.470	Motel. (Renumbered)
20.08.480	Nonconforming Lot. (Renumbered)
20.08.490	Nonconforming Structure. (Renumbered)
20.08.500	Nonconforming Use. (Renumbered)
20.08.510	Nursery, children's. (Renumbered)
20.08.520	Parking space. (Renumbered)
20.08.530	Principal use. (Renumbered)
20.08.540	Profession. (Renumbered)
20.08.550	Property owner. (Renumbered)
20.08.560	Service station. (Renumbered)
20.08.570	Sign. (Renumbered)

20.08.580 State highway. (Renumbered)
20.08.590 Street. (Renumbered)
20.08.600 Structure. (Renumbered)
20.08.620 Variance.
20.08.660 Zoning Change.

20.08.440 Major Utility [MOBILE HOME]. "Major Utility" ["MOBILE HOME"] means a utility service, such as electrical, gas, telephone, cable television or other service operated by the City or by license from the State of Alaska or the City. [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 OWN RUNNING GEAR AND DESIGNED TO BE USED AS A DWELLING UNIT WITHOUT A PERMANENT FOUNDATION. REMOVAL OF WHEELS DOES NOT ALTER ITS CHARACTER, NOR DOES PLACEMENT ON A CONCRETE OR OTHER FOUNDATION.]

20.08.445 Modular Dwelling or Manufactured Housing. (New) "Modular dwelling or manufactured housing" means a dwelling or manufactured housing constructed with the intent to be transported by any means and placed on a permanent foundation that meets all building codes adopted by the City of Wrangell, and which is built after 1979 and is 24 feet or more in width. Modular dwellings or manufactured housing built prior to 1979 or less than 24 feet in width shall only be permitted in established mobile home parks or RR zones.

20.08.450 Mobile Home. (New) "Mobile home" means any coach, motor home, trailer, or other vehicle or structure built prior to or after 1979 or less than 24 feet in width designed or intended for or capable of human dwelling or sleeping purposes which is mounted on wheels or supports and capable of being moved by its own power or transported by a vehicle, where such mobile home is used or intended for permanent occupancy. This does not include units that are similarly constructed and designed for multiple sleeping quarters such as bunkhouses with separate food preparation and dining areas.

20.04.460 Mobile Home Park. (New) "Mobile home park" means any park, court, parcel or tract of land, designed, maintained, intended or used for the purpose of supplying a location for more than two mobile homes including 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 mobile home park does not include automobile or trailer sales lots on which unoccupied mobile homes are parked for the purpose of inspection and sale, with no more than one mobile home fully set up for occupancy located on each such sales lot. A mobile home park may include modular dwellings or manufactured housing built prior to 1979, or less than 24 feet in width, and shall not be permitted in any district as a principal use, except in RR zones.

20.08.470 [20.08.450] Motel. (Renumbered) "Motel" means a group of one or more detached or semidetached 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.

20.08.480 [20.08.460] Nonconforming Lot. (Renumbered) "Nonconforming lot" means a lot lawfully existing at the time an [THIS] ordinance codified in this title becomes effective which, by reason of area or dimensions, does not meet the development requirements for the district [ZONE] in which it is located.

20.08.490 [20.08.470] Nonconforming Structure. (Renumbered) "Nonconforming structure" means a structure or portion thereof, lawfully existing at the time an [THE] ordinance codified in this title became effective, which by reason of its yards, coverage, height or other aspects of design does not meet the development requirements of this title.

20.08.500 [20.08.480] Nonconforming Use. (Renumbered) "Nonconforming use" means a use of a structure, of land or of a structure and land in combination, lawfully existing at the time an [THE] ordinance codified in this title became effective, or established on the premises of a previous nonconforming use, as specified in Chapter 20.64, which is not in conformity with the uses permitted in the district [ZONE] in which it exists.

20.08.510 [20.08.490] Nursery, children's. (Renumbered) "Children's nursery" means any home or institution used and maintained to provide day care for children not more than seven years of age.

20.08.520 [20.08.500] Parking space. (Renumbered) "Parking space" means an area of not less than One Hundred Eighty square feet, 10.4 feet x 17.4 feet, exclusive of drives or aisles giving access thereto, in an area accessible from streets and alleys, for the storage of passenger motor vehicles operated by individual drivers.

20.08.530 [20.08.510] Principal Use. (Renumbered) "Principal use" means the major or predominant use of a lot or parcel of land.

20.08.540 [20.08.520] Profession. (Renumbered) "Profession" means an occupation or calling requiring the practice of a learned art through specialized knowledge based on a degree issued by an institution of higher learning.

20.08.550 [20.08.530] Property owner. (Renumbered)
"Property owner" means the owner shown on the latest tax assessment roll.

20.08.560 [20.08.540] Service station. (Renumbered)
"Service station" means 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 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.

20.08.570 [20.08.550] Sign. (Renumbered) "Sign" means any words, letters, parts of letters, figures, numerals, phrases, sentences, emblems, devices, trade names or trademarks 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, and which are visible from any public street or highway and used to attract attention.

20.08.580 [20.08.560] State highway. (Renumbered) "State highway" means a right-of-way classified by the state as a primary, secondary A or secondary B highway.

20.08.590 Trailer coach. [REPEALED]

20.08.590 Street. (Renumbered) "Street" means 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.

20.08.600 Trailer Court. [REPEALED]

20.08.600 Structure. (Renumbered) "Structure" means that which is built or constructed; an edifice or a building of any kind, composed of parts jointed together in some definite manner.

20.08.620 Variance. "Variance" means a relaxation of [THE] development requirements [UNDER THE PROCEDURES SPECIFIED IN CHAPTER 20.72] in those cases where unusual physical features of the property involved would make strict application of the zoning regulations unreasonable. Variations shall only be granted under the procedures specified in Chapter 20.72. Variations shall not be granted for the purpose [DEFINED AS A MEANS] of permitting a structure or the use of a structure or land [USE OF LAND OR STRUCTURE] which is not otherwise

permitted in the district. [ZONE;] The allowance of any structure or land or structure uses in a district where such would not otherwise be permitted may be accomplished only through an [THIS CAN BE ACCOMPLISHED ONLY THROUGH] amendment of the zoning ordinances in accordance with the procedures specified in Chapter 20.76 [ORDINANCE], a change in district [CHANGE ZONE] boundaries or additions [TO ADD] to uses permitted within a district [ZONE] classification [EITHER] by adding conditional uses requiring [, WHICH REQUIRE] planning commission approval in each instance [CASE OR BY ADDING TO THOSE USES WHICH ARE PERMITTED OUTRIGHT; SEE CHAPTER 20.76].

20.08.660 Zoning Change. "Zoning change" means the alteration or moving of a district [ZONE] boundary, the reclassification of a lot or parcel of land from one district [ZONE] to another, or the change of any of the regulations contained in this title.

Chapter 20.12

DISTRICTS ESTABLISHED--BOUNDARIES

Sections:

- 20.12.010 Districts [ZONES] Established--Map Adopted by Reference.
- 20.12.020 [REGULATIONS ADOPTED.]
- 20.12.020 Map--Changes--Official copy--Certification. (Renumbered)
- 20.12.030 Map--Replacements. (Renumbered)
- 20.12.040 District [ZONE] Boundaries--Determination. (Renumbered)

20.12.010 Districts [ZONES] Established--Map Adopted by Reference.

A. The city is divided into the following districts [ZONES]:

- 1. Single-family Residential (SF) [LOW-DENSITY RESIDENTIAL-1] Chapter 20.16
- 2. Multi-family Residential (MF) [LOW-DENSITY RESIDENTIAL-2] Chapter 20.20
- 3. Rural Residential-1 (RR-1) [MEDIUM-DENSITY RESIDENTIAL-1] Chapter 20.28
- 4. Rural Residential-1 (RR-2) [MEDIUM-DENSITY RESIDENTIAL-2] Chapter 20.30
- 5. Open Space/Public (OS) [APARTMENT RESIDENTIAL-1] Chapter 20.32
- 6. Holding District (H) [APARTMENT RESIDENTIAL-2] Chapter 20.36
- 7. Timber Management District (TM) [COMMERCIAL] Chapter 20.40

- 8. Commercial (C) [GENERAL INDUSTRIAL] Chapter 20.44
- 9. Industrial (I) [LIGHT INDUSTRIAL-1] Chapter 20.48
- 10. Waterfront Development District (WD) [LIGHT INDUSTRIAL-2] Chapter 20.50
- 11. Light Industrial (IL) Chapter 20.51
- [11. HEAVY INDUSTRIAL]
- [12. FUTURE DEVELOPMENT]

Unless otherwise stated, tidelands shall have the same district classification as the immediately adjoining and adjacent uplands.

B. These districts [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 adopted by reference and declared to be a part of this title.

20.12.020 Regulations Adopted. [REPEALED]

20.12.020 [20.12.030] Map--Changes--Official Copy--Certification. (Renumbered)

A. 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 title. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of this ordinance and punishable as provided under Chapter 20.92.

B. 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.

C. The official zoning map shall be identified by the date and signature of the mayor and the seal of the city under the following words: "This is to certify that this is the official zoning map referred to in Title 20 of the municipal code, as adopted by Ordinance No. [349] 462 of the City of Wrangell adopted on [JULY 13, 1976] September 11, 1984."

20.12.030 [20.12.040] Map--Replacements. (Renumbered) A. 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 Council with the assistance of the commission may by resolution adopt a new official zoning map which shall supersede the prior official zoning map.

B. 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.

C. The new official zoning map shall be identified by date and the signature of the mayor, and shall bear the seal of the city 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."

20.12.040 [20.12.050] District [ZONE]
Boundaries--Determination. (Renumbered) Where uncertainty exists as to the boundaries of districts [ZONES] as shown on the official zoning map, the following rules shall apply:

A. Boundaries indicated as approximately following the centerlines of streets, highways, or alleys shall be construed to follow such lines.

B. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.

C. Boundaries indicated as approximately following city limits shall be construed as following city limits.

D. Boundaries indicated as following shorelines shall be construed to follow such shorelines. Boundaries indicated as approximately following the centerlines of creeks shall be construed to follow such centerlines. In the event of change of a shoreline or a centerline of a creek, the district [ZONE] boundary shall be construed as moving with the actual shoreline or creek.

E. Boundaries indicated as parallel to or extensions of features indicated in subsections A through D of this section shall be so construed. Distances not specifically indicated on the official zoning map shall be determined by the scale of the map.

F. The zoning regulations shall apply equally to private and public property.

G. Property which has not been specifically included within a district [ZONE] shall be classified as single family (SF) [LOW-DENSITY] residential until such classification is changed by amendment to the zoning ordinance as provided by law.

H. Where any public street or alley is officially vacated or abandoned, the regulations applicable to each parcel of abutting property shall apply to that portion of such street or alley added thereto by virtue of such vacation.

I. Where existing physical features of the street or property layout is at variance with the official zoning map, or in other questions of map interpretation not covered by subsections A through H of this section, the Board of Adjustment shall interpret the district [ZONE] boundaries.

Chapter 20.16

SF DISTRICT--SINGLE FAMILY RESIDENTIAL
[RL ZONES--LOW DENSITY RESIDENTIAL]

Sections:

20.16.010	Purpose [OF ZONES].
20.16.020	Principal Uses Permitted.
20.16.030	Accessory Uses Permitted.
20.16.040	Conditional Uses.
20.16.050	Standards [LOTS]
20.16.060	[YARDS.]
20.16.070	[MAXIMUM LOT COVERAGE.]
20.16.080	[HEIGHT--OFF-STREET PARKING-OTHER REQUIREMENTS.]

20.16.010 Purpose [OF ZONES]. The Single-Family (SF) residential district is established [LOW-DENSITY RESIDENTIAL ZONE-1 IS INTENDED] to provide for medium density residential uses in areas having public vehicular access and major utilities available or where such access and utilities are expected to become available within ten (10) years [THE DEVELOPMENT OF STABLE AND ATTRACTIVE RESIDENTIAL DISTRICTS OCCUPIED PRINCIPALLY BY HOMES BUILT UPON LARGE LOTS]. This district is also established to help maintain the character and integrity of existing medium density residential neighborhoods. [B. 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.]

20.16.020 Principal Uses Permitted. The following are principal permitted uses in this district [THESE ZONES]:

- A. One-family and two-family dwellings to include modular dwellings or manufactured housing;
- B. Public parks and playgrounds.

20.16.030 Accessory Uses Permitted. The following are permitted accessory uses in this district [THESE ZONES]:

- A. Private garages and required off-street parking;
- B. Greenhouses and toolsheds;
- C. Home occupations as defined in Section 20.08.320;
- D. Private docks, moorage, boathouses and net houses;
- E. Uses and structures which are customarily accessory and clearly subordinate to permitted uses.

20.16.040 Conditional Uses. The following are uses which may be permitted in this district by action of the commission under the conditions and procedure specified in Chapter 20.68:

- A. Public and private elementary and secondary schools and colleges;
- B. Nursery schools, private kindergartens and child-care centers;
- C. Public buildings and structures;
- D. Hospitals, sanitariums, homes for the aged, nursing homes, convalescent homes;
- E. Churches and cemeteries;
- F. Radio and television transmitters or towers;
- G. Mobile homes and mobile home parks [TRAILER COURTS] subject to the requirements of Chapter 18.20 as well as the requirements of this title;
- H. Residential planned unit developments.

20.16.050 Lots. [REPEALED]

20.16.050 Standards. (New) The standards found in Chapter 20.52 applicable to this district are:

A. Standards Policies	20.52.005
B. Principal Structures Per Lot	20.52.010
C. Site Obstruction	20.52.020
D. Distances Between Buildings	20.52.030
E. Air, Land and Water Quality	20.52.040
F. Volatile Products Storage	20.52.050
G. Noise	20.52.060
H. Airport Inteference	20.52.070
I. Building Height	20.52.080
J. Density-Minimum Lot Size	20.52.090
K. Coverage-Minimum Open Areas	20.52.100
L. Setbacks-Yards	20.52.110
M. Hazard Areas	20.52.140
N. Drainage	20.52.150
O. Dredge and Fill	20.52.160
P. Home Occupation	20.52.170
Q. Mobile Homes and Mobile Home Parks	20.52.180
R. Off-street Parking	20.52.190
S. Signs	20.52.210
T. Traffic Generation	20.52.230
U. Recreation	20.52.250

20.16.060 Yards. [REPEALED]

20.16.070 Maximum Lot Coverage. [REPEALED]

20.16.080 Height--Off-Street Parking--Other Requirements. [REPEALED]

Chapter 20.20

M.F. DISTRICT--MULTI-FAMILY RESIDENTIAL
[R.M. ZONES--MEDIUM DENSITY RESIDENTIAL]

Sections:

- 20.20.010 Purpose [OF ZONES].
- 20.20.020 Principal Uses Permitted.
- 20.20.030 Accessory Uses Permitted.
- 20.20.040 Conditional Uses.
- 20.20.050 Standards [LOTS].
- 20.20.060 [YARDS.]
- 20.20.070 [MAXIMUM LOT COVERAGE.]
- 20.20.080 [HEIGHT--OFF-STREET PARKING--OTHER REQUIREMENTS.]

20.20.010 Purpose [OF ZONES].

A. The purpose of the multi-family (MF) district is to protect and enhance present [THE] medium density residential areas and to provide additional areas suitable for duplexes, apartments, planned unit developments and other relatively high density residential uses. [ZONE-1 IS INTENDED TO PROVIDE FOR THE DEVELOPMENT OF STABLE AND ATTRACTIVE RESIDENTIAL DISTRICTS OCCUPIED PRIMARILY BY HOMES BUILT UPON MEDIUM SIZED LOTS.] The multi-family residential district encourages the concentration of residences and people near schools, shopping areas, places of work and other community centers to enable economical utility service, to reduce dependence upon the automobile, and to provide convenient proximity to destination points.

[B. THE MEDIUM DENSITY RESIDENTIAL ZONE-2 IS INTENDED FOR THE SAME PURPOSE 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.]

20.20.020 Principal Uses Permitted. The following are principal permitted uses in this district [THESE ZONES]:

- A. Apartments; [ONE-FAMILY AND TWO-FAMILY DWELLINGS]
- B. Condominiums; [PUBLIC PARKS AND PLAYGROUNDS]
- C. Townhouses;
- D. Duplexes;
- E. Single-Family Residences to Include Modular and Manufactured Housing;
- F. Residential Planned Unit Developments;
- G. Parks and Playgrounds;
- H. Schools;
- I. Churches.

20.20.030 Accessory Uses Permitted. Uses and structures which are clearly incidental and subordinate to principal

permitted uses and which will not create a nuisance or hazard [THE FOLLOWING] are permitted as accessory uses. [:]
 [A. PRIVATE GARAGES AND REQUIRED OFF-STREET PARKING;]
 [B. GREENHOUSES AND TOOL SHEDS;]
 [C. HOME OCCUPATIONS AS DEFINED IN SECTION 20.08.320;]
 [D. PRIVATE DOCKS, MOORAGE, BOAT HOUSES AND NET HOUSES;]
 [E. USES AND STRUCTURES WHICH ARE CUSTOMARILY ACCESSORY AND CLEARLY SUBORDINATE TO PERMITTED USES.]

20.20.040 Conditional Uses. The following are uses which may be permitted by action of the Commission under the conditions and procedures specified in Chapter 20.68:

- A. Office buildings [PUBLIC AND PRIVATE ELEMENTARY AND SECONDARY SCHOOLS AND COLLEGES];
- B. Governmental and civil buildings [NURSERY SCHOOLS, PRIVATE KINDERGARDENS AND CHILD CARE CENTERS];
- C. Churches [PUBLIC BUILDINGS AND STRUCTURES];
- D. Institutions [HOSPITALS, SANITARIUMS, HOMES FOR THE AGED, NURSING HOMES, CONVALESCENT HOMES];
- E. Mobile Home Parks [CHURCHES AND CEMETARIES];
- F. Private clubs, lodges and halls except those whose chief activity is customarily carried on as a business [RADIO AND TELEVISION TRANSMITTERS OR TOWERS];
- G. Multi-unit housing projects for senior citizens [TRAILER COURTS SUBJECT TO THE REQUIREMENTS OF CHAPTER 18.20 AS WELL AS THE REQUIREMENTS OF THIS TITLE.];
- H. Boarding Houses and Rooming Houses;
- I. Nursery Schools, Private Kindgergardens and Child Care Centers for Pre-Elementary School Children;
- K. Vocational Training Centers.

20.20.050 Lots. [REPEALED]

20.20.050 Standards. (New) The standards found in Chapter 20.52 applicable to this district are:

A. Standards and Policies	20.52.050
B. Principal Structures Per Lot	20.52.010
C. Site Obstruction	20.52.020
D. Distances Between Buildings	20.52.030
E. Air-Land and Water Quality	20.52.040
F. Volatile Products Storage	20.52.050
G. Noise	20.52.060
H. Airport Inteference	20.52.070
I. Building Height	20.52.080
J. Density-Minimum Lot Size	20.52.090
K. Coverage-Minimum Open Areas	20.52.100
L. Setbacks-Yards	20.52.110
M. Hazard Areas	20.52.140
N. Drainage	20.52.150

O. Dredge and Fill	20.52.160
P. Home Occupation	20.52.170
Q. Mobile Homes and Mobile Home Parks	20.52.180
R. Off-street Parking	20.52.190
S. Signs	20.52.210
T. Traffic Generation	20.52.230
U. Recreation	20.52.250

20.20.060 Yards. [REPEALED]

20.20.070 Maximum Lot Coverage. [REPEALED]

20.20.080 Height--Off-Street Parking--Other Requirements.
[REPEALED]

Chapter 20.24

AR ZONES--APARTMENT RESIDENTIAL [REPEALED]

Chapter 20.28

RR-1 DISTRICT--RURAL RESIDENTIAL [C ZONE--COMMERCIAL]

Sections:

20.28.010	Purpose [OF ZONE].
20.28.020	Principal Uses Permitted.
20.28.030	Accessory Uses Permitted.
20.28.040	Conditional Uses [OBJECTIONAL OPERATIONS PROHIBITED].
20.28.050	Standards [SCREENING OF STORAGE REQUIRED].
20.28.060	[LOT, YARD AND HEIGHT].
20.28.070	[LOT COVERAGE].
20.28.080	[OFF-STREET LOADING AND PARKING--OTHER REQUIREMENTS].

20.28.010 Purpose [OF ZONE]. The [COMMERCIAL ZONE] Rural-Residential (RR-1) district is intended to provide for relatively low impact land and water uses and activities in areas that are not suitable or desirable for intensive development due to their distance from established utility service areas, existing large lot development or existing rural life styles [AN AREA WITH A BROAD RANGE OF COMMERCIAL ESTABLISHMENTS]. [USES ARE REGULATED TO CONCENTRATE COMMERCIAL DEVELOPMENT AS FAR AS POSSIBLE AND TO PREVENT ANY USES WHICH WOULD HAVE AN ADVERSE EFFECT UPON NEARBY PROPERTIES] These areas shall be protected from inappropriate, high intensity or incompatible development in order to maintain their character and avoid the high public costs associated with utility service

for outlying or scattered development. Within the RR-1 district, low density uses, compatible with the character of the district are encouraged provided they will not require public sewers, water systems or high volume traffic arteries.

20.28.020 Principal Uses Permitted. The following are principal permitted uses in this district [ZONE]:

A. One and Two-family Dwellings to include Modular and Manufactured Housing and Mobile Homes [RETAIL AND WHOLESALE BUSINESSES];

B. Public Parks and Playgrounds [BUSINESS AND PROFESSIONAL OFFICES];

[C. BANKS;]

[D. BARBER SHOPS AND BEAUTY SHOPS; LAUNDRIES AND OTHER CONSUMER SERVICES;

[E. RESTAURANTS, CAFES AND BARS;]

[F. THEATERS AND ASSEMBLY HALLS;]

[G. CLUBS, LODGES, FRATERNAL ORGANIZATIONS AND UNION HALLS;]

[H. HOTELS AND MOTELS;]

[I. GOVERNMENTAL AND CIVIC BUILDINGS;]

[J. MULTI-FAMILY DWELLINGS, DORMATORIES AND ROOMING HOUSES AND BOARDING HOUSES.]

20.28.030 Accessory Uses Permitted. The following are permitted accessory uses in this district provided they do [USES AND STRUCTURES WHICH ARE CLEARLY INCIDENTAL AND SUBORDINATE TO PRINCIPAL USES PERMITTED AND WHICH WILL] not create a nuisance or hazard [ARE PERMITTED IN THIS ZONE AS ACCESSORY USES.]:

A. Private Garages;

B. Houses and Tool Sheds;

C. Private Docks, Moorage, Boat Houses and Net Houses;

D. Uses and Structures which are Customarily Accessory and Clearly Subordinate to Permitted Uses;

20.28.040 Objectional Operations Prohibited. [REPEALED]

20.28.040 Conditional Uses. (New) The following are the uses which may be permitted in the RR-1 district by action of the Commission under the conditions and procedures specified in Chapter 20.68:

A. Home occupations;

B. Public and private elementary and secondary schools and colleges;

C. Nursery schools, private kindergarden and child care centers;

D. Public buildings and structures;

E. Hospitals, sanitariums; nursing homes and convalescent homes;

- F. Churches and cemeteries;
- G. Radio and television transmitters and towers;
- H. Mobile home parks;
- I. Neighborhood-oriented commercial development (e.g., neighborhood grocery);
- J. Quarrying, material extraction and processing;
- K. Energy related facilities;
- L. Raising livestock for personal use;
- M. Fisheries enhancement/aquaculture;
- N. Recreational vehicle parks;
- O. Marine ways;
- P. Storage of Equipment for private and/or commercial use only.

20.28.050 Screening of Storage Required. [REPEALED]

20.28.050 Standards. (New). The standards found in Chapter 20.52 applicable to this district are:

A. Standards Policies	20.52.005
B. Principal Structures Per Lot	20.52.010
C. Site Obstruction	20.52.020
D. Distances Between Buildings	20.52.030
E. Air, Land and Water Quality	20.52.040
F. Volatile Products Storage	20.52.050
G. Noise	20.52.060
H. Airport Interference	20.52.070
I. Building Height	20.52.080
J. Density-Minimum Lot Size	20.52.090
K. Coverage-Minimum Open Areas	20.52.100
L. Setbacks-Yards	20.52.110
M. Shoreline Dependency	20.52.120
N. Piers, Docks, Shoreline Protection and Other Shoreline Construction	20.52.130
O. Hazard Areas	20.52.140
P. Drainage	20.52.150
Q. Dredge and fill	20.52.160
R. Home Occupations	20.52.170
S. Mobile Homes and Mobile Home Parks	20.52.180
T. Off-street Parking	20.52.190
U. Signs	20.52.210
V. Traffic Generation	20.52.230
W. Recreational Vehicle Parks	20.52.240
X. Recreation	20.52.250

20.28.060 Lot, Yard and Height. [REPEALED]

20.28.070 Lot Coverage. [REPEALED]

20.28.080 Off-Street Parking and Loading--Other Requirements. [REPEALED]

Chapter 20.30

RR-2 DISTRICT--RURAL RESIDENTIAL (New)

Sections:

20.30.010	<u>Purpose.</u>
20.30.020	<u>Principal Uses Permitted.</u>
20.30.030	<u>Accessory Uses Permitted.</u>
20.30.040	<u>Conditional Uses.</u>
20.30.050	<u>Standards.</u>

20.30.010 Purpose. (New) The Rural Residential-2 (RR-2) district is intended to provide for neighborhood scale commercial/service centers in appropriate locations along with residential development. The clustering of such businesses is encouraged and strip commercial development is prohibited (for purposes of this program, strip commercial development is defined as commercial and other non-commercial development extending in either a contiguous or interrupted pattern along a public right-of-way for more than 1200 feet). The permitted clusters of businesses shall not be located less than two miles from each other. Areas may be designated as RR-2 only if it can be demonstrated that significant public need can be served.

20.30.020 Principal Uses Permitted. (New) The following are the principal permitted uses in this district:

- A. One and two-family dwellings to include modular and manufactured housing and mobile homes;
- B. Neighborhood-oriented commercial development (e.g., neighborhood grocery);
- C. Retail and wholesale businesses;
- D. Laundries and consumer services;
- E. Public parks and playgrounds.

20.30.030 Accessory Uses Permitted. (New) The following are permitted accessory uses in this district, provided they do not create a nuisance or hazard:

- A. Private garages;
- B. Greenhouses and tool sheds;
- C. Private docks, moorage, boat houses and net houses;
- D. Raising livestock and poultry for personal use;
- E. Uses and structures which are customarily accessory and clearly subordinate to permitted uses.

20.30.040 Conditional Uses. (New) The following are uses which may be permitted in the Rural Residential-2 (RR-2) district by action of the commission under the conditions and procedures specified in Chapter 20.68:

- A. Home occupations;
- B. Public and private elementary and secondary schools and colleges;
- C. Nursery schools, private kindergardens and child care centers;
- D. Public buildings and structures;
- E. Hospitals, sanitariums, nursing homes and convalescent homes;
- F. Churches and cemeteries;
- G. Radio and television transmitters and towers;
- H. Mobile home parks/subdivision;
- I. Neighborhood-oriented commercial development (e.g., neighborhood grocery);
- J. Quarry, material extraction and processing;
- K. Energy related facilities;
- L. Raising livestock and poultry for resale;
- M. Fisheries enhancement/aquaculture;
- N. Recreational vehicle parks;
- O. Marine ways;
- P. Storage of equipment for private and/or commercial use.

20.30.050 Standards. (New) The standards found in Chapter 20.52 applicable to this district are:

A. Standards Policies	20.52.005
B. Principal Structures Per Lot	20.52.010
C. Site Obstruction	20.52.020
D. Distances Between Buildings	20.52.030
E. Air, Land and Water Quality	20.52.040
F. Volatile Products Storage	20.52.050
G. Noise	20.52.060
H. Airport Interference	20.52.070
I. Building Height	20.52.080
J. Density-Minimum Lot Size	20.52.090
K. Coverage-Minimum Open Areas	20.52.100
L. Setbacks-Yards	20.52.110
M. Shoreline Dependency	20.52.120
N. Piers, Docks, Shoreline Protection and Other Shoreline Construction	20.52.130
O. Hazard Areas	20.52.140
P. Drainage	20.52.150
Q. Dredge and Fill	20.52.160
R. Home Occupations	20.52.170
S. Mobile Homes and Mobile Home Parks	20.52.180
T. Off-Street Parking	20.52.190
U. Signs	20.52.210
V. Traffic Generation	20.52.230
W. Recreational Vehicle Parks	20.52.240
X. Recreational	20.52.250

Chapter 20.32

OS DISTRICT--OPEN SPACE/PUBLIC [IG ZONE--GENERAL INDUSTRIAL]

Sections:

20.32.010	Purpose [OF ZONE].
20.32.020	<u>Conditional [PRINCIPAL] Uses [PERMITTED].</u>
20.32.030	<u>Standards [ACCESSORY USES PERMITTED].</u>
20.32.040	[LOTS].
20.32.050	[YARDS AND HEIGHT].
20.32.060	[LOT COVERAGE].
20.32.070	[RESIDENTIAL BUFFER].
20.32.080	[OFF-STREET PARKING AND LOADING--OTHER REQUIREMENTS].

20.32.010 Purpose [OF ZONE]. The Open Space/Public (OS) district [GENERAL INDUSTRIAL ZONE] is intended to provide for areas containing public facilities, existing and potential public recreation sites, areas subject to natural hazards, public watersheds and areas of critical wildlife habitat [AN AREA WITH A BROAD RANGE OF INDUSTRIAL ESTABLISHMENTS]. The purpose of this district is to protect public safety, health and welfare, and to maintain the integrity of significant cultural, natural and recreational resources and provide for public uses consistent with the policies of the Coastal Management Program [DEVELOPMENT REQUIREMENTS ARE INTENDED TO PROVIDE FOR A SAFE AND SIGHTLY ENVIRONMENT AND TO ALLOW ADEQUATE SPACES 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].

20.32.020 Conditional [PRINCIPAL] Uses [PERMITTED]. The following conditional uses are allowed in this district by action of the planning and zoning commission in accordance with Chapter 20.68, provided that the proposed use does not conflict with or degrade existing or designated recreational use areas, historic and cultural sites or critical wildlife habitat [PRINCIPAL PERMITTED USES IN THIS ZONE]:

- A. Quarries, mineral extraction and processing [USES PERMITTED IN THE COMMERCIAL ZONE UNDER SUBSECTIONS A THROUGH C AND G OF SECTION 20.28.020];
- B. Airport related businesses, restaurants and support services [DOCKS AND WHARVES];
- C. Aviation related repair services [TRANSPORTATION AND TRANSSHIPMENT FACILITIES];
- D. Aircraft hangers [WAREHOUSES AND STORAGES];
- E. Commercial airlines terminals [LUMBER MILLS AND LOG STORAGE];

- F. Airfreight storage facilities [FISH PROCESSING PLANTS];
- G. Hospital and medical service facilities [MARINAS, SMALL-BOAT HARBORS AND OTHER FACILITIES FOR BOAT STORAGE AND REPAIR];
- H. Schools [MANUFACTURING, FABRICATING, ASSEMBLING AND STORAGE];
- I. Docks, piers, seawalls and shoreline protection devices [DWELLINGS FOR A WATCHMAN, CARETAKER OR OWNER-OPERATOR OF A PLANT WITHIN THE INDUSTRIAL ZONE.];
- J. Recreation facilities and sites;
- K. Recreational vehicle parks;
- L. Warehouses;
- M. Uses and structures which are customarily accessory and clearly subordinate to the above uses.

20.32.030 Standards [ACCESSORY USES PERMITTED]. The following standards shall apply within the Open Space/Public (OS) district: [USES AND STRUCTURES WHICH ARE CLEARLY INCIDENTAL AND SUBORDINATE TO PRINCIPAL USES PERMITTED AND WHICH WILL NOT CREATE A NUISANCE OR HAZARD OR PERMITTED AS ACCESSORY USES IN THIS ZONE.]

<u>A. Standards and Policies</u>	<u>20.52.005</u>
<u>B. Principal Structures Per Lot</u>	<u>20.52.010</u>
<u>C. Site Obstruction</u>	<u>20.52.020</u>
<u>D. Distances Between Buildings</u>	<u>20.52.030</u>
<u>E. Air, Land and Water Quality</u>	<u>20.52.040</u>
<u>F. Volatile Products Storage</u>	<u>20.52.050</u>
<u>G. Airport Interference</u>	<u>20.52.070</u>
<u>H. Building Height</u>	<u>20.52.080</u>
<u>I. Setbacks-Yards</u>	<u>20.52.110</u>
<u>J. Shoreline Dependency</u>	<u>20.52.120</u>
<u>K. Piers, Docks, Shoreline Protection and Other Shoreline Construction</u>	<u>20.52.130</u>
<u>L. Hazard Areas</u>	<u>20.52.140</u>
<u>M. Drainage</u>	<u>20.52.150</u>
<u>N. Dredge and Fill</u>	<u>20.52.160</u>
<u>O. Off-street Parking</u>	<u>20.52.190</u>
<u>P. Signs</u>	<u>20.52.210</u>
<u>Q. Traffic Generation</u>	<u>20.52.230</u>
<u>R. Recreational Vehicle Parks</u>	<u>20.52.240</u>

20.32.040 Lots. [REPEALED]

20.32.050 Yards and height. [REPEALED]

20.32.060 Lot coverage. [REPEALED]

20.32.070 Residential Buffer. [REPEALED]

20.32.080 Off-street Parking and Loading--Other Requirements. [REPEALED]

Chapter 20.36

H-District--Holding [IL ZONES--LIGHT INDUSTRIAL]

Sections:

- 20.36.010 Purpose [OF ZONES] .
- 20.36.020 Conditional [PRINCIPAL] Uses [PERMITTED].
- 20.36.030 Standards [ACCESSORY USES PERMITTED].

20.36.010 Purpose [OF ZONES].

A. The Holding (H) district [LIGHT INDUSTRIAL ZONE-1] is intended to maintain future development options by setting aside large areas (in excess of short-term needs), unencumbered by piece meal development, for possible future use [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]. By preventing premature development at densities that under-utilize the land, relatively large parcels can be retained for major development projects (e.g., industrial use) when and if a need arises [DEVELOPMENT REQUIREMENTS ARE INTENDED TO PROTECT AREAS WITHOUT PUBLIC SEWERS FROM CONTAMINATION, AND TO ALLOW SPACE FOR STORAGE EXPANSION AND OFF-STREET PARKING].

B. Areas may be withdrawn from the Holding district to meet future development needs consistent with the intent of this chapter, or to provide for a use that cannot be accommodated elsewhere. [THE LIGHT INDUSTRIAL ZONE-2 IS INTENDED FOR THE SAME PURPOSES AS ZONE 1 AND HAS ALL THE SAME USES AND RESTRICTIONS AND CONDITIONAL USES AS SPECIFIED IN SECTION 20.36.040]. The planning commission may recommend areas for withdrawal by the City Council. Such withdrawals shall recognize long-term land use needs over immediate concern.

20.36.020 Conditional [PRINCIPAL] Uses [PERMITTED]. The following are [PRINCIPAL PERMITTED] uses which may be permitted in the Holding (H) district by action of the commission under the conditions and procedures specified in Chapter 20.68 [IN THESE ZONES]:

A. Sand and gravel extraction and processing [DOCKS AND WHARVES];

B. Low impact recreation (no major facilities required) [TRANSPORTATION AND TRANSHIPMENT FACILITIES];

C. No building permits for, or subdivision of, property in the H district will be approved until the property is redistricted to meet a substantial community land use need, to reflect then existing surrounding development trends, the

availability of public services, facilities and planned capital improvements [WAREHOUSES AND STORAGE;].

[D. MARINAS, SMALL BOAT HARBORS AND THE FACILITIES FOR BOAT STORAGE AND REPAIR AND SUBORDINATE INCIDENTAL RETAIL SALE OF SUPPLIES OR PARTS;]

[E. MANUFACTURING, FABRICATING, ASSEMBLYING, AND STORAGE OF A LIGHT INDUSTRIAL NATURE MEETING THE DEVELOPMENT REQUIREMENTS STATED UNDER THIS CHAPTER;]

[F. 1-FAMILY and 2-FAMILY DWELLINGS;]

[G. MULTI-FAMILY STRUCTURES, DORMITORIES AND ROOMING HOUSES AND BOARDING HOUSES;]

[H. PUBLIC PARKS OR PLAYGROUNDS:]

[I. AUTO REPAIR AND SUBORDINATE OR INCIDENTAL RETAIL SALES OF SUPPLIES OR PARTS.]

20.36.030 Standards [ACCESSORY USES PERMITTED]. The following standards under Chapter 20.52 shall apply in the Holding (H) District: [USES AND STRUCTURES WHICH ARE CLEARLY INCIDENTAL AND SUBORDINATE TO PRINCIPAL USES PERMITTED AND WHICH WILL NOT CREATE A NUISANCE OR HAZARD ARE PERMITTED AS ACCESSORY USES IN THESE ZONES.]

<u>A. Standards and Policies</u>	<u>20.52.005</u>
<u>B. Air, Land and Water Quality</u>	<u>20.52.040</u>
<u>C. Airport Interference</u>	<u>20.52.070</u>
<u>D. Drainage</u>	<u>20.52.150</u>
<u>E. Dredge and Fill</u>	<u>20.52.160</u>

Chapter 20.40

TM DISTRICT--TIMBER MANAGEMENT [IH ZONE--HEAVY INDUSTRIAL (OTHERWISE KNOWN AS CB, CARTE BLANCHE ZONE)]

Sections:

20.40.010	<u>Purpose [OF ZONE].</u>
20.40.020	<u>Principal Uses Permitted.</u>
20.40.030	<u>Accessory Uses Permitted.</u>
20.40.040	<u>Conditional Use [DEVELOPMENT STANDARDS].</u>
20.40.050	<u>Standards.</u>

20.40.010 Purpose [OF ZONE]. The Timber Management (TM) district [HEAVY INDUSTRIAL ZONE] is intended to provide for the management and harvest of timber, extraction of minerals, use and enjoyment of natural resources and recreation, while allowing for the development of compatible, remote, low density cabin sites. Watersheds and critical wildlife habitats in this district will be protected to the greatest extent possible. Development in this district must be consistent with the remote, rural atmosphere of the area. Public services, utilities and facilities other than garbage collection will be minimal. Activities and development normally

associated with resource management, harvest or extraction are allowed where they do not unduly degrade or destroy other resources such as public watersheds or critical wildlife habitat. Residential development is limited to low impact, large parcel cabin sites that will minimize public service and access costs, resource management impacts and conflicts associated with higher density residential development [AN AREA OF HEAVY INDUSTRIAL USES AND PARTICULARLY TO PROTECT EXISTING USES OF THE EXISTING LUMBER AND CHIP MANUFACTURING ENTERPRISE AND REASONABLE EXPANSION THEREOF, AND BY SUCH PROVISION TO PREVENT SUCH ENTERPRISE FROM OPERATING AS A NONCONFORMING USE AND THEREBY CRIPPLE AND PREVENT REASONABLE EXTENSION AND EXPANSION OF ITS OPERATIONS AS MAY BE NECESSARY TO ITS CONTINUED OPERATIONS].

20.40.020 Principal Uses Permitted. The following are principal permitted uses in this district: [ALL LAWFUL ENTERPRISES AND USES EXCEPTING MANUFACTURING OF CHEMICAL WOOD PULP INVOLVING NOXIOUS ODORS ARE PERMITTED PRINCIPAL USES IN THIS ZONE.]

- A. Timber harvest; and
- B. Parks and recreation sites.

20.40.030 Accessory Uses Permitted. [ALL] Any uses and structures which are clearly incidental and subordinate to principal uses permitted and which will not [INVOLVING NOXIOUS ODORS] create a nuisance or hazard or conflict with other permitted uses are permitted [AS ACCESSORY USES IN THIS ZONE].

20.40.040 Conditional Uses [DEVELOPMENT STANDARDS]. The following uses may be permitted in the Timber Management (TM) district by action of the commission under the conditions and procedures set forth in Chapter 20.68: [ALL LAND USE AND STRUCTURES AS MAY BE REQUIRED FOR PERMITTED PURPOSES ARE PERMITTED.]

- A. Storage (inside or screened);
- B. Mineral extraction (including quarries) and processing;
- C. Temporary dwellings and facilities associated with permitted or other conditional uses;
- D. Commercial hunting and fishing camps and lodges;
- E. Private roads;
- F. Public utility uses (i.e., power line and other energy related facilities);
- G. Aquaculture and fisheries enhancement;
- H. Recreational vehicle parks; and
- I. Cabins.

20.40.050 Standards. (New) The following standards under Chapter 20.52 shall apply in timber management districts:

- A. Standards Policies 20.52.005
- B. Principal Structures Per Lot 20.52.010

C.	Distances Between Buildings	20.52.030
D.	Air, Land and Water Quality	20.52.040
E.	Volatile Products Storage	20.52.050
F.	Airport Interference	20.52.070
G.	Building Height	20.52.080
H.	Density-minimum Lot Size	20.52.090
I.	Coverage - Minimum Open Areas	20.52.100
J.	Setbacks-Yards	20.52.110
K.	Piers, Docks, Shoreline Protection and other Shoreline Construction	20.52.130
L.	Hazard Areas	20.52.140
M.	Drainage	20.52.150
N.	Dredge and Fill	20.52.160
O.	Recreational Vehicle Parks	20.52.240

Chapter 20.44

C DISTRICT--COMMERCIAL [FUTURE DEVELOPMENT ZONE]

Sections:

20.44.010	Purpose [OF ZONE].
20.44.020	Principal Uses Permitted.
20.44.030	<u>Accessory Uses Permitted.</u>
20.44.040	<u>Conditional Uses.</u>
20.44.050	<u>Standards.</u>

20.44.010 Purpose [OF ZONE]. The Commercial (C) district [FUTURE DEVELOPMENT ZONE] is intended to provide for the continued use and expansion of Wrangell's commercial center [BE UTILIZED AS A RESERVE OR HOLDING ZONE IN THOSE AREAS THAT HAVE NO TEND OR PATTERN OF DEVELOPMENT ESTABLISHED]. This land will be regulated to concentrate commercial development and to prevent uses which would have any adverse effects upon nearby properties [ZONED FOR SPECIFIC USES AS THE COMMUNITY GROWS] or would needlessly compete for designated commercial space [AS NEEDS FOR VARIOUS TYPES OF LAND USES ARE DEMONSTRATED].

20.44.020 Principal Uses Permitted. The following are principal permitted uses in this district: [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.]

- A. Retail and wholesale businesses;
- B. Business and professional offices;
- C. Banks;
- D. Barber shops and beauty shops; laundries and other consumer services;

- E. Restaurants, cafes and bars;
- F. Theaters and assembly halls;
- G. Clubs, lodges, fraternal organizations and union halls;
- H. Hotels and motels;
- I. Government and civic buildings; and
- J. Second story residential use.

20.44.030 Accessory Uses Permitted. (New) Uses and structures which are clearly incidental and subordinate to principal uses permitted and which will not create a nuisance or hazard are permitted in this district as accessory uses.

20.44.040 Conditional Uses (New). The following are uses which may be permitted in the commercial district by action of the commission under the conditions and procedures specified in Chapter 20.68:

- A. Gasoline/service stations

20.44.050 Standards. (New) The following standards under Chapter 20.52 shall apply within the Commercial (C) district:

A. Standards policies	20.52.005
B. Air, land and water quality	20.52.040
C. Volatile products storage	20.52.050
D. Noise	20.52.060
E. Airport interference	20.52.070
F. Building height	20.52.080
G. Setbacks-Yards	20.52.110
H. Shoreline dependency	20.52.120
I. Piers, docks, shoreline protection and other shoreline construction	20.52.130
J. Off-street parking	20.52.190
K. Buffers	20.52.200
L. Signs	20.52.210
M. Redevelopment	20.52.220

Chapter 20.48

I DISTRICT--INDUSTRIAL [YARDS]

Sections:

20.48.010	<u>Purpose</u> [SHARING OF YARDS OR LOTS PROHIBITED].
20.48.020	<u>Principal Uses Permitted</u> [COMPLIANCE WITH PROVISIONS REQUIRED].
20.48.030	<u>Accessory Uses Permitted</u> [CORNER LOTS].
20.48.040	<u>Conditional Uses</u> [COMMERCIAL AND INDUSTRIAL ZONES ABUTTING RESIDENTIAL ZONES].
20.48.050	<u>Standards</u> [WATERFRONT PROPERTIES].
20.48.060	[SETBACK FROM MAJOR ROADS.]
20.48.070	[ACCESSORY STRUCTURES.]

[20.48.010 Sharing of yards or lots prohibited.]

20.48.010 Purpose of District. (New) The purpose of the Industrial (I) district is to provide areas for a broad range of non-water dependent or related uses. Development requirements are intended to provide for a safe and sightly environment, to minimize potential conflicts with adjoining uses, and to allow space for parking, storage and expansion.

20.48.020 Compliance with Provisions Required. [REPEALED]

20.48.020 Principal Uses Permitted. (New) The following are principal permitted uses in this district:

- A. Transportation and transshipment facilities;
- B. Warehouses and outside storage areas;
- C. Lumber mills and log storage;
- D. Manufacturing, fabricating and assembling;
- E. Automobile repair shops;
- F. Dwellings to include modular dwellings or manufactured housing for guards, caretakers or owner-operators of industrial plants;
- G. Sand, gravel and rock extraction and processing; and
- H. Public utility uses.

20.48.030 Corner Lots. [REPEALED]

20.48.030 Accessory Uses Permitted. (New) Uses and structures which are clearly incidental and subordinate to permitted uses which will not create a nuisance or hazard are permitted as accessory uses in this district.

20.48.040 Commercial and Industrial Zones Abutting Residential Zones. [REPEALED]

20.48.040 Conditional Uses. (New) Other compatible uses which are consistent with the intent of this chapter, as determined by the commission, may be allowed with appropriate conditions in accordance with Chapter 20.68, if such uses would serve the community's best interest.

20.48.050 Waterfront Properties. [REPEALED]

20.48.050 Standards. (New) The following standards under Chapter 20.52 shall apply in the Industrial (I) district:

- | | |
|--------------------------------|-----------|
| A. Standards policies | 20.52.005 |
| B. Air, land and water quality | 20.52.040 |
| C. Volatile products storage | 20.52.050 |
| D. Noise | 20.52.060 |
| E. Airport interference | 20.52.070 |

F. Building height	20.52.080
G. Setbacks-Yards	20.52.110
H. Drainage	20.52.150
I. Dredge and fill	20.52.160
J. Buffers	20.52.200
K. Signs	20.52.210

20.48.060 Setbacks from Major Roads.[REPEALED]

20.48.070 Accessory Structures. [REPEALED]

Chapter 20.50 (New)

WD DISTRICT--WATERFRONT DEVELOPMENT

Sections:

20.50.010	<u>Purpose of District.</u>
20.50.020	<u>Principal Uses Permitted.</u>
20.50.030	<u>Accessory Uses Permitted.</u>
20.50.040	<u>Conditional Uses.</u>
20.50.050	<u>Standards.</u>

20.50.010 Purpose of District. (New) The waterfront development district is intended to provide an area specifically for water-related uses and activities that are dependent upon access to water. This District is intended to accommodate light industrial, heavy industrial and commercial activity which is water-dependent or water-related.

20.50.020 Principal Uses Permitted. (New) The following are principal permitted uses in this district:

- A. Piers, wharfs and docks;
- B. Transportation and transshipment facilities;
- C. Marinas and small boat harbors;
- D. Any water-dependent or water-related manufacturing, processing, fabricating, assembling, research, wholesale or storage uses;
- E. Facilities for construction, maintenance, repair and storage of vessels;
- F. Public parks and playgrounds;
- G. Boat sales, services and supply establishments;
- H. Fish and seafood processing plants and cold storage plants;
- I. Bait shops;
- J. Vessel charter offices;
- K. Marine warehouses;
- L. Freight storage and freight equipment operations centers;

- M. Facilities for loading and unloading ships or barges, including cranes and ramps;
- N. Water-dependent or water-related retail commercial establishments dealing primarily in bulk materials delivered by ship;
- O. Harbormaster's offices;
- P. Timber processing facilities, provided that such facilities rely primarily upon water transportation for obtaining and shipping timber or timber products;
- Q. Temporary dwellings to include modular dwellings or manufactured housing for guards or caretakers employed on site;
- R. Boat launching facilities; and
- S. Float plane facilities.

20.50.030 Accessory Uses Permitted. (New) Uses and structures which are clearly incidental and subordinate to permitted principal uses and which will not create a nuisance or hazard are permitted as accessory uses in this district, subject to shoreline setback requirements and other applicable standards.

20.50.040 Conditional Uses. (New) The following are uses which may be permitted in the waterfront development district by action of the commission under the conditions and procedures specified in Chapter 20.68:

- A. Water-related uses not mentioned above and their accessory uses;
- B. Other uses if there is no suitable upland alternative for a nonwater-related or nonwater-dependent use;
- C. Retail and wholesale businesses; and
- D. Laundries and consumer services.

20.50.050 Standards. (New) The following standards under Chapter 20.52 shall apply to properties within the Waterfront Development (WD) district:

A. Standard's policies	20.52.005
B. Air, land and water quality	20.52.040
C. Volatile products storage	20.52.050
D. Noise	20.52.060
E. Airport interference	20.52.070
F. Building height	20.52.080
G. Setbacks-yards	20.52.110
H. Shoreline dependency	20.52.120
I. Piers, docks, shoreline protection and other shoreline construction	20.52.130
J. Hazard areas	20.52.140
K. Drainage	20.52.150
L. Dredge and fill	20.52.160
M. Off-street parking	20.52.199
N. Buffers	20.52.200
O. Signs	20.52.210

Chapter 20.51

IL District--Light Industrial

Sections:

- 20.51.010 Purpose of District.
- 20.51.020 Principal Uses Permitted.
- 20.51.030 Accessory Uses Permitted.
- 20.51.040 Conditional Uses.
- 20.51.050 Standards.

20.51.010 Purpose of District. (New) The light industrial (IL) district 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 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.

20.51.020 Principal Uses Permitted. (New) The following are principal permitted uses in this district:

- A. Transportation and transshipment facilities;
- B. Warehouses and storage;
- C. Manufacturing, fabricating, assembling, and storage of a light industrial nature meeting the development requirements stated under this chapter;
- D. One-family and two-family dwellings;
- E. Multi-family structures, dormitories and roominghouses and boardinghouses;
- F. Public parks or playgrounds;
- G. Auto repair, and subordinate or incidental retail sale of supplies or parts.

20.51.030 Accessory Uses Permitted. (New) Uses and structures which are clearly incidental and subordinate to permitted principal uses and which will not create a nuisance or hazard are permitted as accessory uses in this zone.

20.51.040 Conditional Uses. (New) The following are uses which may be permitted in the Light Industrial district by action of the commission under the conditions and procedures specified in Chapter 20.68:

- A. Those commercial uses as specified in Section 20.44.020.

20.51.050 Standards to Apply to Light Industrial

<u>District.</u>	<u>(New)</u>	
A.	Standard's policies	20.52.005
B.	Air, land and water quality	20.52.040
C.	Volatile products storage	20.52.050
D.	Noise	20.52.060
E.	Building Height	20.52.080.
F.	Setbacks-yards	20.52.110
G.	Hazard areas	20.52.140
H.	Drainage	20.52.150
I.	Off-street parking	20.52.190
J.	Buffers	20.52.200
K.	Signs	20.52.210

Chapter 20.52

Standards [LOTS]

Sections:

20.52.005	<u>Standards Policies.</u>
20.52.010	<u>[MORE THAN ONE] Principal Structures</u>
	<u>[STRUCTURE] Per [ON A] Lot.</u>
20.52.020	<u>Traffic Vision Impedements [SIGHT</u>
	<u>OBSTRUCTION AT CORNER LOTS].</u>
20.52.030	<u>Distances [MINIMUM DISTANCE] Between</u>
	<u>Buildings [ON A LOT].</u>
20.52.040	<u>Air, Land and Water Quality.</u>
20.52.050	<u>Volatile Products Storage.</u>
20.52.060	<u>Noise.</u>
20.52.070	<u>Airport Interference.</u>
20.52.080	<u>Building Height.</u>
20.52.090	<u>Density - Minimum Lot Size.</u>
20.52.100	<u>Coverage - Minimum Open Areas.</u>
20.52.110	<u>Setbacks-Yards.</u>
20.52.120	<u>Shoreline Dependency.</u>
20.52.130	<u>Piers, Docks, Shoreline Protection and Other</u>
	<u>Shoreline Construction.</u>
20.52.140	<u>Hazard Areas.</u>
20.52.150	<u>Drainage.</u>
20.52.160	<u>Dredge and Fill.</u>
20.52.170	<u>Home Occupation.</u>
20.52.180	<u>Mobile Homes and Mobile Home Parks</u>
20.52.190	<u>Off-Street Parking.</u>
20.52.200	<u>Buffers.</u>
20.52.210	<u>Signs.</u>
20.52.220	<u>Redevelopment.</u>
20.52.230	<u>Traffic Generation.</u>
20.52.240	<u>Recreational Vehicle Parks.</u>
20.52.250	<u>Recreation.</u>

20.52.005 Standards Policies. (New) The standards contained in this chapter are applicable in a variety of circumstances, depending upon the type and location of the development proposed or undertaken. The ordinance creating each district announces which of the standards of this chapter shall apply within each district. Nothing in this chapter limits or excludes the application under this code or other statutes, regulations or ordinances, which would otherwise be applicable to lands or structures within a district. The planning and zoning commission, consistent with its powers and authority under the code or under statute or regulation, is charged with determining whether a particular use is in compliance with the standards. Anyone seeking a conditional use permit or a building permit must demonstrate how the applicable standards under this chapter are to be met under a proposed use.

20.52.010 [MORE THAN ONE] Principal Structures [STRUCTURE] Per [ON A] Lot. In any district [ZONE], more than one principal structure housing a permitted use may be erected on a single lot provided [THAT] the area, width and all other development requirements of the district [ZONE] shall be met for each principal structure as though each structure were on an individual lot.

20.52.020 Sight Obstruction on Corner Lots. [REPEALED]

20.52.020 Traffic Vision Impedements. (New)

A. At street intersections there shall be nothing erected, placed, planted or grown on any corner lot so as to encroach into that horizontal triangular area formed by the rights-of-way boundaries and a line connecting the two points 20 feet back from the lot corner formed by the street.

B. Subsection A shall not apply (anything erected, placed, planted or grown at a height of less than two and one-half feet or greater than ten feet above ground level) to natural land forms and outcroppings.

20.52.030 Distances [MINIMUM DISTANCE] Between Buildings [ON A LOT]. No detached dwelling or other main building shall be less than five (5) feet from any other detached dwelling or main building on the same building site. For the Rural Residential District, the requirement shall be ten (10) feet from any other detached dwelling or main building on the same building site.

20.52.040 Air, Land and Water Quality. (New)

A. No smoke, heat, odor, fumes, dust, glare, vibration or water pollution shall be detectable beyond the boundaries of property upon which a permitted use occurs, except where such results from occasional maintenance operations or from normal wood smoke emissions from stoves or fireplaces.

B. Variances from the above standards under the procedures set forth in Chapter 20.72 shall be granted only upon a demonstration that a proposed discharge would be within applicable State and Federal standards, that a private hardship or public need justifying the variance exists or would occur if the variance is denied, and that adjacent properties would not suffer significant adverse effects.

C. No materials or wastes shall be deposited upon a lot in such a manner as to make them subject to transportation off the lot by natural forces or causes. Nor shall any substance be allowed to enter any stream or water course which carries the potential for contamination, or otherwise may render such stream or water course undesirable as a source of water, as a place for recreation or as a place which will support healthy aquatic life.

20.52.050 Volatile Products Storage. (New)

A. No highly inflammable or explosive liquids, solids, or gasses shall be stored in bulk above ground, except for tanks or drums of fuel connected directly with fuel consuming devices or heating appliances located and operated on the same lot as such storage containers. This subsection is applicable only to uses within single-family (SF), multi-family (MF), and rural residential (RR) districts.

B. Permitted uses involving the design, construction, reconstruction or use of toxic material or petroleum storage facilities shall provide for the prevention and cleanup of spills and shall provide for the disposal of such materials by the owners thereof. Uses involving the design of petroleum storage facilities shall be governed by the U.S. Environmental Protection Agency, Spill Prevention, Control and Counter-measure (SPCC) guidelines [40 CFR Sec. 112.3], and the National Fire Protection Association's codes for storage and loss control of oil products.

20.52.060 Noise. (New). The noise emanating from a premises used for industrial activities shall be muffled so as not to become objectionable due to intermittent beat, frequency or shrillness. Where the use adjoins a residential district, the noise loudness measured at the boundary line of the premises used for industrial activities shall not exceed ninety (90) decibels between the hours of 7:00 a.m. and 8:00 p.m. weekdays and the hours of 10:00 a.m. and 8:00 p.m. weekends and holidays, and forty (40) decibels at other hours.

20.52.070 Airport Interference. (New)

A. No use governed by this code shall create or allow the maintenance of a physical obstruction to air navigation. The Federal Aviation Administration standards governing objects effecting navigable airspace [49 CRF Part 77] shall govern all uses under this code.

20.52.080 Building Height. (New) The purposes of building height standards are to prevent loss of life or excessive property damage through the inability of the City fire department to reach upper stories or roofs, and to help maintain the character of neighborhoods.

A. No structure within a single-family (SF) residential district shall exceed a height of 25 feet.

B. Church spires, water towers, elevator shafts, or smoke stacks not used for human occupancy and cables, antennas or similar accessories are exempt from the height requirements of this section.

C. Portions of a building may exceed 35 feet in height where 50% of the building's roof perimeter lies within the 35-foot height limit, from an existing grade accessible to fire suppression personnel and rescue equipment, not including perimeter areas which provide access only to portions of the building used for storage, or where all dwelling units and work spaces can be reached and evacuated through windows or balconies lying within the 35-foot height limit of city fire fighting equipment. The approval of the City's fire chief and the zoning administrator shall be required before permits are issued for the construction of buildings exceeding the 35-foot limit. Measurements shall be taken from the base of the building to the perimeter of the roof.

20.52.090 Density - Minimum Lot Size. (New)

A. Within a single-family (SF) residential district, or within a multi-family (MF) residential district, the minimum lot area shall be 5,000 square feet per single family residential unit. The minimum lot area for all multi-family structures shall be 800 square feet per residential unit for a one or two-story structure, and 700 square feet per residential unit for a three-story structure so long as all setback requirements are met and developments have a density of at least 12 units per acre when within a multi-family (MF) district. The minimum lot area in either of the rural residential (RR-1 or RR-2) districts shall be 15,000 square feet, except that the minimum lot area may be 10,000 square feet for lots served by public water and sewer service, or for lots entirely within an area for which a local improvement district is proposed and a central sanitary sewer system is approved by the State Department of Environmental Conservation. The planning commission may require lot areas larger than 15,000 square feet for lots in rural residential districts which are not served by public sewer and water systems, in order to provide adequate separation of sewer and water systems. No minimum lot area requirements are imposed for non-residential uses.

B. Any lot used as a mobile home site shall have a minimum width of 50 feet. The minimum widths for lots fronting upon public rights-of-way in a multi-family (MF) residential

district, shall be 100 feet, except that lots in such districts which are used exclusively as sites for single family residences shall have minimum widths of 50 feet. The minimum widths for lots fronting on public rights-of-way in rural residential-1 (RR-1) districts shall be 100 feet, except that such minimum widths may be reduced to 50 feet by the planning and zoning commission when public water and sewer are available. No minimum width requirements are imposed for non-residential uses.

C. Any lot of record upon the adoption of this ordinance which is of an area or width less than that which would be required for the district in which such lot is located, may be used for any permitted purpose, so long as the lot complies with all other regulations prescribed for the district and so long as the owner of such lot does not at the time of the adoption of this ordinance, own adjacent land which could be combined to form a lot meeting the applicable minimum area and minimum width requirements.

20.52.100 Coverage - Minimum Open Areas. (New) No building located in a single-family (SF) residential district, shall occupy more than 35% of the surface area of such lot. No building located in a multi-family (MF) residential district shall occupy more than 50% of the surface area of such lot. No building located in a rural residential-1 (RR-1) district shall occupy more than 30% of the surface area of such lot. No buildings located in a rural residential-2 (RR-2) district shall occupy more than 60% of the surface area of such lot. In the event that compliance with these minimum open area requirements would result in a residential structure of less width than 24 feet, the planning and zoning commission shall determine and fix maximum lot coverage and minimum open area requirements for said lot to permit its reasonable utilization for a permitted use.

20.52.110 Setbacks - Yards. (New) Setbacks are required to insure sufficient open area, sunlight, views, privacy, fire separation and visual relief between structures. Setbacks from lot lines shall be 20 feet whenever property abuts a State highway right-of-way. Otherwise, applicable setbacks shall be: single-family (SF) residential district, front yards - 20 feet, side yards - 5 feet, back yards - 20 feet; multi-family (MF) residential district, front yards - 10 feet, side yards - 5 feet, back yards - 15 feet; rural residential 1 and 2 (RR-1 and RR-2) districts, front yards - 20 feet, side yards - 15 feet, back yards - 20 feet.

A. Zero setbacks and other setbacks not conforming to the minimums set forth in the section immediately above, may be allowed where the planning and zoning commission determines that the structure: 1) will not negatively impact adjacent property, existing or future views, road expansion, or the passage of sunlight to adjacent property; 2) conforms to all applicable fire regulations; and 3) contains a design feature

which may serve as the basis for approval of a non-conforming setback, such as designs which accommodate view or solar exposures, irregular lots, retention of trees, or the employment of a cluster housing concept. All applications for non-conforming setbacks shall be submitted to the commission at least ten days before the meeting at which time such application will be considered, so that commission representatives can serve written notice of the application upon adjacent property owners.

B. The zoning administrator shall review plans for all proposed structures to determine whether such structures will substantially obstruct an adjacent lot's exposure to sunlight or to views. The commission may require increased or off-setting setbacks or a reduction in height for the planned structure.

C. In all cases where non-conforming setbacks result in development less than ten feet from adjacent dwelling units, a fire rated wall shall be required in lieu of a setback so as to provide adequate fire separation.

D. In recognition of the sensitivity of beaches to alteration and development that interrupts the natural movement of sand and other aggregates along shorelines which can result in erosion of adjacent shorelines, and in recognition of the scenic and recreational values of beaches, the development of beaches is discouraged. Any development on or alteration of sand or gravel beaches shall require prior planning and zoning commission approval.

20.52.120 Shoreline Dependency. (New) When considering development in any district to which this standard is applicable, the planning and zoning commission shall give first priority to water-dependent uses and activities, second priority to water-related uses and activities, and third priority to uses and activities which are not water-dependent or water-related, but for which there is no feasible and prudent inland alternative suitable for meeting a public or private need.

A. All applications for shoreline-dependent development in a waterfront development (WD) district must be accompanied by a statement explaining the nature and intensity of the water orientation of the proposed activity, including an indication of any cost saving or benefits arising from location upon the shore that could not be obtained from an inland location. Alternatively considered upland sites should be identified.

B. The cooperative use of dock, parking, cargo handling and storage facilities should be encouraged.

C. Toxic materials and petroleum shall not be stored within twenty-five (25) feet of ordinary high tide, unless it should be demonstrated that such can be safely accommodated as an accessory to a fuel dock facility.

20.52.130 Piers, Docks, Shoreline Protection and Other Shoreline Construction (New).

A. No pier, dock, marine, wharf, causeway, or permanent floating structure shall be constructed or used so as to preclude any normal use of navigable waters.

B. Any construction having impact upon lands below ordinary high tide, or other shoreline development project, shall require prior planning and zoning commission approval. To obtain such approval, evidence shall be presented by the applicant that the size of the facility is the minimum necessary to achieve the desired purpose.

C. Boat ramps are only to be permitted for individual residences within 25 feet of ordinary high tide where the shoreline slope does not exceed 25% and/or where substantial cutting, grading, filling or shoreline protection measures are not necessary.

D. In considering applications for the construction of shoreline projects, the planning and zoning commission shall prefer the use of floating or pile supported structures over the use of fill since fill results in the loss of productive aquatic habitat and/or the alteration of natural shoreline processes which can result in erosion of adjacent shorelines and the loss of beaches.

E. Private moorage for float planes may be permitted by the planning and zoning commission as a conditional use, consistent with program standards regarding docks.

F. Where appropriate, the planning and zoning commission may require shoreline protection measures to be taken to mitigate the effects of structures having impact upon lands below ordinary high tide or the effects of other shoreline development. Shoreline protection measures may include: 1) a requirement that the construction or project not unreasonably interfere with existing recreational and navigational uses of the effected water, nor unreasonably alter scenic and aesthetic qualities of the area as determined by the planning and zoning commission; 2) a requirement that the construction or project not unreasonably interfere with or harm the environment or any stream or tidal water area nor substantially harm any fish or wildlife habitat; and 3) a requirement that the construction or project shall not cause unreasonable soil erosion nor lower the quality of any waters.

G. Shoreline protection measures are to be permitted by the planning and zoning commission only where evidence is provided by the applicant that one of the following conditions exists: 1) serious erosion as threatening an established use on the subject property; or 2) a demonstrated need associated with a water-dependent or water-related commercial or industrial use is evident.

H. Shoreline protection measures are to be permitted by the planning and zoning commission only where evidence is provided by the applicant that a proposed shoreline protection

measure will not have adverse effects upon adjacent or nearby property through the action of increased erosion, shoaling, flooding, or similar occurrences.

I. Construction of shoreline protection measures shall be carried out at times that will minimize the effects of such construction upon aquatic life.

J. Significant natural spawning, rearing or residency areas for aquatic life shall be given special consideration by the planning and zoning commission in reviewing proposed shoreline protection action.

K. Except in conjunction with an approved water-dependent or water-related commercial or industrial use, new shoreline protection measures shall not be permitted seaward of the line of non-aquatic vegetation, or where such a line cannot be determined, seaward of ordinary high tide.

L. The planning and zoning commission shall not approve any shoreline protection measure which does not allow the maintenance of existing public waterway access.

M. Proposed shoreline protection measures shall be designed to minimize their impact upon the aesthetic qualities of the shoreline and shall not alter natural shoreline processes that can result in erosion or loss of beaches.

N. Where riprap is being proposed as a shoreline protection measure, the planning and zoning commission shall not approve the use of such having a slope steeper than one and one-half feet horizontal to one foot vertical unless evidence is presented by the applicant that use of a steeper slope is justified and that the rock or cement to be used will be effective. Measures to reduce fill, such as rockwalls, are encouraged.

O. Materials used for shoreline protection measures must be approved by the zoning administrator or the building inspector. Tires and/or vehicles may not be used as any component of a shoreline protection measure.

P. New residential developments creating five parcels or more on the shoreline shall provide for adequate public waterway access and access to publicly owned shoreline areas which are appropriate to the site, general nature, and size of the development. The planning and zoning commission shall require, in connection with the approval of such developments, the reservation of a public access easement running at least 25 feet above and parallel to the line of ordinary high tide. Topographic constraints or alternative access routes may allow the planning and zoning commission to lessen, forego, or waive this requirement.

The planning and zoning commission shall establish a public access corridor where appropriate and practical, along publicly owned shorelines and shall encourage the establishment of such a corridor on private lands. Trail links between shoreline parks and public access points shall be encouraged for walking, for bicycle riding, and for other non-motorized vehicular access.

Q. Recreational and access developments shall, where appropriate, preserve or enhance scenic views and vistas as well as improve the aesthetic value of the area to be developed. Large structures that would block visual access to the shoreline from upland areas shall be sited to minimize visual interference.

20.52.140 Hazard Areas. (New)

A. In areas of slope over 15 percent, the following standards shall apply: 1) 15-25% - these slopes have a moderate potential for landslides; no more than 25% of such areas shall be developed for structures and/or regraded or stripped of vegetation. Geotechnical site investigation (at the owner's expense) shall be required by the planning and zoning commission for the purpose of determining the hazard inherent in the site prior to the construction or excavation of such slopes or within 50 feet of the base of such slopes; 2) 25% or more - these slopes have a high potential for landslides. No development shall be allowed without prior planning and zoning commission approval on such slope or within 100 feet of the base of such slopes without a geotechnical site investigation (at owner's expense) by a licensed professional engineer indicating the hazards inherent in the site.

20.52.150 Drainage. (New)

A. Use of natural, undisturbed drainage is required where usable. Existing surface drainage channels on a site shall be determined prior to approval by the planning and zoning commission for development. Regrading, stripping of vegetation or filling is permitted in these areas, provided that: 1) the time of concentration of storm water flows remains unchanged or is lengthened; and 2) any resultant new drainage ways have less velocity than pre-existing ones or reduce erosion through the provision of erosion control measures.

B. Each new development, for instance, site preparation or construction, shall provide for the on-site or control of excess run off resulting from that development so as to prevent such run off from adversely effecting neighboring parcels. For the purpose of this section, excess runoff shall include all increases in run off resulting from: 1) any increase in the impervious surface of the site, including additions to buildings, roads and parking lots; 2) changes in soil absorption caused by compaction during development; 3) modifications to land contours, including filling or draining of small land depressions; and 4) alteration of drainage ways or facilities for handling wastewater from domestic uses.

C. Storm water runoff shall be directed away from any known shellfish or kelp beds or other sensitive marine resources.

20.52.160 Dredge and Fill. (New)

A. Landfill placed in bodies of water, floodways or natural wetlands for the expansion of upland areas is prohibited for residential development unless the planning and zoning commission finds upon the presentation of adequate evidence that no usable or prudent alternative is available.

B. Earth moving activity shall be allowed within the City without the approval of the planning and zoning commission, unless such activity would have an effect upon tidelands or established shoreline setbacks, buffers, or public access corridors, under the following conditions: 1) where landfill or the removal of material is incidental to construction, alteration or repair of a building or the grading and landscaping incidental thereto; or 2) where landfill or removal of transfer of material is incidental to the construction, alteration or repair of a public or private access road or street or facility providing essential services.

20.52.170 Home Occupations. (New) A "Home Occupation" is a profession or use falling within the definition of Section 20.08.320 of this Code. Allowance of home occupations is intended to promote a local economic base consistent with the character of the City and the life styles of its people. Allowable uses include crafts, small scale services and other activities which have little impact upon the neighborhoods in which they are located in terms of appearance, operating hours and other factors.

A. Home occupations shall be allowed only upon a limited conditional use basis upon the issuance of a permit by the planning and zoning commission.

B. Home occupations are intended as family businesses and shall not, with the exception of the rural residential-1 (RR-1) district, include businesses of the following or similar character: 1) animal hospitals; 2) commercial kennels; 3) funeral parlors; 4) automobile repair shops; 5) restaurants; 6) junk yards; and 7) flea markets.

C. Standards of the district in which the use occurs shall apply to home occupations. In addition, the following specific standards shall apply: 1) signs shall be no larger than six (6) square feet and shall be of a height not greater than four feet from ground level and shall otherwise conform to the requirements of Section 20.52.210; 2) the use shall be carried out completely in the dwelling or in an enclosed structure; 3) the facilities shall be architecturally and aesthetically compatible with the surrounding residential area and with other structures on the site; 4) recreation vehicle or trailer parks, amusement or gaming operations are not to be allowed as a home occupation; 5) storage associated with the home occupation will be enclosed in an acceptable structure; 6) those proposed home occupations that may generate unreasonable amounts of traffic or create a nuisance, as determined by the

planning and zoning commission, may be denied; 7) those proposed home occupations that may result in storage or home occupation activities outside an enclosed area, as to be determined by the planning and zoning commission, may be denied; 8) one off-street parking space is required, in addition to other applicable parking space requirements, for each home occupation permitted upon a particular site. Additional parking spaces may be required by the planning and zoning commission as warranted.

D. The planning and zoning commission shall review a home occupation use upon receipt of written complaints from three separate households effected by the home occupation or upon any written complaint from the zoning administrator, member of the commission, or City Council. The zoning administrator shall schedule a public hearing to review such complaints upon adequate notice to the owner of the property upon which the home occupation is conducted.

E. In any hearing held under authority of subsection "D" of this section, the planning and zoning commission shall hear the evidence presented and upon adequate findings of fact may: 1) approve continuation of the use as it exists; 2) require that it be terminated, or 3) impose mitigating restrictions, such as limitations upon hours of operation, or the construction of fences. Decisions of the planning and zoning commission upon the evidence presented at such hearings may be appealed to the City Council.

20.52.180 Mobile Homes and Mobile Home Parks. (New)

A. "Mobile home" means any coach, motor home, trailer or other vehicle or structure designed or intended for or capable of human dwelling or sleeping purposes which is mounted on wheels or supports and is capable of being moved by its own power or transported by a vehicle, where such mobile home is used or intended for permanent occupancy. This does not include units that are similarly constructed and designed for multiple sleeping quarters such as bunkhouses with separate food preparation and dining areas.

B. "Mobile home park" means any park, court, parcel or tract of land, including a planned unit development, designed, maintained, intended or used for the purpose of supplying a location for more than two mobile homes including 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 mobile home park does not include automobile or trailer sales lots on which unoccupied mobile homes are parked for the purpose of inspection and sale, with no more than one mobile home fully set up for occupancy located on each such sales lot.

C. A building permit for construction, improvement or expansion of a mobile home park is required. The planning and

zoning commission shall authorize issuance of such a permit and shall impose any special conditions for development which have not already been imposed by order of the zoning administrator. Upon completion of construction, improvement or expansion of a mobile home park/subdivision, a permit for its operation is required. The planning and zoning commission shall issue such a permit upon a showing that the mobile home park/subdivision is in compliance with all applicable requirements. The permit to operate may be suspended by the commission for violation of this section.

D. All mobile homes in the City of Wrangell must comply with the following requirements: 1) all mobile homes shall be constructed in conformance with State and Federal specifications, including the Uniform Building Code. No accessory structures shall be attached to trailers in mobile home parks without a permit issued by the City and signed by the park owner or manager; 2) unless otherwise stated, mobile homes shall conform to the performance standards of single-family dwellings in the applicable district; 3) mobile home developments, such as mobile home parks or planned unit developments, shall conform to the applicable district requirements; 4) mobile homes that will occupy a site outside a mobile home park for more than 12 months shall be required to be set upon a permanent footing and to be skirted.

E. The following standards shall apply to areas wherein mobile home spaces are provided within a mobile home park that is constructed according to minimum standards and guided by a carefully drawn plan of development. The standards, restrictions and procedures required herein are designed to assure that mobile home parks provide an adequate residential environment:

1) Minimum yard requirements are designed to insure that sufficient open area, sunlight, views, privacy and fire separation exists between mobile homes;

- a) Front - 10 feet, excluding trailer tongue;
- b) Side - 8 feet;
- c) Rear - 10 feet;
- d) Exterior boundary of park - 10 feet;
- e) Enclosed accessory structures may not

extend into yard areas.

2) Recreational area requirements are imposed to insure that each mobile home park shall contain outside areas designated and developed for children's recreational purposes, unless evidence is provided that children will not reside in such park/subdivision;

- a) 10 to 50 spaces - 200 square feet for each mobile home or camper space;
- b) Over 50 spaces - 10,000 square feet plus 150 square feet for each additional mobile home or camper space over 50;

c) There shall be at least one improved recreational area for children in each park of 30 units or more, not less than 6,000 square feet in area, (5,000 square feet for less than 30 units). Such areas shall exclude steep slopes, water surface or periodically flooded or inundated land unless it is usable and maintained for recreational purposes, in which case it may be applied toward a maximum of one-fourth of the required recreation area in excess of 7,000 square feet. Two square feet of water surface or area of periodically flooded or inundated land shall be considered as only one square foot of land for purposes of fulfilling this requirement;

d) Recreation equipment for use by children is required in each improved area.

3) A ten-foot vegetated buffer area is required adjacent to a public street and shall be attractive and maintained at all times.

4) All lots or spaces within a mobile home park shall have direct and uninterrupted access to an internal street restricted to use by residents. Such streets shall have direct access to a public right-of-way. Installation of all internal streets, easements and other improvements to the mobile home park shall be in conformance with the following standards:

a) Dedication of streets and easements within the boundaries of a mobile home park is not required;

b) Adequate internal streets shall be developed and maintained as a provision of the conditional use permit for the mobile home park

c) All internal streets in a mobile home park shall be constructed to the following standards. Street rights-of-way shall be a minimum of 20 feet with 12 feet of drivable road surface. Dead end streets shall be limited to 500 feet in length and shall provide a terminal with a right-of-way diameter of not less than 70 feet containing a drivable road surface of a diameter of not less than 60 feet.

5) The following accessory uses (developed by the mobile home park owner for use by residents) are permitted: administration buildings, laundry and service buildings; community center; recreational facilities and detached storage structures.

6) A building permit for a mobile home park shall be issued only after review and approval of a site plan by the planning and zoning commission. To aid in the planning and zoning commission's recommendation, a scaled and dimensioned site plan and topographic map of the development shall be prepared and submitted according to the provisions of Wrangell Code chapter 20.58. The site plan shall show, but shall not be limited to:

- a) Proposed standards for development, including any restriction of the use of the property, and density standards;
- b) Location of buildings and mobile homes in relation to property and lot lines;
- c) Location of off-street parking spaces and bays, internal circulation ways and ingress and egress points for the site;
- d) Public and semi-public open spaces, community facilities and landscaped areas, fences, patios and service areas (including garbage disposal and snow removal areas), driveways and walkways, as well as provision for maintenance of all common areas;
- e) Plans for the provision of utilities, including water, sewer and other drainage facilities, and provision for connection with public utilities;
- f) Provision of buffers between the park and adjoining property;
- g) After review of the plan, the planning and zoning commission may require that the applicant modify the proposal and resubmit it for further review if it is found not to be in compliance with the standards applicable to the district in which it is located or the standards applicable to mobile home parks.

20.52.190 Off-street Parking. (New)

A. In all districts there shall be provided, at the time of any main commercial or industrial building is constructed, altered, enlarged or subjected to a change in use, off-street parking for the use of occupants, employees or patrons. It shall be the responsibility of the owner and/or occupant of any such building or structure to provide, and thereafter maintain, the minimum number of free off-street parking facilities as required under this chapter.

B. No existing parking area and no parking area provided for the purpose of complying with the provisions of this title shall be relinquished or reduced in any manner below the requirements established in this chapter.

C. A site plan showing all parking and loading areas shall accompany all applications for building permits. Said plan shall show the dimensions of spaces, curb cuts and other information necessary to determine compliance with provisions of this chapter. The zoning administrator shall approve or reject the site plan on the basis of compliance with the requirements of this chapter. No certificate of compliance or building permit shall be issued unless the parking site plan is approved.

D. Any parking space provided pursuant to this chapter shall be on the same lot with the main use it serves or on an

adjoining lot, except that the planning and zoning commission by a conditional use permit as specified in Section 20.68 may allow parking spaces to be on any lot within 500 feet of the use if it determines that it is impractical to provide parking on the same lot.

E. All parking areas shall be of sufficient size and shall conform to the following standards:

1) Each parking space shall be 180 square feet in area exclusive of access and circulation aisles and shall be 10.4 feet by 17.4 feet, except for handicapped parking spaces which shall be 11.5 feet by 17 feet.

2) All parking lots shall be provided with a durable, well-drained surface.

3) Any lighting of parking lots shall be arranged to reflect away from the public rights-of-way and from any adjoining residential areas.

4) Curb cuts shall be located so as to avoid traffic hazards and shall be approved by the zoning administrator.

5) Curb cuts shall be no more than 25 feet wide and no less than 12 feet wide.

6) All parking lots, where feasible, shall be buffered and constructed so as to minimize erosion and water pollution by controlling storm runoff and shall be placed no less than 100 feet upshore from any line of ordinary high tide.

F. Where there is more than one use in a single structure or on a single site (e.g., attorney and retail store) or two or more separate instances of the same use, off-street parking requirements shall be the sum of the requirements for the various uses; provided, however, that where two or more uses provide a single joint parking area and their minimum spaces under this section total 20 or more, the minimum number of spaces may be required for the various uses were they to be computed separately.

G. The planning and zoning commission shall use these parking standards as guidelines and may require fewer total parking spaces for a particular use where appropriate. A number of parking spaces less than that which would otherwise be required may be allowed. Parking spaces fewer than the minimum shall be allowed where the following situations exist:

1) Public parking capable of accommodating some of the parking demand generated by the land use is available within 500 feet of such use.

2) Two or more uses share the same parking accommodations in such a way that the hours or days of peak usage are so different that a lower total number of spaces will provide adequately for all uses.

3) The clientele of the use is such that a reduced number of spaces is appropriate, as in the case of a business having a large number of pedestrian customers.

H. Off-street parking spaces shall be provided in the following proportions:

<u>Use</u>	<u>No. Spaces</u>	<u>Per Unit</u>
Residential Dwelling (Single or Multi-Family)	1	Dwelling Unit
Hotel/Motel	1	Five Rental Units
High Volume Retail Business or Prof. Offices gross	1	200 sq. ft. of floor area
Lodges & Meeting Halls, no fixed seating	1	300 sq. ft. of gross floor area
Schools	1	1/2 for each employee plus 1 for each 20 students over 16 years of age
Churches & auditoriums, w/fixed seating	1	10 seating spaces in the main assembly room
Theater or other places of assembly	1	10 seating spaces
Furniture, plumbing supplies or clothing stores or shoe repair or similar large commercial uses	1	800 sq. ft. of gross floor area
Service Station	1	1000 sq. ft. of lot area
Industrial uses	1	2 employees working the shift having the greatest number of employees.

Home Occupation	1	In addition to those required for residential use.
Restaurant/Taverns	1	3 fixed seating spaces and/or 50 square feet of non-fixed seating space.
Public Buildings	1	Each employee

I. Floor areas for the purpose of computing parking requirements shall be the sum of the horizontal area within the exterior walls of the several floors of the building, excluding storage or service areas. Whenever off-street parking is required, the parking area and space shall be designated, constructed and maintained in accordance with the minimum provisions and standards in this chapter.

J. If it appears to the planning and zoning commission that additional parking spaces beyond the minimums required are necessary, the commission may require additional open areas be kept in reserve for this purpose.

20.52.200 Buffers. (New) Due to smoke, noise, traffic, aesthetics and potential hazards, all new or expanded port, industrial or mobile home parks (over three units) shall have buffers between such areas and adjoining areas. Buffers shall be 25 feet in width, and shall be 75 percent sight obscuring. When composed of plants, buffers shall be 50% of full size within one year and average eight feet in height. Buffers shall be composed of natural terrain and vegetation where possible. If fences are used they should be aesthetically pleasing and compatible with the character of the area.

Buffers shall not be used for storage of industrial equipment or materials or for waste disposal, but may be used for outdoor recreation. Portions of such buffers may be used for light motor vehicle parking if the design of such facilities is found by the planning and zoning commission to be consistent with the comprehensive plan of the City of Wrangell and of these ordinances. Buffer requirements may be waived if the commission determines that natural or man-made landforms upon the site sufficiently serve the purpose of this section.

20.52.210 Signs. (New)

A. A permit shall be obtained from the zoning administrator prior to the installation of any sign or advertising structure excepting those less than six square feet (e.g., 2 feet by 3 feet) in area. Construction and erection of signs shall be in accordance with this chapter and with all other pertinent regulations.

B. Signs shall advertise only those businesses or activities engaged in on the immediate premises.

C. No signs shall be erected in any location where, by reason of the position, shape or color of such sign, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device. No sign shall exceed the height of the structure of which it is attached or exceed ten feet in height if free standing.

D. No sign other than public signs shall be placed within ten feet of any intersection as measured from the nearest corner created by two intersecting street rights-of-way.

E. Flashing signs and intermittent illumination are to be permitted only in commercial and industrial zones.

F. In all residential districts, lighting shall be direct and shielded from adjacent property.

G. Only the following signs are permitted in a residential district:

1) Real estate signs: One sign not exceeding eight square feet, advertising only the sale, rental or lease of the building or premises on which it is maintained.

2) Signs identifying home occupations: One sign per use, not exceeding nine square feet in area; such sign shall be no closer than ten feet from any property line.

3) Bulletin boards: bulletin boards used to display announcements of meetings to be held on the premises are permitted for churches, schools, community centers and public, charitable or institutional uses. Unless otherwise permitted in the district, such signs shall contain no more than 20 square feet in area and may be located no closer than ten feet from any street lot line. Only one such sign shall be permitted for each street frontage.

4) Construction signs: During construction, repair or alteration of a structure, temporary signs which denote the architect, engineer, contractor or builder, or which denote the name of construction and its use or occupants-to-be or other construction participants, or structure users may be placed within any required yard setbacks as ground, wall or roof signs. Each sign shall be 20 square feet or less in size and not more than one such sign shall be permitted for each construction participant or structure user.

5) Signs identifying other permitted and conditional uses: One sign per use not to exceed 20 square feet in area for the purpose of identifying multi-family dwellings, clubs, offices and other similar uses may be placed flat against the building in which such use occurs and shall be no closer than ten feet from any property line.

6) Signs for non-conforming uses: A legal, non-conforming use in a residential zone may have one sign per property, unlighted, and no larger than 20 square feet in area. Such sign shall be located no closer than 10 feet from any property line.

7) Subdivision signs: Signs advertising the sale or lease of lots or buildings within new subdivisions of at least five lots are permitted, providing they are not directly or indirectly illuminated and do not exceed 50 square feet in area. Not more than one such sign shall be located at each major approach to the subdivision, with such signs located within the required setback yards applicable to the principal structures and located no closer than 10 feet from the nearest property line.

8) Public safety signs: Temporary, private ground or wall signs exclusively relating to the safety of the public (e.g., "No Parking Today", "Use Covered Walkway", "Do Not Enter", "Danger", or "Loading Zone") may be located as needed for public safety without limitation as to number, size or location under this section.

H. The following regulations shall apply to signs in commercial and industrial districts:

1) Signs shall be located flat against a building or a marquee.

2) One ground, pole, or projecting sign is permitted, per property, not to exceed 50 square feet in area; provided that signs projecting beyond the lot line may be no closer than six inches from the curb line and must be at least eight feet above the finished sidewalk grade.

I. Signs which do not conform to the requirements of this title shall be eliminated within three years from the effective date of this ordinance.

20.52.220 Redevelopment. (New) The conversion of an existing structure to a permitted or conditional commercial use shall be permitted where the character of the existing structure is maintained and where all parking and other requirements for the particular use are met.

20.52.230 Traffic Generation. (New) If the volume of traffic expected to be generated by a business or a non-conforming or special use would create a nuisance for area residents or congestion, the planning and zoning commission may deny a permit for the use or may require measures mitigating such nuisance or congestion.

20.52.240 Recreation Vehicle Parks. (New) A building permit for the construction, improvement or expansion of a recreational vehicle (RV) park is required. Recreational vehicle and camper space rentals are permitted within RV parks at a density of 24 spaces per acre, provided the following provisions are met.

A. A sewage dumping station connected to a sewer system approved by the State Dept. of Environmental Conservation shall be provided.

B. A water supply approved by the State Department of Environmental Conservation for public use shall be provided at a central location for recreational vehicle and camper use.

C. One-way streets will be permitted, provided that they are adequately marked and designated for one-way traffic flow. Such streets shall have a right-of-way of 20 feet in width with a driving surface 12 feet wide.

D. An RV park may be part of an overall mobile home park application, but must be incorporated as a separate design element within such mobile home park.

E. Parking spaces shall be of sufficient size to provide for a minimum of ten feet between recreational vehicles or campers.

F. A site plan in accord with section 20.52.180(E)(6) shall be incorporated within any application to the planning and zoning commission of a permit for the construction, improvement or expansion of an RV park.

20.52.250 Recreation. (New) There shall be adequate provisions for play areas and recreational facilities for children and teenagers (as determined by the commission) for all subdivisions of more than ten lots and all multi-family developments (e.g., apartments) over ten units.

Chapter 20.54

Temporary Use Permits (New)

Sections:

20.54.010	<u>Issuance and Duration</u>
20.54.020	<u>Applications</u>
20.54.030	<u>Non-compliance</u>

20.54.010 Issuance and Duration. (New) The commission may issue a temporary use permit for a use not normally permitted in a district. The temporary use permit shall be for seasonal operations such as construction or timber harvest or temporary uses such as portable sawmill operations. While a temporary use permit should not normally be issued for longer than a 9-month period, the City council may issue a multi-year permit for major construction projects, subject to annual review of the performance of the applicant by the commission. The maximum length for any temporary use permit shall be five years.

20.54.020 Applications. (New) Applications for temporary use permits shall be processed by the commission in its capacity as authorizing agency as it would treat applications for variances. Multi-year applications shall be processed in a manner similar to applications for zoning changes with the added provision that the owner of the property must file a plan for the restoration and use of the property after the temporary use is removed.

20.54.030 Non-compliance. (New) Failure to comply with the provisions of a temporary use permit issued under this chapter shall be grounds for the revocation of such permit and prosecution under the terms of this Code.

Chapter 20.56

Review [SIGNS]

Sections:

- 20.56.010 Requirements and Procedures [GENERAL REGULATIONS--PERMIT REQUIRED].
- 20.56.020 Permit Review [SIGNS PERMITTED IN RESIDENTIAL ZONES].
- 20.56.030 Planning and Zoning Commission Review and Hearing [SIGNS PERMITTED IN COMMERCIAL AND INDUSTRIAL ZONES].
- 20.56.040 City Council Hearings [NONCONFORMING SIGNS].

20.56.010 General Regulations--Permitted Required. [REPEALED]

20.56.010 Requirements and Procedures. (New) This code uses an array of processes, permits and appeals to carry out its provision. The following section is intended to set forth the procedures necessary to gain approval for a proposed project. Review of an application may be required by each of four separate bodies: 1) the City administration, 2) the planning and zoning commission, 3) the City council, and 4) the Port commission of the City of Wrangell (where appropriate).

20.56.020 Signs Permitted in Residential Zones. [REPEALED]

20.56.020 Permit Review (New). A review by the City administration, including the Fire Marshal, shall be processed within ten (10) working days and in most cases determination will be made within ten (10) working days of the submission of the request. The types of requests that qualify for permit review are:

A. Building permit requests involving projects of less than Five Hundred Thousand (\$500,000) Dollars value, or having four (4) dwelling units or less ; and

B. State of Alaska, Class I consistency review.

20.56.030 Signs Permitted in Commercial and Industrial Zones. [REPEALED]

20.56.030 Planning and Zoning Commission Review and Hearings. (New) No greater review or evaluation of plans and requests than that conducted under the procedures of the commission shall be necessary unless public hearings are required.

A. Reviews by the commission are required for the following actions:

- 1) Building permit requests for projects of Five Hundred Thousand Dollars (\$500,000) Dollars value or more;
- 2) Building permit requests for projects having five (5) or more dwelling units;
- 3) State of Alaska, Class II consistency reviews;
- 4) City capital improvement programs; and
- 5) Enforcement against code violations.

B. The commission shall recommend, approve, approve with conditions, or deny all requests within fifteen (15) days of initial review. Failure to reach a decision within such time limit shall constitute an approval of the project as submitted.

C. Review and/or hearings by the commission are required for:

- 1) Subdivision approvals;
- 2) Variances;
- 3) Conditional use permits;
- 4) Code amendments and rezoning; and
- 5) Specific violations, where review is requested.

20.56.040 Non-conforming Signs. [REPEALED]

20.56.040 City Council Hearings. (New) Hearings before the City Council shall be necessary for all Code amendments, appeals, budget approvals (including CIP), and adoption of the Comprehensive and fiscal management program, and any rezoning. The City Council, being the elected, legislative body of the City, must pass judgment on all changes of law, i.e., Code amendments and rezoning. The Council serves a quasi-judicial function as the first level of appeal from an administration or commission decision or determination. City Council hearings on applications for rezoning and appeals shall be conducted within thirty (30) days of receipt by the City.

Chapter 20.58

Site Plan Submission Requirements (New)

Sections:

- | | |
|-----------|--|
| 20.58.010 | <u>Site Plans.</u> |
| 20.58.020 | <u>Availability of Maps.</u> |
| 20.58.030 | <u>Site Plans for Larger Projects.</u> |

20.58.010 Site Plans. (New)

A. All proposed and non-residential developments and residential uses in excess of four (4) dwelling units must submit a site plan to the City zoning administrator for review and approval in accordance with the standards set forth in this Code. All site plans shall be processed in accordance with the provisions of Chapter 20.56. Site plans, at a minimum, shall be drawn to appropriate engineer's scale (1:50 feet) to depict the following information:

1. The boundaries, topography and physical conditions of the site, such as water bodies, vegetative cover, and grade steepness;
2. The uses and the approximate size, location and height of all proposed buildings and other structures;
3. Off-street parking and loading plans, including circulation plans for vehicular and pedestrian movement;
4. Proximate location and size of open spaces and/or landscaped areas, including buffers and areas retained in their natural state;
5. Approximately location and width of all utility easements or rights-of-way;
6. Areas to be cut and filled, including plans for stabilization of soil and routing of drainage;
7. Total acreage of the site and the calculated density for the project (number of units per acre), including the number of dwelling units for residential use by type and square footage, and gross floor area for industrial and commercial developments;

B. Elements optional to a site plan shall be:

- 1) Drawings indicating general architectural themes, appearance and/or representative types of buildings;
- 2) Definitive covenants, grants, easements, dedications and/or restrictions to be imposed on the land, buildings or structures.

20.58.020 Availability of Maps. (New) Topographic base maps (1:400 and 1:100) shall be available for review at City Hall for use in project design.

20.58.030 Site Plans for Large Projects. (New). Multiple copies of the site plan shall be required for larger projects which require commission review and approval. At least one (1) copy for each two members of the commission shall be submitted to the commission.

Chapter 20.60

Master Plan [OFF-STREET PARKING AND LOADING]

Sections:

- 20.60.010 Master Plan Requirement [COMPLIANCE WITH PROVISIONS REQUIRED].
- 20.60.020 Purposes of Master Plans [SITE PLAN APPROVAL REQUIRED PRIOR TO ISSUANCE OF CERTIFICATE OR PERMIT].
- 20.60.030 Required Submissions [JOINT PARKING AREAS].
- 20.60.040 Optional Standards [LOCATION].
- 20.60.050 [DESIGN STANDARDS.]
- 20.60.060 [INTERPRETATION OF SPACE REQUIREMENTS.]
- 20.60.070 [SPACES REQUIRED.]
- 20.60.080 [EXCEPTIONS--PUBLIC PARKING LOT SUBSTITUTIONS.]
- 20.60.090 [OFF-STREET LOADING.]

20.60.010 Compliance with Provisions Required. [REPEALED]

20.60.010 Master Plan Requirement. (New) As a requirement of application for rezoning on a portion of a tract of land under single ownership, a master plan must be submitted for the complete tract before any portion of the land may be rezoned. In addition, a master plan shall be required to accompany any application for the rezoning of any area greater than five (5) acres or for the approval of projects of Five Hundred Thousand (\$500,000) Dollars value or more.

20.60.020 Site Plan Required Prior to Issuance of Certificate or Permit. [REPEALED]

20.60.020 Purposes of Master Plan. (New) The general purpose of the master plan process is to require that an applicant apply minimal planning techniques to major developments so that the planning commission can grasp the merits of a proposed application. The purpose of the process is also to:

A. Provide for a more efficient use of land which will result in smaller networks of utilities, safer streets grids, lower construction and maintenance costs to the general public and promotion of the more efficient use of public and private space;

B. Encourage enhancement and preservation of land which is of outstanding scenic, environmental, cultural or historic significance;

C. Encourage harmonious and coordinated development that considers natural features, community facilities, and land use relationships with surrounding properties in the general

neighborhood and provide for pedestrian and vehicular traffic circulation in conformance with the comprehensive plan;

D. Facilitate understanding of a development's anticipated short and long-term impact upon the tax base, local economy, population makeup, demand for public utilities and services and the environment.

20.60.030 Joint Parking Areas. [REPEALED]

20.60.030 Required Submissions. (New) A master plan is establishing among other things, the approximate location of land uses, buffers, roads, pedestrian ways, drainage patterns, open spaces and parks. The master plan shall consist of:

A. Site condition maps, including: 1) the concept plan maps drawn to the same scale as the topographical plan maps available at City hall; 2) boundaries of the subject property; 3) location and size (as appropriate) of all existing drainage, water, sewer and other utility provisions affecting the site; and 4) information about existing vegetative cover and general soil types as appropriate to the proposed property.

B. A concept plan which shall depict in map form the location and function of: 1) the land uses proposed for the subject property in a detail at least as great as the general district categories identified in Section 20.12.010; 2) all proposed roads and pedestrian ways, showing their access to existing public streets and walkways; 3) all drainages, buffers and open spaces within a proposed development.

C. Supporting data, which should include, as appropriate: 1) a statement indicating what arrangements have been made with the appropriate departments or agencies for the provisions of needed utilities, including, if appropriate, water supply, water treatment and distribution, storm drainage, runoff collection and disposal, electrical power, sewage collection, waste water treatment and disposal, and communications (telephone and cable television); 2) the total acreage involved in the project; 3) the number of acres devoted to the various land use categories shown on the site development plan, along with a percentage of total acreage represented by each category of use; and 4) the number and type of dwelling units proposed for the overall site and the number of dwelling units per acre.

20.60.040 Location. [REPEALED]

20.60.040 Optional Standards. (New) In order to provide flexibility in the subdivision and building permit process, an applicant may submit a list of alternative design standards for review as variances for a specific project as part of a master plan review process by the planning and zoning commission. The applicant must submit a set of minimum design standards which

shall govern the site development, such as lot shapes and sizes, internal streets and pedestrian ways, open space provisions, off-street parking demands, visual screens, general buffers, and landscaped areas.

20.60.050 Design Standards. [REPEALED]

20.60.060 Interpretation of Space Requirements. [REPEALED]

20.60.070 Spaces Required. [REPEALED]

20.60.080 Exceptions--Public Parking Lot Substitutions.
[REPEALED]

20.60.090 Off-Street Loading. [REPEALED]

Chapter 20.64

Nonconforming Uses

Sections:

20.64.050 Nonconforming Uses of Structures

20.64.050 Nonconforming uses of Structures.

F. Where nonconforming use status applies to a structure and premises in combination, removal [OR DESTRUCTION] of the structure shall eliminate the nonconforming status of the land.

G. When a structure which has a nonconforming use status as of the effective date of the Ordinance codified in this title is destroyed by fire, said structure may be reconstructed within two (2) years from the date it was destroyed and continue the nonconforming use status. For purposes of this section, said reconstructed structure must be 80% complete, according to the City Assessor, within two (2) years from the date it was destroyed.

Chapter 20.88

ADMINISTRATION

Sections:

20.88.010 Zoning Administrator--Appointment and Duties

20.88.010 Zoning Administrator--Appointment and Duties.

A. A zoning administrator appointed by the City Manager shall administer and enforce this title.

B. Upon a finding [IF THE ZONING ADMINISTRATOR FINDS] that any provision [OF THE PROVISIONS] of this title is [ARE] being violated, the zoning administrator [HE] shall notify in writing the

person responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it. The zoning administrator [HE] shall order discontinuances of illegal uses of land, buildings, or structures; removal of illegal buildings or structures, or of additions, alterations or structural changes thereto; discontinuance of any illegal work being done; or shall take any other action authorized by this title to ensure compliance with or to prevent violation of the [ITS] provisions of this code.

C. The zoning administrator may call upon the police department for assistance in the delivery of notices of violation or for enforcement of the provisions of this Code.

Chapter 20.92

VIOLATIONS

Sections:

- 20.92.010 Complaints of Violations.
- 20.92.015 Violation Reports.
- 20.92.045 Injunctive Relief.

20.92.010 Complaints of Violations. Whenever a violation occurs, any person may file a written complaint in regard thereto. All such complaints shall be brought to the attention of the administrator who shall record such complaint and immediately investigate and report thereon to the commission. If the alleged violation continues after a notice of violation to the person maintaining a use in violation, then the zoning administrator shall refer the matter to the commission, which shall further pursue any legal action necessary to secure compliance with this Code.

20.92.015 Violation Reports. (New) Complaints from citizens shall be in the form of a letter stating the precise nature of the violation. The staff will perform a site inspection and act accordingly to resolve the problem. If the use is found in violation of this Code, a notice of violation will be sent specifying what actions must be taken to correct the violation. A copy of this notice and any following correspondence shall be sent upon request to the person making a complaint. All correspondence will be dated and filed to document the process. Information necessary in the report to the commission shall include:

- A. The extent and nature of the alleged violation;
- B. The dates of the investigation and notification of violation by the planning administrator;
- C. Date and nature of the complaint;
- D. The name of the complainant shall be confidential, as such information has no bearing upon the nature and extent of any violation, and shall not be recorded unless specifically requested by the complainant and then only for providing information by which the zoning administrator may supply the

person with a copy of the report submitted to the commission and documentation of any further proceedings necessary to secure compliance.

20.92.045 Injunctive Relief. (New) Nothing herein contained shall prevent the City Council, with the concurrence of the commission, from taking such other lawful action as is necessary to prevent or remedy any violation of this Code. The City Council shall be specifically entitled to seek injunctive relief for the enforcement of this Code.

Sec. 7. Wrangell Municipal Code, Chapter 18.20, "Trailers and Trailer Camps" specifically those sections hereinafter set out are hereby amended to read as follows:

18.20.070 Trailer spaces. [A. EACH TRAILER COACH SHALL BE ALLOTTED A SITE OF NOT LESS THAN TWO THOUSAND SQUARE FEET.]

A. No trailer coach shall be parked closer than Ten [FIVE] feet to the side lot lines of a trailer court [IF THE ABUTTING PROPERTY IS IMPROVED PROPERTY] or closer than ten feet to a public street, or alley [OR BUILDING).

B. [C] Each individual trailer site shall abut or face on a driveway or clear, unoccupied space

C. [D] There shall be an open space of at least sixteen [TEN] feet between the sides of every trailer coach and at least twenty [FIVE] feet between the ends of every trailer coach.

18.20.120 Permanent Use Restrictions. [A. IT IS UNLAWFUL FOR ANY PERSON TO MAINTAIN ANY TRAILER COACH, USED FOR HUMAN HABITATION, UPON ANY PLOT OF GROUND IN THE CITY EXCEPT IN A LICENSED TRAILER COURT.]

A. [B] It is unlawful for any person to remove the wheels or other transporting device from any trailer coach or otherwise to affix the trailer coach permanently to the ground so as to prevent ready removal of such trailer coach, unless a permit to do so is obtained as required for the construction of a new building. Any such alteration shall be construed as converting the trailer coach into a building and subject to the requirements of the zoning and building ordinances.

B. [C] It is unlawful to occupy for sleeping or other residence purposes any trailer coach which has been rendered immobile by the removal of wheels, or placing the same on a foundation, or on the ground, unless such trailer coach in construction and location complies with the ordinances relating to the construction, wiring, plumbing, sewer facilities and other requirements applicable to single-family dwellings.

C. Any trailer coach or mobile home constructed before January 1, 1979, or narrower than 24 feet in width shall

not be placed in Wrangell outside existing trailer courts or RR
zones.

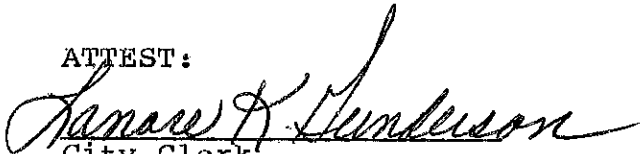
PASSED AND APPROVED: MAY 22, 1984.

PASSED AND APPROVED: SEPTEMBER 11, 1984.



Mayor William B. Privett

ATTEST:



City Clerk

ORDINANCE NO. 463

AN ORDINANCE of the Council of the City of Wrangell, Alaska, providing for the issuance of a general obligation bond of the City in the aggregate principal amount of \$7,100,000 for the purpose of acquiring, constructing and equipping certain facilities within the City, creating a bond redemption fund; fixing the date, form, terms, maturities and covenants of said bond; providing for the payment of the principal thereof and interest thereon; and providing for the sale thereof.

PASSED: September 11, 1984

Prepared by:

PRESTON, THORGRIMSON, ELLIS & HOLMAN
2000 IBM Building
Seattle, Washington 98101

Publishd: Sept. 19, 1984

TABLE OF CONTENTS*

	<u>PAGE</u>
Recitals.	1
Section 1. Definitions.	2
Section 2. Authorization of Bond.	2
Section 3. Redemption of the Bond	3
Section 4. Form of Bond	4
Section 5. Execution of Bond.	7
Section 6. Construction Fund.	8
Section 7. Bond Fund.	8
Section 8. Sale of Bond	9
Section 9. Defeasance	10
Section 10. Transfer of Bond	10
Section 11. Arbitrage Covenant	10
Section 12. Effective Date	11

*This Table of Contents is not a part of this ordinance.

ORDINANCE NO. 463

AN ORDINANCE of the Council of the City of Wrangell, Alaska, providing for the issuance of a general obligation bond of the City in the aggregate principal amount of \$7,100,000 for the purpose of acquiring, constructing and equipping certain facilities within the City, creating a bond redemption fund; fixing the date, form, terms, maturities and covenants of said bond; providing for the payment of the principal thereof and interest thereon; and providing for the sale thereof.

WHEREAS, at a bond election held in the City of Wrangell, Alaska, on October 4, 1983, pursuant to Resolution No. 08-83-178, 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 \$8,100,000 for the purpose of acquiring, constructing and equipping a gymnasium, swimming pool and related facilities at the City's high school campus; and

WHEREAS, the City has issued \$1,000,000 of its general obligation bonds dated December 1, 1983 pursuant to such voter authorization; and

WHEREAS, it is deemed necessary and advisable that the City now issue and sell the remaining \$7,100,000 of such 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) "Authority" means the Alaska Municipal Bond Bank Authority.

(B) "Bond" means the fully registered general obligation bond of the City in the principal amount of \$7,100,000 issued pursuant to this ordinance.

(C) "Bond Fund" means the "1984 General Obligation Bond Redemption Fund" created by Section 7 of this ordinance.

(D) "City" means the City of Wrangell, Alaska, a municipal corporation duly organized and existing under the laws of the State of Alaska.

(E) "Government Obligations" mean obligations of, or obligations insured or guaranteed by, the United States of America or its agencies or instrumentalities.

Section 2. Authorization of Bond. For the purpose of providing funds to pay part of the cost of acquiring, constructing and equipping the improvements as provided in Resolution No. 08-83-178 of the City, the City shall issue its fully registered general obligation bond in the principal amount of \$7,100,000.

The Bond shall be registered as to both principal and interest and shall be dated October 1, 1984, (or as of the date of delivery thereof, at the discretion of the City Manager).

The Bond shall be payable in principal installments on October 1 of each year as follows:

<u>Maturity Year</u>	<u>Principal Installment Due</u>
1985	\$ 115,000
1986	130,000
1987	145,000
1988	160,000
1989	175,000
1990	190,000
1991	215,000
1992	235,000
1993	260,000
1994	285,000
1995	315,000
1996	350,000
1997	390,000
1998	430,000
1999	475,000
2000	525,000
2001	580,000
2002	640,000
2003	705,000
2004	780,000

Such installments shall bear interest at a rate producing an effective rate not greater than 14% per annum, payable on April 1, 1985, and semiannually thereafter on the first days of October and April of each year from date of issue. 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.

Section 3. Redemption of the Bond. The City hereby reserves the right (subject to any applicable provisions of the agreement with the Authority described in Section 8 of this Ordinance) to

prepay any or all unpaid installments or portions thereof, of the Bond in inverse chronological order and in multiples of \$5,000, on October 1, 1994, or on any interest payment date thereafter, at par plus accrued interest to the date of prepayment.

Notice of any such intended prepayment shall be given by mailing notice thereof to the registered owner of the Bond 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. Form of Bond. The Bond and the Registration Certificate thereon shall be in substantially the following form:

UNITED STATES OF AMERICA

NO. R-1

\$7,100,000

STATE OF ALASKA

CITY OF WRANGELL

GENERAL OBLIGATION BOND, 1984

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

SEVEN MILLION AND ONE HUNDRED THOUSAND DOLLARS

in the following installments on October 1 of each of the following years, together with interest on such installments, payable April 1, 1985 and semiannually thereafter on the first days of October and April of each year from the date hereof until such installments have been paid, or such payment has been duly provided for, as follows:

<u>Maturity Year</u>	<u>Principal Installment Due</u>	<u>Interest Rate</u>
1985	\$ 115,000	
1986	130,000	
1987	145,000	
1988	160,000	
1989	175,000	
1990	190,000	
1991	215,000	
1992	235,000	
1993	260,000	
1994	285,000	
1995	315,000	
1996	350,000	
1997	390,000	
1998	430,000	
1999	475,000	
2000	525,000	
2001	580,000	
2002	640,000	
2003	705,000	
2004	780,000	

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 bond registration books of the City. 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 a loan agreement between the City and the Alaska Municipal Bond Bank Authority, dated _____, 1984) to prepay any or all unpaid installments, or portions thereof, in inverse chronological order and in multiples of \$5,000, on October 1, 1994, or on any interest payment date thereafter, at par plus accrued interest to the date of prepayment.

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, 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 acquiring,

constructing and installing certain capital improvements for the City.

This bond is payable, both principal and interest, out of the special fund of the City entitled the "1984 General Obligation Bond Redemption Fund" created by Ordinance _____ of the City 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 moneys of the City available for such purposes as the City 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 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, does not exceed any constitutional or statutory limitation.

IN WITNESS WHEREOF, the City of Wrangell, Alaska, has caused this bond to be signed by its Mayor, to be attested by its Clerk, and the official seal of the City to be impressed hereon, this _____ day of _____, 1984.

CITY OF WRANGELL, ALASKA

By /s/ manual signature
Mayor

Attest:

/s/ manual signature
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 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
_____	_____	_____
_____	_____	_____
_____	_____	_____

The Bond in fully registered form 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 has heretofore been created a special fund of the City known as the "School Facilities Construction Fund" into which shall be paid the sum of \$7,100,000 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 acquiring, constructing and installing the improvements specified in Resolution No. 08-83-178.

Said funds shall be drawn upon for paying the costs of acquiring, constructing and equipping the facilities described in Resolution No. 08-83-178, 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 1984 General Obligation Bond Redemption Fund hereinafter created for the uses and purposes herein provided.

Section 7. Bond Fund. There is hereby created a special fund of the City to be known as the "1984 General Obligation 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 the Bond in its annual budgets and further covenants that it will make annual levies of ad valorem taxes, for payment into such 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 the 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. Sale of Bond. The City Manager is 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. 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 Bond Fund securing the installments of the Bond so provided for, for the payment of the principal of and interest on such installments of the Bond, and, to the extent of such installments, 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 shall be deemed not to be outstanding hereunder.

Section 10. Transfer of Bond. The Bond 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 books of the City.

Section 11. 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 would cause the

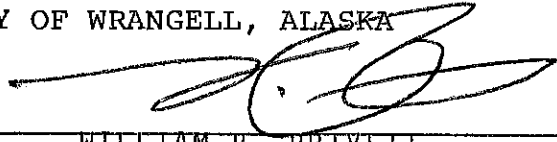
Bond to be an arbitrage bond within the meaning of Section 103(c) of the United States Internal Revenue Code of 1954, as amended, and applicable regulations thereunder.

Section 12. Effective Date. This ordinance shall take effect 30 days after its passage and publication as required by law.

PASSED by the Council of the City of Wrangell, Alaska, and approved by its Mayor at a regular meeting of said Council held this 11 day of SEPTEMBER, 1984.

CITY OF WRANGELL, ALASKA

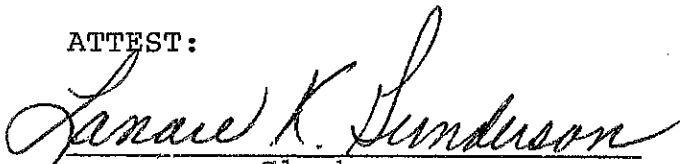
By



WILLIAM B. PRIVETT

Mayor

ATTEST:


Clerk

FIRST READING: AUGUST 28, 1984

SECOND READING AND PASSAGE DATE: SEPTEMBER 11, 1984

EFFECTIVE DATE: OCTOBER 11, 1984

CERTIFICATE

I, the undersigned, Clerk of the City of Wrangell, Alaska, (herein called the "City"), DO HEREBY CERTIFY:

1. That the attached Ordinance numbered 463 (herein called the "Ordinance") is a true and correct copy of an Ordinance of the City as finally passed at a meeting of City Council of the City held on the 11 day of SEPTEMBER, 1984, and duly recorded in my office.

2. That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such meeting was given; that a legal quorum was present throughout the meeting and a legally sufficient number of members of the City Council voted in the proper manner for the passage of the Ordinance; that all other requirements and proceedings incident to the proper passage of the Ordinance have been duly fulfilled, carried out and otherwise observed, and that I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City this 12 day of SEPTEMBER, 1984.


City Clerk

[CITY SEAL]

CITY OF WRANGELL, ALASKA

ORDINANCE No. 464

AN ORDINANCE OF THE CITY OF WRANGELL, ALASKA, AMENDING THE CITY LIQUOR LAWS, SPECIFICALLY CHAPTER 6.04 ENTITLED ALCOHOLIC BEVERAGES, TO PERMIT AN EXEMPTION FOR HOURS OF SALE, AND AMENDING SAID CHAPTER RELATING TO DRINKING AGE TO CONFORM TO ALASKA LAW.

WHEREAS, the Elks Lodge #1595 has an opportunity to host a mid-winter conference and the Elks have requested that the City amend its ordinances to permit the opening and use of licensed alcoholic beverage premises for meetings as well as breakfasts beginning at 8:00 a.m.;

WHEREAS, the present City ordinances prohibit any licensed alcoholic beverage establishment from being open prior to 10:00 a.m. of every day in the calendar year;

WHEREAS, pursuant to the provisions of Alaska law, A.S. 04.21.010, the City of Wrangell may adopt laws governing the barter, sale, and consumption of alcoholic beverages within the City, as necessary for the orderly conduct of such establishments;

WHEREAS, the City deems it in the best interest of the citizens of the City of Wrangell that its laws be amended to create a special permit system such that licensed alcoholic beverage establishments holding club licenses (as defined by Alaska law) may open between the hours of 8:00 o'clock a.m. and 10:00 o'clock a.m. of any calendar day in which a permit has been specifically issued therefor;

WHEREAS, the State of Alaska has, among other changes, changed the legal drinking age from 19 years of age to 21 years of age;

WHEREAS, the Council desires to amend its laws to conform with the State law;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL AS FOLLOWS:

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 hereof 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 (30) days after passage.

Sec. 4. Wrangell Municipal Code, subsections A & C of Section 6.04.100, Hours of Sale is amended to read as follows (as subsection B and other portions of Wrangell Municipal Code 6.04.100 are not repealed or amended, they are not set out herein):

6.04.100 Hours of Sale. A) Opening Hours. Such establishments and premises shall not be open prior to Ten a.m. of every day in the calendar year, except as may be permitted by Section 6.04.100(C) herein.

C. Opening Hours Extended. Upon application therefore, opening hours may be extended by special permit issued by the City Manager to permit licensed premises holding a club license (as defined by Alaska law) to open between the hours of 8:00 o'clock a.m. and 10:00 o'clock a.m. of any calendar day during those days when licensed premises may be otherwise open under Alaska law. The permit may be issued for only those days and the establishment may only be open for those days covered by the permit. Said special permit may be given only for special occasions in conjunction with a convention or similar activity.

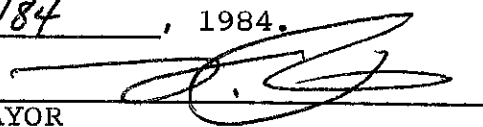
Sec. 5. Wrangell Municipal Code, Chapter 6.04 entitled Alcoholic Beverages is amended by repealing sections 6.04.020, 6.04.040, 6.04.050, 6.04.060, 6.04.070, 6.04.080, and 6.04.090.

Sec. 6. Wrangell Municipal Code, Section 6.04.130 Penalty for Violation is amended to read as follows:

6.04.130 Penalty for Violation. Violation of all sections of this chapter, [EXCEPTING SECTION 6.04.070,] shall constitute a misdemeanor punishable as generally provided in Chapter 1.20. [UPON CONVICTION OF VIOLATION OF SECTION 6.04.070, THE PERSON SHALL BE PUNISHED BY IMPOSITION OF A FINE NOT EXCEEDING THREE HUNDRED DOLLARS OR BY IMPRISONMENT NOT EXCEEDING THIRTY DAYS OR BY BOTH SUCH FINE AND IMPRISONMENT.]

PASSED IN FIRST READING 9/11/84, 1984.

PASSED IN SECOND READING 9/25/84, 1984.


MAYOR

ATTEST:

CITY CLERK

EAS/sr #31-022-137 EAS7Doc1

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 465

AN ORDINANCE OF THE CITY OF WRANGELL, ALASKA AMENDING WRANGELL MUNICIPAL CODE SECTION 15.12.190 DEALING WITH THE SURCHARGE FOR GENERATION OF ELECTRIC ENERGY WITH DIESEL, MORE SPECIFICALLY ELIMINATING THE SURCHARGE UNDER CERTAIN CONDITIONS AND DECLARING AN EMERGENCY.

WHEREAS, Wrangell Municipal Code Section 15.12.190 presently includes a fuel adjustment surcharge for rate payers with surcharges mandatory on all diesel electric generation for the base fuel rate reflected in the cost of diesel fuel exceeds ninety five cents per gallon; and

WHEREAS, it was recently necessary to obtain a fuel additive to permit diesel generation during winter months to prevent waxing, which fuel additive is not necessary for diesel electric generation in summer months; and

WHEREAS, the City of Wrangell has been and is currently being supplied electricity from the Tyee Hydroelectric facility, which except for unforeseen emergency conditions will continue through the winter months with the diesel generating capability acting as a reserve and to be used at such time as the Tyee Hydroelectric facility cannot deliver electrical energy to the City of Wrangell as a result of necessary maintenance, acts of God, unforeseen contingencies, or matters of an emergency nature; and

WHEREAS, the winter months are the most severe in terms of weather and possible emergency situations, which may knock Tyee Hydroelectric facility off line and make it immediately necessary to generate electric energy with diesel until repairs can be made to the Tyee Hydroelectric facility; and

WHEREAS, the Wrangell Municipal Code mandates a diesel fuel surcharge whenever the diesel fuel exceeds the base rate of ninety five cents per gallon and when diesel is used to generate electrical energy during the preceeding months; and

WHEREAS, the present and past desire and intent of the Council is to invoke the electrical surcharge when diesel fuel is used to generate electrical energy for time period longer than thirty days; and

WHEREAS, the Council has only one meeting scheduled for December, and an ordinance passed in the regular sequence of meetings would not be effective until approximately mid February, 1985.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, as follows:

Section 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.

Section 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 its application to other circumstances shall not be effected thereby.

Section 3. Effective Date. This ordinance shall be published as provided by law and shall be effective immediately on final passage.

Section 4. Wrangell Municipal Code Section 15.12.190 is amended by adding Subsection C to Section 15.12.190. Said Section to read in its entirety as follows:

15.12.190 Fuel Adjustment Charge

A. 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 to be used to generate electric energy during the month prior to the billing period. The base rate used to determine the surcharge is .073 per kilowatt hour effective with billings rendered on or after July 10, 1981.

B. The charge shall be calculated as follows:

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 ninety-five cents per gallon.

C. While the City of Wrangell is receiving electricity from Tyee Hydroelectric facility and the diesel generating units do not operate in excess of thirty successive days there shall be no fuel adjustment surcharge even though the cost of diesel fuel exceeds ninety-five cents per gallon.

Section 5. Emergency. In order that the Electric Ratepayers are not unduly burdened with the fuel surcharge and for those reasons recited above, it is necessary that this ordinance take effect upon the same day it is introduced. Accordingly, an emergency is declared to exist

affecting the welfare of the City and the ordinance shall go into effect immediately upon passage.

PASSED IN FIRST READING DECEMBER 12, 1984

PASSED IN SECOND READING DECEMBER 12, 1984



Mayor

ATTEST: Janice K. Sunderson
City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 466

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING WRANGELL MUNICIPAL CODE TITLE 6, CHAPTER 12, SPECIFICALLY REMOVING THE REQUIREMENT OF A LICENSE FOR SCHOOL DANCES.

NOW THEREFORE, 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 City Charter and ordinances and shall be effective thirty (30) days after final passage.

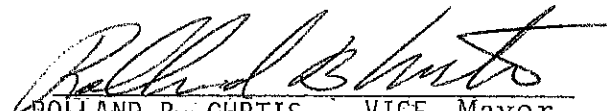
Sec. 4. Wrangell Municipal Code, Section 6.12.010 License - Required is amended to read as follows:

A. No person or organization shall hold a dance to which minors under eighteen years of age are admitted without first obtaining a license as provided in this chapter, except as set forth in (B) of this section.

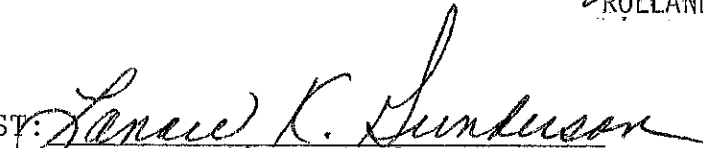
B. Dances held in the school facilities which have approval of the school administration and that have responsible adult chaperones approved by the school administration, shall not be required to obtain a license as provided in this chapter.

PASSED AND APPROVED JANUARY 8, 1985

PASSED AND APPROVED JANUARY 22, 1985


ROLLAND B. CURTIS, VICE-Mayor

ATTEST:


City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 467

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING WRANGELL MUNICIPAL CODE TITLE 5, CHAPTER 08, SALES TAX, SPECIFICALLY PROVIDING FOR A REFUND TO TOTALLY DISABLED PERSONS, TRANSFERRING CITY CLERK RESPONSIBILITIES TO THE DIRECTOR OF FINANCE, INCREASING THE AMOUNT OF REFUND AND PROVIDING FOR EFFECTIVE DATES.

NOW THEREFORE, 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 City Charter and ordinances and shall be effective thirty (30) days after final passage.

Sec. 4. Wrangell Municipal Code, subsection R of Section 5.08.050 Exemptions from Tax is amended to read as follows:

R. Gross receipts derived from services provided by day care centers and preschool facilities [.] ;

Sec. 5. Wrangell Municipal Code, Section 5.08.050 Exemptions from Tax is amended by adding a new subsection S, to read as follows:

S. Sales of Building and Construction supplies to a licensed contractor for use in construction of projects under contract with the United States Government, State of Alaska, City of Wrangell or any of its political subdivisions.

Sec. 6. Wrangell Municipal Code, Section 5.08.060 Refund for senior citizens is amended to read as follows:

A. A person sixty-five years of age or older, or a person that is declared in writing to be totally disabled by the Social Security Administration may obtain from the [CITY CLERK] Director of Finance an application for refund of sales tax.

B. 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.

2. An applicant may file for a refund in an amount not to exceed twenty dollars per month or, if residing in a long-term care facility, in an amount not to exceed ten dollars per month. Effective July 1, 1985, the refund shall not exceed twenty-five dollars per month, or if residing in a long-term care facility, in an amount not to exceed twelve dollars and fifty cents per month.

C. 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] Director of Finance. Applications shall be submitted to the [CITY CLERK] Director of Finance 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 semiannually or annually, as follows:

1. January through June, application must be filed no later than July 31st;
2. July through December, application must be filed no later than January 31st.
3. January through December, application must be filed no later than January 31st.

D. An applicant shall be required to provide proof of age with the first filing.

E. An applicant that is absent from the city for more than fifteen days of any month shall not be eligible for a refund for that month.

F. A late application shall be given consideration only upon showing good cause for such delinquency, which must be approved by the city council.

G. An application filed with the [CITY CLERK] Director of Finance which is denied may be appealed to the city council. The city council's decision shall be final.

H. This section is intended to relieve the financial burden of taxes for persons sixty-five years of age or older, or persons recognized as totally disabled by the Social Security Administration.

I. 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 Chapter 1.20 of this code and shall not be entitled to a refund for the calendar year in which the information is falsified.

Sec. 7. Wrangell Municipal Code, Subsection A of Section 5.08.080 Duty to Collect and Make Return is amended to read as follows:

A. The tax is 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] Director of Finance as stated in this chapter.

Sec. 8. Wrangell Municipal Code Section 5.08.090 Quarterly Returns is amended to read as follows:

A. The [CITY CLERK] Director of Finance shall provide appropriate forms for the use of taxpayers in making returns of the taxes payable under this chapter; however, the [CITY CLERK'S] Director of Finance's failure to mail said forms or provide notice of delinquency or prospective delinquency shall not be a waiver of the duty of the retailer or person furnishing said services to collect and remit the appropriate tax.

B. Every person, firm or corporation making such sales or supplying such services as are taxable under this chapter shall furnish the [CITY CLERK] Director of Finance with a return containing such information as is necessary to fill in or complete the forms supplied by the [CITY CLERK] Director of Finance, 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 under this chapter and the tax due and payable for such quarter.

C. 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] Director of Finance by 5:00 p.m. on the last day of the month after the preceding calendar quarter. Forms and tax remitted through the U.S. Postal Service shall be postmarked no later than the last day of the 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. 9. Wrangell Municipal Code Section 5.08.100 Penalty and Interest is amended to read as follows:

In the event a return is not made or the appropriate tax not paid within [THIRTY DAYS] one month following the reporting quarter, such failure is presumed wilful, and, regardless of wilfull or inadvertent, a penalty of five percent 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 shall be added for each additional month of delinquency or fraction thereof, until the total penalty of fifteen percent has accrued. Interest at the rate of six percent per year 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. 10. Wrangell Municipal Code Section 5.08.120 Payment to clerk is amended to read as follows:

5.08.120 Payment to [CLERK] Director of Finance.
The taxes imposed under this chapter shall be paid to
and collected by the [CITY CLERK] Director of Finance,
shall be deposited in special accounts and withdrawn there-
from only for the purposes mentioned in Section 5.08.070.

Sec. 11. Wrangell Municipal Code Section 5.08.140
Discrepancies in returns--Investigation--Collection procedure
is amended to read as follows:

A. If the sales tax inspector should find discrepancies
in favor of the city between the sales reported to the
[CITY CLERK] Director of Finance and the sales which appear
to have been made by the taxpayer, it shall be the duty of
the [CITY CLERK] Director of Finance to demand that the
taxpayer forthwith make an amended return showing the correct
amount of sales made and services performed for each month
for which the discrepancy appears and to pay the taxes due
the city.

B. Unless a taxpayer upon whom such demand is made
makes such returns and pays the taxes due the city within
five days from the date of the demand by the [CITY CLERK]
Director of Finance, the [CLERK] Director of Finance shall
report the facts in full to the council.

C. The [CLERK] Director of Finance shall keep confidential
all facts which he has learned as a result of such investi-
gations until such time as the same are reported to the city
council.

D. In the event of a dispute between the taxpayer and
the [CITY CLERK] Director of Finance as to the amount of tax
due, the taxpayer may, within five days of the demand made
upon him for the filing of amended returns and the payment
of such taxes, demand a hearing before the city council
on his tax liability. In such event the city council shall
notify the taxpayer of the time and place at which such
hearing will be held. The city council shall, after receiving
a report from the [CITY CLERK] Director of Finance of
delinquent taxes and after affording an opportunity for such
hearing in case the taxpayer demands the same, take such
action at law as is necessary to collect any taxes which the
city council shall find to be delinquent, including penalties
and interest.

PASSED AND APPROVED: _____ JANUARY 8 _____, 1985

PASSED AND APPROVED: _____ JANUARY 22 _____, 1985


ROLLAND B. CURTIS, VICE--Mayor

ATTEST 
City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 468

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF WRANGELL BY REZONING PROPERTY HEREINAFTER DESCRIBED FROM RURAL RESIDENTIAL I TO RURAL RESIDENTIAL II.

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 Rural Residential I to Rural Residential II.

Sec. 5. Property Rezoned. The property hereinafter described is hereby rezoned from Rural Residential I to Rural Residential II.

USS No. 2321

North 200 ft. of tract ("J") South 100 ft. of tract ("I")
Wrangell, Alaska in the Recording District of Ketchikan,
State of Alaska.

PARCEL ONE. "That portion of Tract J-1A, U.S.S. 2321, Subdivision Survey, by the following metes and bounds: Commencing at the Northeast corner of said parcel, marked by a recovered brass cap, thence S. 14 degrees 58' E a distance of 201.96 feet, thence N. 66 degrees 23' 34" E a distance of 243.51 feet, thence N. 15 degrees 10' 00" W a distance of 101.10 feet, thence continuing N. 15 degrees 10' 00" until this boundary intersects the platted boundary running N. 65 degrees 54' E, thence N. 65 degrees 54' E to the original brass marker at the northeast corner of said parcel;" and

PARCEL TWO. "That portion of Tract I, Lot 10, U.S.S. 2321, by the following metes and bounds: Commencing at the Northeast corner of said parcel, thence S. 68 degrees 43' W a distance of 257.16 feet, thence at a 90 degree

angle in a Southerly direction until this boundary intersects the boundary at S. 65 degrees 54' W, thence S. 65 degrees 54' W until this boundary intersects the boundary at S. 26 degrees 33' E, thence S. 26 degrees 33' E a distance of 80 feet to the point of origin at the Northeast corner."

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: JANUARY 8, 1985

PASSED IN SECOND READING: JANUARY 22, 1985


ROLLAND B. CURTIS, VICE-Mayor

ATTEST: 
City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 469

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF WRANGELL BY REZONING PROPERTY HEREINAFTER DESCRIBED FROM OPEN SPACE TO RURAL RESIDENTIAL I.

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 Open Space to Rural Residential I.

Sec. 5. Property Rezoned. The property hereinafter described is hereby rezoned from Open Space to Rural Residential I.

All of Alaska Land Survey 83-8; Lots 24 through 42, Block 2, ALS 83-7, and Lots 6 through 17, Block 7 ALS 83-7, LADS -0359-84-3-2.

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: JANUARY 8, 1985

PASSED IN SECOND READING: JANUARY 22, 1985


ROLLAND B. CURTIS, VICE Mayor

ATTEST: 
City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 470

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL AMENDING WRANGELL MUNICIPAL CODE TITLE 5, PROPERTY TAX, SPECIFICALLY AMENDING THE TAX DIFFERENTIAL ZONES AND DESIGNATION BY ZONES ACCORDING TO SERVICES PROVIDED.

WHEREAS, the Wrangell City Council has reviewed the tax differential zones and the services designated and provided for each zone as required by Wrangell Municipal Code 5.04.320; and

WHEREAS, the Council has considered the level of services provided to each zone and whether the services are supported by property tax or by user fees; and

WHEREAS, the Council has determined that properties that are not serviced by the municipal water system and/or are located several miles from the fire department consequently receive a lower level of fire protection and pay a higher rate of fire insurance; and

WHEREAS, the Council has determined that property that does not have public road access does not receive the same level of general services as provided to property that has public road access.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL:

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 City Charter and ordinances and shall be effective thirty (30) days after final passage.

Sec. 4. Purpose. The intent of this ordinance is to comply with Sec. 5.04.320 of the Wrangell Municipal Code prescribing that the Council shall annually establish differential taxation zones for assessment purposes.

Sec. 5. Wrangell Municipal Code, Section 5.04.310 is hereby repealed and reenacted to read as follows:

5.04.310 Differential taxation zones--Defined.

A. Tax differential zone 1 includes Blocks 8, 9, 10, 11, and 12 of ASLS #83-8, and Blocks 13 and 14 of ASLS #83-8.

B. Tax differential zone 2 includes Lots 6 through 17 of Block 7, ASLS #83-7, and Lots 24 through 42 of Block 2, ASLS #83-7, and all taxable property not defined in Tax Differential Zones 1, 3, and 4.

C. Tax differential zone 3 includes USS 3398, USS 2967, USS 2968, USS 2969, taxable parts of USS 3709 bordering Zimovia Highway and North of USS 3398, USS 2922, USS 2921, USS 3000, USS 3534, USS 2589, USS 2900, ATS 604, ATS 973, Blocks 1 and 2 within Lot 3 of USS 3709, USS 3403, USS 2906, all of Lot 2 of USS 3709, USS 2905, USS 3701, USS 2904, and all of USS 2321 except Lots C-1, B-3, B-2, B-1, Tract A-2, Tract A-1, and also includes the airport areas described by USS 2096, ADM USS 9, ATS 651, USS 3753, and USS 3705.

D. Tax differential zone 4 includes Lots C-1, B-3, B-2, B-1, and Tracts A-2, and A-1 of USS 2321, USS 3402, USS 1336, USS 3010, USS 1518, USS 3823, USS 125, USS 1593, USS 1240, USS 1948, USS 2127, ATS 243 and ATS 83, USS 1119 and USS 1815.

Sec. 6. Wrangell Municipal Code, Section 5.04.320 (B) is hereby repealed and reenacted to read as follows:

B. The differential taxation zones defined in 5.04.310 shall be designated according to services provided, as follows:

1. Zone 1. For property provided the general services, comprised primarily of hospital facilities, library facilities, fire protection, police protection, senior citizen's center, educational facilities, streets and roads, planning and zoning and general local government administration, but do not have access to these general services by a road system, ten percent of the established mill levy shall apply.

2. Zone 2. 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, but is located more than 9.5 miles from the fire station, forty percent of the established mill levy shall apply.

3. Zone 3. For property provided with Zone 2 services above that is located less than 9.5 miles from the fire station, seventy-five percent of the established mill levy shall apply.

4. Zone 4. For property provided with Zone 3 services above, and with municipal water service, one hundred percent of the established mill levy shall apply.

PASSED IN FIRST READING: FEBRUARY 12, 1985

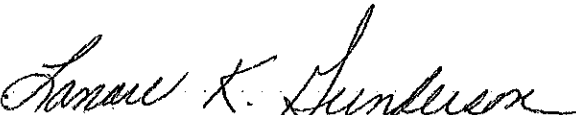
PASSED IN SECOND READING: February 26, 1985



Mayor

William B. Privett

ATTEST



City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 471

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF WRANGELL BY REZONING PROPERTY HEREINAFTER DESCRIBED FROM RURAL RESIDENTIAL I AND II TO SINGLE FAMILY RESIDENTIAL.

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 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 76, Title 20 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 Rural Residential I and Rural Residential II to Single Family Residential.

Sec. 5. Property Rezoned. The property hereinafter described is hereby rezoned from Rural Residential I and Rural Residential II to Single Family Residential.

USS No. 1593, Wrangell Townsite, situated in the City of Wrangell, First Judicial District, Wrangell Recording District, Block 3, Lots 1, 4, 5A, 6A, 6C, 8, 10 and ATS 243 from Rural Residential I to Single Family Residential;

and,

USS No. 1593, Wrangell Townsite, situated in the City of Wrangell, First Judicial District, Wrangell Recording District, Block 3, Lots 2, 3, 5B, 7A, 7B and Lot 9 from Rural Residential II to Single Family Residential.

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: FEBRUARY 12, 1985

PASSED IN SECOND READING: FEBRUARY 26, 1985



William B. Privett MAYOR

ATTEST:



CITY CLERK

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 472

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF WRANGELL BY REZONING PROPERTY HEREINAFTER DESCRIBED FROM SINGLE FAMILY RESIDENTIAL TO COMMERCIAL PURSUANT TO A CONTRACT ZONING AGREEMENT FOR THE OPERATION OF A SEAFOOD PROCESSING PLANT.

RECITAELS

M. RONALD SCHMITZ and LINDA M. SCHMITZ have applied for rezoning of certain property in the City of Wrangell, located within Lot 12, Block 83, of the Wrangell Townsite. Said application for rezoning having been properly reviewed by the Planning and Zoning Commission, and by the Council;

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

Sec. 1. Classification. This ordinance is not 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 its application to other 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 the Council. The procedure set forth in Chapter 20.76 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 shall be rezoned from Single Family Residential to Commercial Contract District, for the operation of a Seafood Processing Plant

Sec. 5. Property Zoned. The property hereinafter described is hereby contract rezoned from Single Family Residential District to a Commercial Contract District, generally involving operation of a Seafood Processing Plant as more particularly set out in the contract zoning agreement attached hereto and incorporated herein by reference. 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. The property governed by this ordinance is described as follows:

A portion of Lot 12 of Block 83, USS 1119, consisting of approximately the southwest 1/3 of said lot, as said 1/3 portion is more particularly described and identified as Lot 12-3 on Exhibit "A" attached hereto, which exhibit is taken from page 27 of the Wrangell Assessor's maps (Phase 2) dated 1976.

Said Lot 12, Block 83 is in the process of being subdivided by plat and said plat when approved and filed shall include metes and bounds description of lot 12-3 and the plat of said Lot 12-3 shall be substituted for Exhibit "A".

Sec. 6. Authority for Contract Zoning Agreement. The Mayor and the Clerk are hereby authorized to execute the contract zoning agreement which is attached hereto and incorporated herein by reference.

PASSED IN FIRST READING: APRIL 17, _____, 1985

PASSED IN SECOND READING: APRIL 23 _____, 1985



William B. Privett, Mayor

ATTEST:



Lanore K. Gunderson, City Clerk

CONTRACT ZONING AGREEMENT

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

THIS AGREEMENT, is made this 24 day of APRIL, 1985, between M. RONALD SCHMITZ and LINDA M. SCHMITZ, referred to herein as "Schmitzs", whose address is Post Office Box 47, Wrangell, Alaska 99929, and the CITY OF WRANGELL, referred to herein as "City" whose address is Post Office Box 531, Wrangell, Alaska 99929.

The parties to this agreement, in consideration of the mutual covenants and promises contained herein, agree as follows:

RECITALS

1. Schmitzs are the owners of the following described real property, to wit:

A portion of Lot 12, of Block 83, USS 1119 consisting of approximately the southwest 1/3 of said lot, as said 1/3 portion is more particularly described and identified as Lot 12-3 on Exhibit "A" attached hereto, which exhibit is taken from page 27 of the Wrangell Assessor's maps (Phase 2) dated 1976.

Said Lot 12, Block 83 is in the process of being subdivided by plat and said plat when approved and filed shall include metes and bounds description of Lot 12-3 and the plat of said Lot 12-3 shall be substituted for Exhibit "A".

2. The above-described real property is presently zoned Single Family Residential and Schmitzs desire a rezoning of said property to commercial, limited to the operation of a seafood processing plant, as more specifically set out in this contract zoning agreement.

3. Schmitzs desire to develop said real property for the operation of a seafood processing plant.

4. Schmitzs have petitioned to rezone the above described real property to commercial use as set forth in Chapter 20.44 of the Wrangell Municipal Code.

COVENANTS

1
2 5. The parties hereto agree that the real property
3 described in paragraph 1 above shall be rezoned for a period of
4 twenty (20) years from the effective date of the ordinance.
5 rezoning said property to commercial uses subject to the
6 condition that Schmitzs further develop the property only for
7 the operation of a seafood processing plant.

8 6. Schmitzs agree that the real property subject to
9 this agreement shall be used only for the operation of a seafood
10 processing plant, and for uses clearly and directly incidental
11 thereto, in addition to those uses permitted in the existing
12 Single Family Residential District.

13 7. The parties hereto agree that the real property
14 described above is zoned as stated herein only so long as the
15 property is used for the operation of a seafood processing
16 plant. Should said property cease to be so used for a period of
17 more than eighteen (18) months, the classification of said
18 property shall revert to Single Family Residential District.
19 In such event, all structures not permitted in the Single
20 Family Residential District shall be removed within ninety (90)
21 days of said cessation of use.

22 8. The parties hereto agree that should the real
23 property subject to this agreement be zoned commercial or any
24 other zoning classification which permits use of the property
25 for a seafood processing plant, then the provisions of this
26 agreement restricting said property use shall be null and void.
27 It is further agreed that should any petition or application
28 be filed by Schmitzs, singly or jointly with one or more
29 adjoining property owners, to rezone the real property
30 described above, no weight shall be given to the provisions
31 of this agreement in considering such petition.
32

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

9. The parties additionally agree that limitations will be and hereby are placed upon commercial use of the above-described property as follows:

a) The seafood processing shall be limited to the purchase of shrimp with heads off, rinsing, packaging and freezing for shipment to markets outside Wrangell city limits or to local retail outlets, except as set forth in (b) of this section.

b) This operation is represented to be a wholesale business. The retail sale of shrimp at the subject property is limited to occasional sales at the plant by appointment. These restrictions are intended to prevent increased traffic.

c) Setback standards applicable to the subject property shall continue to be those required generally of property within Single Family Residential Districts.

d) Lot coverage for the subject property shall not exceed thirty five (35%) percent.

e) A minimum of three (3) off-street parking spaces and one (1) loading and unloading space shall be provided and maintained on the subject property.

f) The operation of the seafood processing plant shall be done in such a manner as to not create loud or obnoxious noises or odors.

g) The owners or persons in control of the subject property shall maintain all required seafood processing permits and licenses.

h) The business conducted on the subject property shall be limited to no more than five (5) persons working at any given time.

i) No conditional or accessory uses of the subject

1 in effect.

2 j) All zoning and building requirements and
3 regulations applicable to commercial districts shall have
4 full force and effect regarding the subject property to
5 the extent that such are consistent with this agreement.
6 Those that are more restrictive than this agreement shall
7 take precedent.

8 k) The Schmitzs have specifically represented and
9 hereby agree and reaffirm that:

10 This will be a small volume high
11 quality product. The character of the
12 neighborhood will not be changed. The
13 building is architecturally compatible
14 with the surrounding residential area
15 and the entire process will take place
16 inside the building. This project will
17 not generate unreasonable amounts of
18 traffic or create a nuisance of any kind.
19 This is going to be a small scale business.
20 The only construction involved will be
21 finishing the interior of the building
22 to meet State and Federal regulations
23 as they apply to processing food.

24 ADMINISTRATION AND ENFORCEMENT

25 10. The remedies provided for herein shall be in addition
26 to those remedies provided for the administration and
27 enforcement of planning and zoning laws by the State of Alaska,
28 the Charter of the City of Wrangell, the ordinances of the City
29 of Wrangell, or the rules and regulations promulgated and
30 adopted thereby.

31 a) Refuse, as used herein, shall mean all waste
32 material, which, if thrown or deposited or left to remain
on the above-described property or any surrounding
property, tends to create a danger to public health,
safety or welfare. Refuse shall include any putrescible
animal or vegetable waste. Refuse shall further include
all putrescible and nonputrescible solid wastes including
garbage and any industrial wastes. Refuse shall further

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

include non-putrescible solid wastes such as paper, wrapping, cardboard, tin cans, wood, glass and similar materials.

b) The owners or persons in control of the above described property shall at all times maintain the premises and any surrounding property free of refuse. Provided, however, that this section shall not prohibit the reasonable storage of refuse in authorized receptacles for collection.

c) For a violation of paragraph 10(b) above by Schmitzs, the City Manager or a designated representative of the City Manager is hereby authorized and empowered to notify Schmitzs of any violation thereof, and to further advise Schmitzs to properly dispose of said refuse located on said property or accomplish any act as required. Such notice shall be by registered mail, addressed to Schmitzs at their last known address.

1) Upon the failure, neglect, or refusal of Schmitzs or their agents to comply with any authorized notice or order of the City Manager within ten (10) days of receipt thereof, or within twenty (20) days after the date of such notice or order in the event that such is returned because of an inability to have delivery made, provided that same was properly addressed and posted, the City Manager or a designated representative of the City Manager is hereby authorized and empowered to have any refuse subject to the notice or order removed.

d) When the City has accomplished the removal of said refuse, has paid for said removal or otherwise required compliance with this agreement, the actual cost thereof plus accrued interest at the rate of twelve (12)

1 percent per annum from the date of the removal, if not
2 paid by the property owners prior thereto, shall be
3 charged to such owners on the next monthly bill forwarded
4 to said owners by the City and said charge shall be due
5 and payable by owners within thirty (30) days of the date
6 of said bill.

7 1) Where the full amount due the City is not
8 paid by owners within ninety (90) days after the
9 disposal of said refuse or the required compliance,
10 as provided for above, then and in that case, the
11 City Manager or a designated representative of the
12 City Manager shall cause to be recorded in the
13 Wrangell Recording District a sworn statement showing
14 the cost and the expense incurred for such work, the
15 date the work was performed, and the location of the
16 property where the work was performed. The
17 recordation of such a sworn statement shall
18 constitute a lien on the property and shall remain in
19 full force and effect for the amount due in principal
20 and interest, plus court costs and all reasonable
21 attorney fees, if any, for collection until final
22 payment has been made. Said expenses shall be
23 collected in the manner fixed by law for the
24 collection of taxes. Sworn statements recorded in
25 accord with the provisions hereof shall be prima
26 facie evidence that all legal formalities have been
27 complied with, and that the work has been properly
28 and satisfactorily done and shall constitute full
29 notice to every person concerned that the amount
30 stated in such statement, plus interest, costs and
31 fees, if any, constitutes a charge against the
32

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

property designated or described in the statement and that the same is due and collectable as provided by law.

11. As an additional remedy and/or enforcement device, and not by way of limitation of any other right or remedy which may be available to the City, in the event that the Schmitzs or any of their agents, successors or employees, violate any of the agreements, covenants or conditions of this contract, the City shall be entitled to terminate this agreement, provided that the City shall give Schmitzs at least thirty (30) days written notice specifying the particulars of any claimed violation. If at the end of such thirty (30) day period, Schmitzs have not remedied the cause of any claimed violation, then this contract shall be terminated and the provisions of paragraph 8 above shall apply. It is specifically agreed that enforcement by termination shall be available to the City against Schmitzs during any period when the property has ceased to be used as required herein, or for any other period provided herein.

12. Schmitzs shall be required to comply with all applicable Federal, State and local laws, rules and regulations and nothing shall be construed herein to be authorized that would otherwise be precluded by any applicable law.

13. This agreement shall be binding upon all of the heirs, successors, assigns, transferees of the parties hereto, whether any transfer, assignment, or conveyance occurs by operation of law or otherwise.

14. In case suit or action is instituted to enforce this agreement, the defaulting party, in addition to all court costs incurred in connection with such proceeding, shall pay the reasonable attorney fees of the non-defaulting party associated therewith

1 IN WITNESS WHEREOF, the parties have executed this
2 agreement the day and year first above written.

3
4 M. Ronald Schmitz
M. Ronald Schmitz

5
6 Linda M. Schmitz
Linda M. Schmitz

7
8 CITY OF WRANGELL

9 By [Signature]
Mayor

10
11 By Lanore K. Gunderson
12 City Clerk

13 STATE OF ALASKA)
14 FIRST JUDICIAL DISTRICT) ss:

15 THIS IS TO CERTIFY that on this 24 day of April (APRIL)
16 1985, before me, a Notary Public in and for the State of Alaska,
17 duly commissioned and sworn, personally appeared M. RONALD
18 SCHMITZ and LINDA M. SCHMITZ, to me known to be the persons
19 described in and who executed the above and foregoing
instrument, and they acknowledged to me that they signed and
sealed the same freely and voluntarily for the uses and
purposes therein mentioned.

20 WITNESS my hand and official seal the day and year in
this certificate first herein written.

21 Lanore K. Gunderson
22 Notary Public for Alaska
My commission expires: 8/7-8/86

23 STATE OF ALASKA)
24 FIRST JUDICIAL DISTRICT) ss:

25 THIS IS TO CERTIFY that on this 24 day of April,
26 1985, before me, a Notary Public in and for the State of Alaska,
27 duly commissioned and sworn, personally appeared WILLIAM B.
28 PRIVETT and Lanore K. Gunderson, to me known to be the Mayor
29 and City Clerk, respectively, of the City of Wrangell,
Alaska, and as a free and voluntary act and deed of said City,
for the uses and purposes therein mentioned, and that the seal
affixed to this instrument is the corporate seal of the City of
Wrangell, Alaska.

30 IN WITNESS WHEREOF, I have hereunto set my hand and
seal the day and year first herein written.

31 Christie S. Daley
32 Notary Public for Alaska



CITY OF WRANGELL, ALASKA

Ordinance No. 473

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA AMENDING TITLE 15, CHAPTER 12, ELECTRICAL CODE, SPECIFICALLY PROVIDING FOR A TEN PERCENT (10%) REDUCTION IN ELECTRICAL RATES AND ADJUSTING THE FUEL ADJUSTMENT CHARGE TO REFLECT THE DECLINING COST OF DIESEL FUEL.

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 (30) days after final passage and the rates herein will first be reflected on the utility statement mailed the end of July, 1985.

Sec. 4. Providing for a Public Hearing. A public hearing shall be held with notice thereof fifteen days prior to said public hearing.

Sec. 5. Wrangell Municipal Code, Section 15.12.190 Fuel adjustment charge, is hereby amended to read as follows:

A. 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 to be used to generate electric energy during the month prior to the billing period. The base rate used to determine the surcharge is [.073] .062 per kilowatt hour effective with billings rendered on or after July 10, [1981] 1985.

B. 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 [NINETY-FIVE] eighty cents per gallon

C. While the city is receiving electricity from Tye hydroelectric facility and the diesel generating units do not operate in excess of thirty successive days there shall be no fuel adjustment surcharge even though the cost of diesel fuel exceeds [NINETY-FIVE] eighty cents per gallon.

Sec. 6. Wrangell Municipal Code, Section 15.12.200 Meter rates--Residential Service (Schedule A), (B) is hereby amended to read as follows:

B. Rate.

	<u>SCHEDULE A</u>
Customer charge	[\$9.00] \$8.10 per month
Energy charge	all kWh at [13.7¢] <u>12.3¢</u> per kWh.

Sec. 7. Wrangell Municipal Code, Section 15.12.210 Meter rates--Small Commercial service (Schedule B), (C) is hereby amended to read as follows:

C. Rate.

	<u>SCHEDULE B</u>
Customer charge	[\$15.00] \$13.50 per month
Energy charge	all kWh at [12.5¢] <u>11.3¢</u> per kWh.

Sec. 8. Wrangell Municipal Code, Section 15.12.215 Meter rates--Large Commercial service (Schedule C), (D) is hereby amended to read as follows:

D. Rate.

	<u>SCHEDULE C</u>
Customer charge	[\$15.00] \$13.50 per month
Energy charge	all kWh at [9.3¢] <u>8.4¢</u> per kWh.

Sec. 9. Wrangell Municipal Code, Section 15.12.220 Meter rates--Industrial service (Schedule D), (D), is hereby amended to read as follows:

D. Rate.

	<u>SCHEDULE D</u>
Customer charge	[\$25.00] \$22.50 per month
Energy charge	all kWh at [10.25¢] <u>9.2¢</u> per kWh.


Sec. 10. Wrangell Municipal Code, Section 15.12.230 Shore service for boats, (C) is hereby amended to read as follows:

C. 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 twenty ampere fuse as follows:

20-amp fuse [\\$31.77] \\$28.59 per month

PASSED IN FIRST READING: April 23, 1985

PASSED IN SECOND READING: May 14, 1985



Mayor

ATTEST: Ivanette Vincent
Acting City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 474

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING THE MUNICIPAL CODE TO PROVIDE FOR STREET AND SIDEWALK VENDING.

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

Sec. 1. Classification. This ordinance is an ordinance 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 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. The Wrangell Municipal Code is hereby amended by adding a new chapter as follows:

Chapter 6.10

STREET AND SIDEWALK VENDING

Sections:

- 6.10.010 Street and Sidewalk Vending - Permit Required
- 6.10.020 Street and Sidewalk Vending Permit
- 6.10.030 Exemptions

6.10.010 Street and Sidewalk Vending - Permit Required.

A. No person may engage in the business of vending food on any street or sidewalk, except as authorized by a valid street and sidewalk vending permit, issued pursuant to Section 6.10.020, or as provided in Section 6.10.030.

B. Permits are required for each calendar year and are valid for operations from May 1 through September 30.

C. No more than ten (10) permits may be issued and valid for vending during any calendar year.

6.10.020 Street and Sidewalk Vending Permit.

A. Applications to vend on a street or sidewalk will be accepted by the Finance Director, or his designee, beginning January 1 of each calendar year, in such form as he may prescribe. Permits shall be issued on a first-come, first served basis. Applications shall be accompanied by a non-refundable filing fee of \$25.00. Upon issuance of a permit, the permittee shall pay a permit fee of \$50.00 per month for each month or fraction thereof of the permit period applied for, payable on the first day of each month of the permit period. The application shall include a description of any vending cart or vending vehicle used in the business.

B. Each permittee must obtain at least \$500,000 of public liability insurance naming the City as an additional insured. Prior to beginning operation, a permittee must provide the City with a broker's Certificate of Insurance including provisions for notification to the City if the policy is modified, canceled or terminated.

C. A vehicle from which vending takes place is subject to parking and traffic regulations applicable to all other vehicles.

D. Vending carts may be located on public street parking spaces, provided that the size, location and operation of the cart will not create a safety hazard.

E. Vending carts may be located on public sidewalks, provided that (1) the vending cart does not cause significant disruption of pedestrian traffic; (2) the vending cart does not block the view by pedestrians of advertising on a building or of goods displayed in a window of a business, unless the owner of the vending cart has obtained the permission of the affected business; or (3) the size, location and operation of the vending cart will not create a safety hazard.

F. A vending cart may not exceed fifteen (15) square feet in plan area as measured squaring of all projections such as handles, wheels and shelves. An umbrella or awning may be added, but its open diameter or length shall not interfere with the safe and convenient use of public sidewalks by pedestrians.

G. A vending cart shall be of such size and nature or so equipped that it may be moved quickly and easily by one person.

H. The permittee or his designee shall personally attend the vending cart while it is on a street or sidewalk.

I. The permit issued under this section shall be prominently displayed on the cart whenever the cart is on a street or sidewalk and shall be prominently displayed on any vehicle during the times the vehicle is used for vending.

J. The permittee shall obtain and display as necessary all permits and licenses required by the State of Alaska.

K. Permittee must maintain the areas of operation in a neat and sanitary condition at all times.

L. A permittee, agent, employee or designee may not engage in verbal advertisement, i.e., hawking, while vending on a street or sidewalk.

M. Vending permits may not be assigned or transferred.

N. Vending permits may be denied or revoked by the Finance Director, or in the absence of the Finance Director, by the City Clerk, for violation of this section or upon the determination that the operation of the permittee is causing a safety hazard or a significant disruption of pedestrian or vehicular traffic. The permittee shall be given an opportunity to be heard by the Finance Director or in the absence of the Finance Director, by the City Clerk, before any denial or revocation. A person whose permit is denied or revoked by the Finance Director or in the absence of the Finance Director, by the City Clerk, may appeal to the City Manager.

6.10.030 Exemptions. A. A permit is not required for occasional sidewalk vending by charitable and/or non-profit organizations, such as 4th of July Queen Candidates, softball teams and school activities. This section does not exempt charitable and/or non-profit organizations from obtaining permits and licenses required by the State.

B. A charitable and/or non-profit organization shall be required to vend in such a manner as to not interfere with the safe and convenient use of public sidewalks by pedestrians.

Sec. 5. Wrangell Municipal Code Section 13.04.020 Merchandise, is hereby amended to read as follows:

It is unlawful for any person, firm or corporation to place upon or permit to be placed upon the sidewalks, parkways, streets, and alleys of the city goods, wares, articles of merchandise, or any other obstruction, and leave same thereon; or to use same as a place to carry on a business or trade, except as provided in Chapter 6.10.

PASSED IN FIRST READING: _____ April 23 _____, 1985

PASSED IN SECOND READING: _____ May 14 _____, 1985



Mayor

ATTEST: Francette Vincent
Acting City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 475

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF WRANGELL BY REZONING PROPERTY HEREINAFTER DESCRIBED FROM FUTURE DEVELOPMENT TO COMMERCIAL PURSUANT TO A CONTRACT ZONING AGREEMENT FOR THE OPERATION OF A SEAFOOD PROCESSING PLANT.

RECITALS

ORDIN PHILLIPS and NADINE PHILLIPS have applied for rezoning of certain property in the City of Wrangell, located in A.T.S.1114, of the Wrangell Townsite. Said application for rezoning having been properly reviewed by the Planning and Zoning Commission, and by the Council;

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

Sec. 1. Classification. This ordinance is not 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 its application to other 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 the Council. The procedure set forth in Chapter 20.76 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 shall be rezoned from Future Development to Commercial Contract District, for the operation of a Seafood Processing Plant.

Sec. 5. Property Zoned. The property hereinafter described is hereby contract rezoned from Future Development District to Commercial Contract District, generally involving operation of a Seafood Processing Plant as more particularly set out in the Contract Zoning Agreement attached hereto and incorporated herein by reference. 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. The property governed by this ordinance is described as follows:

TRACT A Subdivision of A.T.S. 1114
Within Protracted Sec. 25, T.62S,
R.83E., C.R.M.

Sec. 6. Authority for Contract Zoning Agreement. The Mayor and the Clerk are hereby authorized to execute the contract zoning agreement which is attached hereto and incorporated herein by reference.

PASSED IN FIRST READING: MAY 8 , 1985

PASSED IN SECOND READING: MAY 28 , 1985



Vice Mayor Roland B. Curtis

ATTEST:



Lanore K. Gunderson, City Clerk

CONTRACT ZONING AGREEMENT

1
2 THIS AGREEMENT, is made this 5th day of JUNE,
3 1985, between Ordin Phillips and Nadine Phillips, referred to
4 herein as "Phillipps'", whose address is Post Office Box 492,
5 Wrangell, Alaska 99929, and the CITY OF WRANGELL, referred to
6 herein as "City", whose address is Post Office Box 531, Wrangell,
7 Alaska 99929.

8
9 The parties to this agreement, in consideration of the
10 mutual covenants and promises contained herein, agree as
11 follows:

12 RECITALS

13 1. Phillipps' are the Lessees of the following described
14 real property, to wit:

15 Tract A Subdivision of A.T.S. 1114
16 Within Protracted Sec. 25, T.62S,
R.83E., C.R.M.

17 2. The above-described real property is presently zoned
18 Future Development and Phillipps' desire a rezoning of said
19 property to commercial, limited to the operation of a seafood
20 processing plant, as more specifically set out in this contract
21 zoning agreement.

22 3. Phillipps' desire to develop said real property for the
23 operation of a seafood processing plant.

24 4. Phillipps' have petitioned to rezone the above described
25 real property to commercial use as set forth in Chapter 20.44 of
26 the Wrangell Municipal Code.

27 COVENANTS

28 5. The parties hereto agree that the real property
29 described in paragraph 1 above shall be rezoned for a period of
30 twenty (20) years from the effective date of the ordinance
31 rezoning said property to commercial uses subject to the
32

1 condition that Phillips' further develop the property only for
2 the operation of a seafood processing plant within eighteen (18)
3 months.

4 6. Phillips' agree that the real property subject to this
5 agreement shall be used only for the operation of a seafood pro-
6 cessing plant, and for uses clearly and directly incidental
7 thereto.

8 7. The parties hereto agree that the real property des-
9 cribed above is zoned as stated herein only so long as the
10 property is used for the operation of a seafood processing plant.
11 Should said property cease to be so used for a period of more than
12 eighteen (18) months, the classification of said property shall
13 revert to Future Development. In such event, all structures not
14 permitted in the Future Development shall be removed within
15 ninety (90) days of said cessation of use.

16 8. The parties hereto agree that should the real property
17 subject to this agreement be zoned commercial or any other zoning
18 classification which permits use of the property for a seafood
19 processing plant, then the provisions of this agreement restrict-
20 ing said property use shall be null and void. It is further
21 agreed that should any petition or application be filed by
22 Phillips', singly or jointly with one or more adjoining property
23 owners, to rezone the real property described above, no weight
24 shall be given to the provisions of this agreement in considering
25 such petition.

26 9. The parties additionally agree that limitations will be
27 and hereby are placed upon commercial use of the above described
28 property as follows:

29 a) The seafood processing shall include the purchase,
30 processing, packaging and/or freezing of seafood for shipment
31 to markets outside Wrangell city limits or to local retail
32 outlets, except as set forth in (b) of this section.

1 b) This operation is represented to be a wholesale
2 business. The retail sale of seafood at the subject property
3 is limited to occasional sales at the plant by appointment.
4 These restrictions are intended to prevent increased traffic.

5 c) Setback standards applicable to the subject
6 property shall be the same as commercial districts generally.

7 d) Lot coverage for the subject property shall be
8 the same as for commercial districts generally.

9 e) A minimum of five (5) off-street parking spaces
10 and one (1) loading and unloading space shall be provided and
11 maintained on the subject property.

12 f) The operation of the seafood processing plant
13 shall be done in such a manner as to not create loud or
14 obnoxious noises or odors.

15 g) The owners or persons in control of the subject
16 property shall maintain all required seafood processing permits
17 and licenses.

18 h) The business conducted on the subject property
19 shall be limited to no more than ten (10) persons working at
20 any given time.

21 i) No conditional or accessory uses of the subject
22 property shall be permitted while this agreement remains in
23 effect.

24 j) All zoning and building requirements and regu-
25 lations applicable to commercial districts shall have full
26 force and effect regarding the subject property to the extent
27 that such are consistent with this agreement. Those that are
28 more restrictive than this agreement shall take precedent.

29 k) The Phillips' have specifically represented and
30 hereby agree and reaffirm that:

31 The plan is to buy seafood from
32 local fishermen to process, market, fresh

1 and frozen. This will be a small
2 volume, high quality product business.
3 The character of the area will not be
4 changed. The building will be compatible
5 to the surrounding area. This project
6 will have a minimal amount of vehicle and
7 boat traffic, but should create no nuisance
8 of any kind. Noise will be kept at a mini-
9 mum. The construction involved will be a
10 wood frame, metal building, built to meet
11 code as they apply for processing food.
12 This building will be large enough for
13 adequate working area and storage.

14 1) The Phillips' agree that all seafood processing
15 waste shall be disposed of in accordance with State and
16 local laws.

17 ADMINISTRATION AND ENFORCEMENT

18 10. The remedies provided for herein shall be in addition to
19 those remedies provided for the administration and enforcement of
20 planning and zoning laws by the State of Alaska, the Charter of
21 the City of Wrangell, the ordinances of the City of Wrangell, or
22 the rules and regulations promulgated and adopted thereby.

23 a) Refuse, as used herein, shall mean all waste
24 material, which, if thrown or deposited or left to remain
25 on the above-described property or any surrounding property,
26 tends to create a danger to public health, safety or welfare.
27 Refuse shall include an putrescible animal or vegetable waste.
28 Refuse shall further include all putrescible and non-
29 putrescible solid wastes including garbage and any industrial
30 wastes. Refuse shall further include non-putrescible solid
31 wastes such as paper, wrapping, cardboard, tin cans, wood,
32 glass and similar materials.

33 b) The owners or persons in control of the above
34 described property shall at all times maintain the premises
35 and any surrounding property free of refuse. Provided, how-
36 ever, that this section shall not prohibit the reasonable
37 storage of refuse in authorized receptacles for collection.

1 c) For a violation of paragraph 10(b) above by
2 Phillips', the City Manager or a designated representative
3 of the City Manager is hereby authorized and empowered to
4 notify Phillips' of any violation thereof, and to further
5 advise Phillips' to properly dispose of said refuse located
6 on said property or accomplish any act as required. Such
7 notice shall be by registered mail, addressed to Phillips'
8 at their last known address.

9 1) Upon failure, neglect, or refusal of
10 Phillips' or their agents to comply with any
11 authorized notice or order of the City Manager
12 within ten (10) days of receipt thereof, or within
13 twenty (20) days after the date of such notice or
14 order in the event that such is returned because of
15 an inability to have delivery made, provided that
16 same was properly addressed and posted, the City
17 Manager or a designated representative of the City
18 Manager is hereby authorized and empowered to have
19 any refuse subject to the notice or order removed.

20 d) When the City has accomplished the removal of said
21 refuse, has paid for said removal or otherwise required
22 compliance with this agreement, the actual cost thereof,
23 plus accrued interest at the rate of twelve (12) percent
24 per annum from the date of the removal, if not paid by
25 the property owners prior thereto, shall be charged to
26 such owners on the next monthly bill forwarded to said
27 owners by the City and said charge shall be due and payable
28 by owners within thirty (30) days of the date of said bill.

29 1) Where the full amount due the City is not
30 paid by owners within ninety (90) days after the
31 disposal of said refuse or the required compliance,
32 as provided for above, then and in that case, the

1 the City Manager or a designated representative of the
2 City Manager shall cause to be recorded in the Wrangell
3 Recording District a sworn statement showing the cost
4 and the expense incurred for such work, the date the
5 work was performed, and the location of the property
6 where the work was performed. The recordation of such
7 a sworn statement shall constitute a lien on the property
8 and shall remain in full force and effect for the amount
9 due in principal and interest, plus court costs and all
10 reasonable attorney fees, if any, for collection until
11 final payment has been made. Said expenses shall be
12 collected in the manner fixed by law for the collection
13 of taxes. Sworn statements recorded in accord with the
14 provisions hereof shall be prima facie evidence that all
15 legal formalities have been complied with, and that the
16 work has been properly and satisfactorily done and shall
17 constitute full notice to every person concerned that
18 the amount stated in such statement, plus interest, costs
19 and fees, if any, constitutes a charge against the
20 property designated or described in the statement and
21 that the same is due and collectable as provided by law.

22 11. As an additional remedy and/or enforcement device, and
23 not by way of limitation of any other right or remedy which may be
24 available to the City, in the event that the Phillips' or any of
25 their agents, successors or employees, violate any of the agree-
26 ments, covenants or conditions of this contract, the City shall be
27 entitled to terminate this agreement, provided that the City shall
28 give Phillips' at least thirty (30) days written notice specifying
29 the particulars of any claimed violation. If at the end of such
30 thirty (30) day period, Phillips' have not remedied the cause of
31 any claimed violation, then this contract shall be terminated and
32

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

the provisions of paragraph 7 above shall apply. It is specifically agreed that enforcement by termination shall be available to the City against Phillips' during any period when the property has ceased to be used as required herein, or for any other period provided herein.

12. Phillips' shall be required to comply with all applicable Federal, State and local laws, rules and regulations and nothing shall be construed herein to be authorized that would otherwise be precluded by any applicable law.

13. This agreement shall be binding upon all of the heirs, successors, assigns, transferees of the parties hereto, whether any transfer, assignment, or conveyance occurs by operation of law or otherwise.

14. In case suit or action is instituted to enforce this agreement, the defaulting party, in addition to all court costs incurred in connection with such proceeding, shall pay the reasonable attorney fees of the non-defaulting party associated therewith.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

Ordin Phillips

Ordin Phillips

Nadine Phillips

Nadine Phillips

CITY OF WRANGELL

By: *Ralph B. Smith*

By: *Lanore K. Gunderson*

Lanore K. Gunderson, City Clerk

SEAL

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

STATE OF ALASKA)
FIRST JUDICIAL DISTRICT) ss:

THIS IS TO CERTIFY that on this 5 day of JUNE, 1985, before me, a Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared Ordin Phillips and Nadine Phillips, to me known to be the persons described in and who executed the above and foregoing instrument, and they acknowledged to me that they signed and sealed the same freely and voluntarily for the uses and purposes therein mentioned.

WITNESS my hand and official seal the day and year in this certificate first herein written.

Samuel K. Gunderson
Notary Public for Alaska
My commission expires: 2-21-86

STATE OF ALASKA)
FIRST JUDICIAL DISTRICT) ss:

THIS IS TO CERTIFY that on this 5 day of June, 1985, before me, a Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared Rolland B. Curtis and Lanore K. Gunderson, to me known to be the Acting Mayor and City Clerk, respectively, of the City of Wrangell, Alaska, and as a free and voluntary act and deed of said City, for the uses and purposes therein mentioned, and that the seal affixed to this instrument is the corporate seal of the City of Wrangell, Alaska.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first herein written.

Chester L. Dailey
Notary Public for Alaska
My commission expires: 7-2-86

85-351

RECORDED - FILED 29-
WRANGELL REC. DIST.
DATE 6-17- 19 85
TIME 3:00 P.M.
Requested by City of Wrangell
Address 844 531
Wrangell, 99929

CITY OF WRANGELL, ALASKA

Ordinance No. 476

AMENDING WRANGELL MUNICIPAL CODE TITLE 5, REVENUE AND FINANCE, CHAPTER 5.04, PROPERTY TAX, SPECIFICALLY AMENDING THOSE SECTIONS OF SAID CHAPTER DEALING WITH ENFORCEMENT OF TAX LIENS.

(The following ordinance reflects amendments to the Wrangell Municipal Code. Except where the prefatory language of a section of an ordinance states otherwise, portions of those ordinances which appear in brackets and are capitalized are to be deleted from the code, while those portions of the ordinance underlined are to be added to the particular ordinance.)

Published: May 29, 1985

CITY OF WRANGELL, ALASKA

Ordinance No. 476

AMENDING WRANGELL MUNICIPAL CODE TITLE 5, REVENUE AND FINANCE, CHAPTER 5.04, PROPERTY TAX, SPECIFICALLY AMENDING THOSE SECTIONS OF SAID CHAPTER DEALING WITH ENFORCEMENT OF TAX LIENS.

WHEREAS, the Council has enacted ordinances which establish procedures for the enforcement of tax liens for both real and personal property; and

WHEREAS, said ordinances may be wholly or partially inconsistent with controlling provisions of Alaska Law; and

WHEREAS, the Council is aware that no court has declared the ordinances invalid or unconstitutional but does want the Wrangell Municipal Code to be consistent with the declarations of Alaska Law.

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

Sec. 1. Classification. This ordinance is an ordinance of a permanent and general nature and shall also become part of the Code of the City of Wrangell, Alaska, hereinafter referred to as WMC.

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 City ordinances and shall be effective thirty (30) days after final passage.

Sec. 4. Wrangell Municipal Code (hereinafter WMC) 5.04.040 Returns--Required, is amended to read:

5.04.040 Returns--Required. On or before February 1st of each year the [ASSESSOR] Finance Director shall mail blank assessment forms for every owner of personal property described in Section 5.04.010 and to the agents of nonresident property owners, if known. Every person prior to February 21st shall submit to the assessor a return of any property owned by him, or in which he has an interest, and in the property held or controlled by him in a representative capacity, in the manner prescribed by this chapter, which return shall be based on property values existing as of January 1st of the same year.

Sec. 5. WMC 5.04.050 Returns--Failure to submit, is amended to read:

5.04.050 Returns--Failure to submit. Any person duly receiving a blank assessment form and who fails or refuses 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] Finance Director 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. 6. WMC 5.04.130 A. Assessment notice, is amended to read:

5.04.130 Assessment notice.

A. The assessor, or his designee, shall give to every owner, or his authorized agent named in the assessment roll, a notice of assessment showing the assessed value of his property. On the back of each assessment notice shall be printed a summary for the information of the taxpayer of the date when the taxes are payable, delinquent, and subject to penalty and interest; dates when the council will sit as an equalization board for equalization purposes; and any other particulars specified by the council.

Sec. 7. WMC 5.04.270 Assessment--Computation, is amended to read:

5.04.270 Assessment--Computation. All taxes to be levied or collected, except as otherwise provided, shall be calculated, levied and collected upon the assessed values entered in the assessment roll and certified by the assessor, or his designee, as correct, subject to the taxpayer's rights to appeal and to the corrections made in the rolls pursuant to this chapter. If any person owning personal property subject to assessment by the city fails to file a statement thereof, as required in this chapter, the assessor shall prepare and file, as a part of the supplemental personal property rolls, a statement and valuation of all personal property owned by the person, and proceedings thereafter shall be in accordance with this chapter.

Sec. 8. WMC 5.04.290 Assessment roll--Delivery to council, is amended to read:

5.04.290 Assessment roll--Delivery to council. When the final assessment records have been completed by the assessor as provided in this chapter, the [ASSESSOR] Finance Director shall deliver to the council on or before June 1st of each year a statement of the total assessed valuation of all real and personal property within the city.

Sec. 9. 5.04.340 Mailing of tax statements, is amended to read:

5.04.340 Mailing of tax statements. The [CITY CLERK] Finance Director shall then prepare and mail tax statements to the person listed as the owner on the tax rolls prior to July 1st of each year.

Sec. 10. WMC 5.04.350 Delinquent date for payment of taxes, is amended to read:

5.04.350 Delinquent date for payment of taxes. All taxes levied in accordance with this chapter shall be due and payable on or before August 15th of the assessment year and shall become delinquent [AFTER 5:00 p.m. OF SAID DATE] if not paid before 5:00 p.m. on said date, or, if payment is received through the mail after said date, when the mailed payment is postmarked after said date; provided, however, that the taxpayer shall have the right to pay such taxes in two installments. If the first one-half is not paid before the delinquent date the entire tax becomes delinquent and penalty and interest accrue as provided in Section 5.04.360. If the first one-half is paid before delinquency the second one-half of such taxes shall accrue and be payable on or before December 15th of the same year and if not paid shall be delinquent [AFTER 5:00 p.m. ON SAID DATE] if not paid before 5:00 p.m. on said date, or, if payment is received through the mail after said date, when the mailed payment is postmarked after said date.

Sec. 11. The following sections of the Wrangell Municipal Code (WMC) are repealed in their entirety: WMC
5.04.370 Foreclosure--List preparation and publication; WMC
5.04.380 Foreclosure--Notice to mortgagee or lien holder; WMC
5.04.390 Foreclosure--Costs of list publication; WMC
5.04.400 Foreclosure--Procedure generally; WMC 5.04.410.
Foreclosure--Petition for judgment; WMC 5.04.420
Foreclosure--Answer and defense; WMC 5.04.430
Foreclosure--Validity of lists or assessment; WMC 5.04.440
Foreclosure--Judgment and decree; WMC 5.04.450
Foreclosure--Sale of properties to city--Certificate; WMC
5.04.460 Foreclosure--Period of holding--Redemption; WMC
5.04.470 Redemption of foreclosed property--Certificate; WMC
5.04.480 Possession of property during redemption period; WMC
5.04.490 Expiration of redemption period--Public notice; WMC
5.04.500 Deed to city; WMC 5.04.510 Title to city--Sales by
city; WMC 5.04.520 Special assessments deemed tax--Effect;
WMC 5.04.530 Taxes deemed lien; WMC 5.04.540 Personal
property--Owners liability for assessments; WMC 5.04.550
Personal property tax--Demand for payment.

Sec. 12. WMC Chapter 5.04 designated "Property Tax", is amended by adding: 5.04.370 Enforcement of delinquent real property taxes; 5.04.380 Enforcement of delinquent

personal property taxes, said sections as enacted to read as follows:

5.04.370 Enforcement of delinquent real property taxes. The City shall enforce delinquent real property tax liens by annual foreclosure, unless the Council elects not to proceed in any given year. When the Council elects to proceed, any and all delinquent real property tax liens shall be enforced as provided in Alaska Statutes, Title 29, Chapter 53, Sections 200-390 and as said Sections may from time to time be amended or modified.

5.04.380 Enforcement of delinquent personal property taxes.

A. In accordance with Alaska Statutes, Title 29, Chapter 53, Sections 210 and 220, and as said Sections may from time to time be amended or modified, the owner of personal property assessed is personally liable for the amount of taxes assessed against the property owned. The tax, together with penalty and interest, may be collected in a personal action brought in the name of the City, or in any other manner now or hereafter provided by law.

B. No action to recover delinquent personal property taxes may be instituted unless demand is first made of the person assessed for the amount of the tax, penalty, and interest. This demand shall be in writing and may be made by personal delivery thereof by the Finance Director, or by depositing the demand in the Post Office with postage prepaid for delivery by certified mail. This demand shall in all cases precede the institution of action by the City to recover delinquent personal property taxes, either under the remedy of a personal action or the remedy of distraint and sale described in this chapter. The demand may be in substantially the following form:

DEMAND FOR PAYMENT OF DELINQUENT PERSONAL
PROPERTY TAXES

To: _____

You are hereby notified that according to the tax and assessment rolls of the City of Wrangell you are delinquent in the payment of personal property taxes, penalties and interest, due and payable as follows:

	Year	Year	Year
Taxes	\$	\$	\$
Penalty	\$	\$	\$
Interest	\$	\$	\$
Total	\$	\$	\$

You are further notified that unless within ten (10) days of the date of this notice you pay the whole of said taxes, penalty and interest, the City of Wrangell will commence either a personal action against you on your personal liability to pay this tax, or the assessed

property will be seized according to law under distraint proceedings and be sold to satisfy the said tax.

Dated at Wrangell, Alaska, _____, 19____.

Finance Director
City of Wrangell, Alaska

Sec. 13. WMC 5.04.560 Distraint of sale of personal property, is renumbered 5.04.390 and amended to read:

5.04.390 Distraint and sale of personal property. In addition to the remedy of an action on personal liability described in Section [5.04.510] 5.04.380, which shall not be construed as exclusive, the lien of personal property taxes may be enforced by distraint and sale of the personal property of the person assessed.

Sec. 14. WMC 5.04.570 Warrant of distraint, is renumbered 5.04.400 and amended to read:

5.04.400 Warrant of distraint. Should the delinquent personal property tax, penalty and interest for which demand has been made not be paid, the [CLERK] Finance Director may issue a warrant of distraint which shall be in form and substance as follows:

CITY OF WRANGELL, ALASKA

WARRANT OF DISTRAINT

No. _____

TO: CHIEF OF POLICE, WRANGELL, ALASKA, GREETINGS:

You are hereby directed to serve a copy of this warrant upon _____, at _____, and levy upon as much of the following described personal property of the said person assessed as the tax may have been levied upon, namely:

(Describe Property)

You are hereby further directed to distraint the same and sell such personal property at public auction not less than [Ten (10)] fifteen (15) days after notice of such sale has been given by posting, for and on behalf of the City of Wrangell under the authority given it by law to satisfy delinquent personal property taxes of \$_____,

together with penalty of \$_____, and interest of \$_____, plus reasonable costs, including attorney's fees, and expenses of sale.

And, if such personal property be insufficient to satisfy the total of said tax, penalty and interest due and payable, the City of Wrangell does hereby further direct you to seize, levy upon, distrain and sell as aforesaid such other personal property as the person assessed may possess to satisfy according to law the said lien of the City of Wrangell for unpaid personal property taxes.

GIVEN under my hand and the seal of the City of Wrangell, Alaska, this _____ day of _____, 19_____.

[CLERK] Finance Director,
City of Wrangell

Sec. 15. WMC 5.04.580 Notice of sale at public auction, is renumbered 5.04.410 and amended to read:

5.04.410 Notice of sale at public auction. Upon the warrant of distrain having been served and the property seized, the chief of police shall cause notice of sale to be posted in three public places within the city in substantially the following form:

NOTICE OF SALE AT PUBLIC AUCTION
OF PERSONAL PROPERTY FOR UNPAID TAXES

NOTICE IS HEREBY GIVEN:

That the following described personal property will be sold at public auction at _____, in the City of Wrangell, on the _____ day of _____, 19____, at the hour of _____ of said day, which day is not less than [TEN (10)] fifteen (15) days from and after the date of this Notice and the posting thereof:

Said personal property will be sold to satisfy the lien of the City of Wrangell for delinquent personal property taxes thereon in the amount of \$_____, penalty of \$_____, and interest of \$_____, and reasonable costs including attorney's fees and expenses of sale, unless said taxes, penalty and interest are paid in full prior to date of sale, and such sale will continue until each and all of the items of personal property herein described are sold to the extent necessary to satisfy said lien and the costs and expenses of said sale.

All of the personal property described herein or so much thereof as may be necessary in each individual case

will be sold at public auction for cash to the highest bidder to discharge said tax claim. To defray such costs, in addition to storage or moving costs, if any, there will be assessed a commission of ten (10%) percent on the first One Hundred (\$100.00) Dollars, and five (5%) percent on any sales in excess thereof received when said property is sold.

Dated at Wrangell, Alaska, this _____ day of _____, 19_____.

Chief of Police
Wrangell, Alaska

Sec. 16. WMC 5.04.590 Sales of seized property, is renumbered 5.04.420.

Sec. 17. WMC 5.04.600 Return on sale, is renumbered 5.04.430 and amended to read:

5.04.430 Return on sale. After completion of the public sale, the chief of police shall make his return on the back of the warrant of distraint, under oath, and shall deliver the proceeds of sale to the [CITY CLERK] Finance Director together with the return in substantially the following form:

RETURN OF SALE

STATE OF ALASKA)
) ss:
FIRST JUDICIAL DISTRICT)

I, _____, Chief of Police for the City of Wrangell, Alaska, do hereby certify that I received the Warrant of Distraint on the reverse hereof on _____, 19_____, and did levy upon and seize the following personal property of _____:

(Describe Property)

That I thereafter on _____, 19_____, did post notice of sale in three public places within the City of Wrangell, namely, _____, and _____, pursuant to said notice did offer at public auction and sell on _____, 19_____, the following property:

(Describe Property Sold)

Subscribed and sworn to before me this _____ day
of _____, 19_____.

Notary Public for Alaska
My commission expires: _____

Sec. 18. WMC 5.04.610 Proceeds of sale, is
renumbered 5.04.440 and amended to read:

5.04.440 Proceeds of sale. The [CITY CLERK] Finance Director shall receive the proceeds of the sale from the chief of police and shall credit the same to expenses of sale, other costs including attorney's fees, penalty, interest and tax, in that order. Any excess shall be held in trust by the city for the owner of the property and shall be paid over to him upon written demand and receipt therefor.

PASSED AND APPROVED IN FIRST READING May 14, 1985

PASSED AND APPROVED IN SECOND READING May 28, 1985


Vice-Mayor Rolland B. Curtis

ATTEST:


Lanore K. Gunderson, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 477

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 15, CHAPTER 4, WATER, TO PROVIDE FOR AN INCREASE IN SERVICE CONNECTION CHARGES, ESTABLISHING RATES FOR NEW USES 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 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 (30) days after final passage.

Sec. 4. Providing for a Public Hearing. A public hearing shall be held with notice thereof fifteen days prior to said public hearing.

Sec. 5. Wrangell Municipal Code, Sec. 15.04.630, Service connection charges, subsection A., is hereby repealed and reenacted to read:

All service connections to customers shall be charged at the actual cost of materials, equipment, and labor, plus fifteen percent, with the following minimum charges per connection:

<u>Size of Service (in inches)</u>	<u>Minimum Charges</u>
3/4	\$350.00
1	406.00
2	594.00
3 and over	650.00

Sec. 6. Wrangell Municipal Code, Sec. 15.04.640, Monthly Water Rates Class B--Commercial and Industrial--Flat Rates is hereby amended to as follows:

<u>Designation</u>	<u>Monthly Rate</u>
Bakeries	\$37.80
Bars	37.80
Barbershops--one chair	9.45
per each additional chair	7.55
Beautyshops--one basin	9.45
per each additional basin	7.55
Canneries:	
Shellfish canneries (hand pick)	189.00*
Fish processing	201.60*
Rinsing and packaging only	37.80*
Salt water process only	37.80
Churches	9.45
Cleaners and cleaning plants	18.90
Clubs, lodges--without bar or restaurant facilities	9.45
Cold storage plants	201.60
Docks	47.25
Docks or marinas for small boats, including oil docks	31.50
Garages, service stations, car lots:	
Without washrack	18.90
With washrack	28.35
Hospitals	75.60
Grocery stores:	
Without meat market	14.15
With meat market	29.30
Hydrants, fire, each	6.00
Hotels and motels:	
Ten rooms or less	28.35
Over ten rooms, per room	2.20
Laundromats, self service:	
Under thirty pound capacity, per machine	10.00
Thirty pounds or over capacity, per machine	20.15
Meat markets	15.10
Oceangoing freight and passenger vessels taking water:	
Fifteen tons or less	18.90
Each ton over fifteen tons	.60
Office building, first office	9.45
Each additional plumbed office	9.45
Each additional unplumbed office	2.20
Offices, medical and dental:	
With laboratory and/or x-ray unit	32.15
Without laboratory and/or x-ray unit	9.45
Plane floats	18.90
Public showers:	
First two stalls	10.10
Per each additional stall	2.50

*Rates herein apply to the average monthly usage. No adjustments will be made for seasonal work.

<u>Designation</u>	<u>Monthly Rate</u>
Ranger District (Forest Service)	96.90
Restaurants, lunchcounters, etc.:	
Up to and including thirty seats	28.35
Over thirty seats	37.80
Fountain only	9.45
Sawmills	630.00
Schools, per classroom	6.25
Shops, miscellaneous	9.45
Stores--drygoods, gift, etc.	10.10
Theaters, seating five hundred people or less	18.90

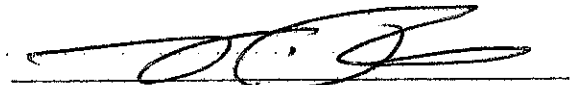
Note 1: A commercial enterprise consisting of more than one facility shall be charged the sum of the applicable rates for each facility.

Note 2. All commercial and industrial rates to customers outside the city limits shall be seventy-five percent 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.

PASSED IN FIRST READING: _____ JUNE 11 _____, 1985

PASSED IN SECOND READING: _____ JULY 23 _____, 1985



 Mayor
 WILLIAM B. PRIVETT

ATTEST: 

 City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 478

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 15, HEALTH AND SAFETY, CHAPTER 08, THE SEWER CODE, TO PROVIDE FOR AN INCREASE IN SERVICE CONNECTION CHARGES, ESTABLISHING RATES FOR NEW USES 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. Wrangell Municipal Code Sec. 15.08.240 Schedule of Rates and Charges Class B Commercial Rates is hereby amended as follows:

<u>Designation</u>	<u>Unit(s)</u>
Bakeries	3.00
with initial preparation off premises	1.50
Bars	3.00
Barbershops, two chairs	1.00
per each additional chair	.50
Beautyshops, two basins	1.00
per each additional basin	.50
Canneries	Special
Shellfish canneries (hand pick)	Special
Shellfish canneries (machine pick)	Special
Fish processing	Special
Churches	1.00
Cleaners and cleaning plants	2.00

<u>Designation</u>	<u>Unit (s)</u>
Clubs and lodges:	
Without bar or restaurant facilities	1.00
With bar or restaurant facilities	2.00
Cold storage plants	Special
Docks	1.00
Garages, service stations, car lots:	
Without washrack	1.00
With washrack	2.00
Grocery stores:	
Without meat market	1.00
With meat market	2.00
Hotels and motels, first ten rooms or less	3.00
Over ten rooms, per room	.20
Hospitals	2.00
Plus per-bed charge based on occupancy rate percentage	.40
Laundromats, self-service:	
Under thirty-pound capacity, per machine	.50
Thirty pound or over capacity, per machine	1.50
Office buildings, first office	1.00
Each additional plumbed office	1.00
Each additional unplumbed office	.20
Offices, medical and dental:	
With laboratory and/or x-ray unit	2.00
Without laboratory and/or x-ray unit	1.00
Public showers:	
First two stalls	1.00
Per each additional stall	.20
<u>Ranger District (Forest Service)</u>	<u>7.80</u>
Restaurants:	
Up to and including thirty seats	3.00
Each additional twenty seats or fraction thereof	1.00
Lunchcounters, drive-in or fast food, of less than thirty seats	1.50
Industrial	Special
Schools, per classroom	.43
Shops, miscellaneous	1.00
Stores: drygoods, gift, etc.	1.00
Roominghouses	1.00
Each bed	.20
Theaters, seating five hundred 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, B.O.D., and suspended solids characteristic of its wastewater contribution. The flow, B.O.D., 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 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:

$$\text{SUMC} = \frac{f}{240} \left[1 + \frac{(b-1)}{B} + \frac{(s-1)}{S} \right] C$$

Where:

"SUMC" represents the special user's monthly charge;

"f" represents the special user's average flow in gallons per day (not less than four hundred twenty 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 B.O.D. loading of the user's wastewater contribution, expressed in parts per million (not less than two hundred parts per million);

"B" represents the allowable limit of B.O.D. loading above which a user's surcharge shall be levied, hereby designated as being two hundred parts per million;

"s" represents the average suspended solids loading of the user's wastewater contribution, expressed in parts per million (not less than two hundred 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 two hundred parts per million.

Service Connection Charges

All service connections to customers shall be [AT A FLAT FEE OF TWO HUNDRED FIFTY DOLLARS] charged at the actual cost of materials, equipment and labor, plus fifteen percent, with a minimum charge of three hundred dollars per connection.

PASSED IN FIRST READING: JUNE 11, 1985

PASSED IN SECOND READING: JULY 23, 1985



Mayor
William B. Privett

ATTEST


City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 479

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF WRANGELL BY REZONING PROPERTY HEREINAFTER DESCRIBED FROM WATERFRONT DEVELOPMENT AND MULTI-FAMILY RESIDENTIAL 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 in the City Charter and ordinances 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 76, Title 20 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 Multi-family and Waterfront Development to Light Industrial.

Sec. 5. Property Rezoned. The property hereinafter described is hereby rezoned from Waterfront Development and Multi-Family Residential to Light Industrial.

Lot 16, Lot 17, Lot 18, Lot 21, Lot 22, and Lot 23 of Block 21, Wrangell Townsite, situated in the City of Wrangell, First Judicial District, Wrangell Recording District from Waterfront Development to Light Industrial;

and,

Lot 20, Lot 24, and Lot 25 of Block 21, Wrangell Townsite, situated in the City of Wrangell, First Judicial District, Wrangell Recording District from Multi-Family Residential to Light Industrial.

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: June 25, 1985

PASSED IN SECOND READING: July 23, 1985



Mayor
William B. Privett

ATTEST:



City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO: 480

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING WRANGELL MUNICIPAL CODE, TITLE 11, ENTITLED VEHICLES AND TRAFFIC BY ADDING A CHAPTER ENTITLED "PARKING LOT REGULATIONS".

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

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. Wrangell Municipal Code, Title 11, entitled "Vehicles and Traffic", is amended by adding a new chapter designated "Parking Lot Regulations" said chapter to read as follows:

Chapter 11.30

PARKING LOT REGULATIONS

Sections:

11.30.010	Off street parking lots established
11.30.020	Off street parking lot use control
11.30.030	Parking in excess of posted time limit
11.30.040	Proper parking required
11.30.050	Vehicles and objects prohibited
11.30.060	Enforcement

11.30.010 Off street parking lots established. The council hereby confirms the establishment of, and/or hereby establishes off street parking lots as follows:

1) In that block bounded by Front Street, Outer Drive, Brueger Street and Lynch Street said parking lots more particularly described as Lot 17 and Lot 18, Block 1-A, Wrangell Tidelands Addition.

2) In that block bounded by Front Street, Brueger Street and Lynch Street, said parking lots more particularly described as Lot 13, Block 1-A, Wrangell Tidelands Addition.

3) Lot 17, Block 7, USS 1119, Lot 9-A, Block 7-A, subdivision of Lot 9, Block 7-A, Wrangell Tidelands Addition.

11.30.020 Off Street parking lot use control. The council may establish parking time limits, prohibit parking, establish the charge if any to be made for parking or use thereof, establish the method of collection, establish speed limits, and such other matters as the council deems necessary for proper control and operation of municipal off street parking lots by having appropriate signs, pavement markings, or curb markings, or a combination of the same, erected or placed thereon. When such signs or markings have been erected or so placed, it is unlawful for any person to park, or operate a vehicle in violation thereof. All council actions to be accomplished in this section shall be by resolution.

11.30.030 Parking in excess of posted time limit. Any driver or person in charge of a vehicle who parks or leaves such vehicle in a parking space in the herein established parkings lots in excess of the time permitted is guilty of a misdemeanor.

11.30.040 Proper parking required. Every vehicle parked or left in a parking space shall be parked or left at the approximate angle indicated by the signs, lines, or other marking identifying said space, and within the space marked by the lines or other identification. Any person parking or leaving a vehicle in such a parking space in any manner contrary to this section, is guilty of a misdemeanor.

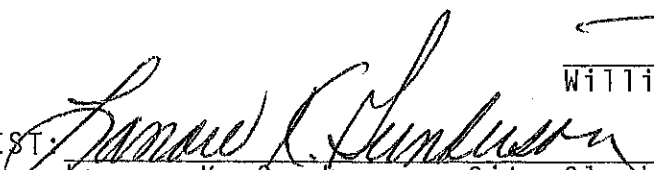
11.30.050. Vehicles and objects prohibited. No person shall drive, pull, roll, push, or otherwise cause to be located on the public facilities any of the following vehicles or objects: snowmobiles, skateboards, roller skates, all terrain vehicles, tricycles, wagons, sleds or container storage vans.

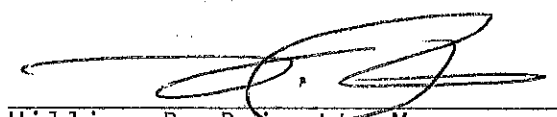
11.30.060 Enforcement. The police department shall enforce the provisions of this chapter and violators thereof shall be punished as provided in Chapter 1.20 of the Wrangell Municipal Code.

PASSED AND APPROVED IN FIRST READING August 13 , 1985

PASSED AND APPROVED IN SECOND READING August 27 , 1985

ATTEST:


Lanore K. Gunderson, City Clerk


William B. Privett, Mayor

3810/241

CITY OF WRANGELL, ALASKA

Ordinance No. 481

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING WRANGELL MUNICIPAL CODE, TITLE 14, ENTITLED BOAT HARBORS, BY ADDING SECTION 14.20.105, DESIGNATED SHOEMAKER BAY SMALL BOAT HARBOR--STORAGE, DEALING WITH STORAGE WITHIN THE SHOEMAKER BAY SMALL BOAT HARBOR AND BY ADDING A CHAPTER ENTITLED "PARKING LOT REGULATIONS" WHICH REGULATE THOSE AREAS DESIGNATED BY THE COUNCIL FOR PUBLIC USE.

WHEREAS, the council recognizes that an undesirable situation exists at the Shoemaker Bay Small Boat Harbor upland area with random and uncontrolled use of many different types of storage, including undesirable storage containers and uses of the public area; and

WHEREAS, the council desires to implement the orderly use of the public upland area as to permanent and temporary structures and storage of personal property and parking on the upland area; and

WHEREAS, the port commission has reviewed the instant ordinance and has recommended that it be passed;

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

Sec. 1. Classification. This ordinance is of 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. Wrangell Municipal Code, Chapter 14.08, entitled "Definitions", is amended by adding Section 14.08.150, designated "Shoemaker Bay Small Boat Harbor", said section to read as follows:

14.08.150 Shoemaker Bay Small Boat Harbor.

"Shoemaker Bay Small Boat Harbor" refers to that vessel mooring and related facilities, including upland facilities commonly referred to as "Shoemaker Bay Small Boat Harbor" and as more particularly described in Exhibit A, located within the Wrangell harbor.

Sec. 5. Wrangell Municipal Code, Title 14, "Boat Harbors", is amended by adding a Chapter 14.17, entitled "Parking Lot Regulations", as follows:

Chapter 14.17

PARKING LOT REGULATIONS

Sections:

- 14.17.010 Off street parking lots
- 14.17.020 Off street parking lot use control
- 14.17.030 Use other than for parking
- 14.17.040 Parking in excess of posted time limit
- 14.17.050 Proper parking required
- 14.17.060 Vehicles and objects prohibited on dock facilities
- 14.17.070 Enforcement

14.17.010 Off street parking lots. The council hereby confirms as established the following off street parking lots: 1) a parking lot at the end of and on the East side of Shakes Street; 2) Reliance dock parking; 3) at the inner harbor parking lot which is currently being used as a public parking lot for the inner harbor small boat harbor; 4) Shoemaker Bay public parking lot; all as said areas are more particularly set out on Exhibit A attached hereto and incorporated by reference.

14.17.020 Off street parking lot use control. Subject to the paramount authority of the city council, the port commission may recommend to the council, and the council may establish parking time limits, prohibited parking, establish the charge if any to be made for parking or use thereof, establish the method of collection, establish speed limits, and such other matters as the council deems necessary for proper control and operation of municipal off street parking lots by having appropriate signs, pavement markings, or curb markings, or a combination of the same, erected or placed thereon. When such signs or markings have been erected or so placed, it is unlawful for any person to park, or operate a vehicle in violation thereof.

14.17.030 Use other than for parking. Subject to the paramount authority of the city council, the port commission may rent those areas hereinafter designated by the

council for rent. The council hereby designates the following areas, all or a portion of which may be rented by the port commission: 1) parking lots set out in § 14.17.010; 2) the Wrangell wharf; 3) the city public dock (generally located between the Wrangell wharf and the Stikine Inn). The port commission may rent said areas on a 30 day basis, establish the charge to be made therefore, and establish such other matters as the port commission deems necessary for the proper control and operation of said rented area (subject to the provisions of Charter Section 5-17). All areas rented shall be coordinated with the city such that no conflict exists between § 14.17.020 and this section.

14.17.040 Parking in excess of posted time limit.

Any driver or person in charge of a vehicle who parks or leaves such vehicle in a parking space in the herein established parking lots in excess of the time permitted is guilty of a misdemeanor.

14.17.050 Proper parking required. Every vehicle parked or left in a parking space shall be parked or left at the approximate angle indicated by the lines or other markings identifying said space, and within the space marked by the lines or other identification. Any person parking or leaving a vehicle in such a parking space in any manner contrary to this section, is guilty of a misdemeanor.

14.17.060 Vehicles and objects prohibited. No person shall drive, pull, roll, push, or otherwise cause to be located upon the public facilities any of the following vehicles or objects: snowmobiles, skateboards, roller skates, all terrain vehicles, tricycles, wagons, sleds or container storage vans larger than 8' x 20'.

14.17.070 Enforcement. The police department and the harbor master shall enforce the provisions of this chapter and violators thereof shall be punished as provided in Chapter 1.20 of the Wrangell Municipal Code.

Sec. 5. Wrangell Municipal Code, Chapter 14.20, entitled "Fees and Payments", is amended by adding Section 14.20.105, designated "Shoemaker Bay Small Boat Harbor--Storage", said section to read as follows:

14.20.105 Shoemaker Bay Small Boat Harbor--Storage.

A. Subject to the paramount authority of the council, the port commission may recommend to the council and the council may establish upland areas of Shoemaker Bay Small Boat Harbor which may be used for storage. The council may designate certain areas of the Shoemaker Bay Small Boat Harbor and its related facilities for storage. Areas designated for storage by the council are subject to change. The city manager

shall cause to be erected or placed appropriate signs or pavement markings which give notice of those areas that are designated for storage. When such signs or markings have been erected or placed it is unlawful for any person to use said areas in violation hereof. The harbormaster shall control and administer those areas designated for storage, subject to the following limitations, regulations and restrictions:

1. All property, except as otherwise regulated by this section, shall be stored in a container approved by the harbormaster. The harbormaster shall approve a container if it complies with the following requirements:

(a) The container must be completely enclosed with four (4) walls, (one of which is able to function as a door), a roof and a floor.

(b) The container must at all times be in good condition and repair.

(c) The renter must keep the container neat, safe and clean.

(d) The container shall not be attached or affixed permanently to the rented storage space, but must be able to be moved by reasonable means within twenty-four (24) hours after notice to move is given by the harbormaster.

2. Property may be stored in or on a trailer, or any other similar kind of wheeled conveyance which is capable of being pulled or drawn from the storage area within twenty-four (24) hours after notice to move is given by the harbormaster, provided the contents are completely covered so that the stored property is not visible from the outside. Clear plastic materials are not acceptable as coverings. Boats and boat trailers may be stored in their manufactured state, provided they do not create a safety hazard to persons or property, except that boats stored which are not on boat trailers must be blocked up and properly supported, so as not to create a safety hazard.

3. All boats, trailers, containers or other units of storage shall be clearly marked with the renters name, mailing address, telephone number, and a general description of the items stored.

4. No person shall stay overnight in the Shoemaker Bay Small Boat Harbor storage area or otherwise use a storage area as a dwelling.

5. A person may park his boat which is on a trailer or his boat trailer in the storage area, without charge, for three consecutive days with said periods not to occur more than once every calendar month. Any person desiring free parking time must seek permission from the harbormaster. The

harbormaster shall grant each request for free parking so long as the boat trailer of the person requesting free time is in proper functioning condition, so that it can be removed from the storage area within twenty-four (24) hours after notice to move is given by the harbormaster.

6. The harbormaster shall rent only those areas which the council has designated for storage. The harbormaster shall rent storage spaces only in the following sizes:

- (a) 10' x 25'
- (b) 10' x 30'
- (c) 10' x 35'
- (d) 10' x 40'
- (e) 10' x 45'
- (f) 10' x 50'
- (g) 12' x 25'
- (h) 12' x 30'
- (i) 12' x 35'
- (j) 12' x 40'
- (k) 12' x 45'
- (l) 12' x 50'

The harbormaster shall rent or provide free storage space as herein provided to all persons on a first come, first serve basis. The size and location of the storage space shall be determined according to the needs of the renter.

7. Storage fees will be charged as set forth in Section 14.20.100 for "Exterior Storage Space".

8. Persons renting storage space shall keep the storage space in a neat, safe and clean condition.

B. The Shoemaker Bay Small Boat Harbor upland facilities may be used for office space. Subject to the paramount authority of the council the port commission may recommend to the council, areas of Shoemaker Bay Small Boat Harbor which may be used for office space, and the council may designate certain areas for office space. Areas designated for office space by the council are subject to change. The city manager shall cause to be erected appropriate signs or pavement markings which give notice of those areas designated for office space. When such signs or markings have been erected or placed it is unlawful for any person to use said areas in violation thereof. The harbormaster shall control and administer those areas designated for office space, subject to the following limitations, regulations and restrictions:

1. The harbormaster may rent only the areas which the council has designated for office space. The harbormaster shall rent storage space to all persons on a first come, first serve basis. The size and location of the office space shall be determined according to the needs of the renter.

2. All activities conducted on rented office space shall be conducted in a structure approved by the harbormaster as being safe and in compliance with applicable state statutes and city ordinances and law .


3. No person may stay overnight in any office structure or otherwise use a rented office space as a dwelling.

4. Office space shall only be rented in the sizes mentioned above in part A. Office space fees will be charged as set forth in Section 14.20.100 for "Warehouse and Office Space".


5. Persons renting an office space, must keep that area neat, safe, clean and free of litter.

PASSED AND APPROVED IN FIRST READING August 13 , 1985.

PASSED AND APPROVED IN SECOND READING August 27 , 1985.



Mayor William B. Privett

ATTEST:


City Clerk

EXHIBIT A TO ORDINANCE _____

SHOEMAKER BAY SMALL BOAT HARBOR

1. Parking lot located at the end of Shakes Street and prior to the start of the wooden dock (this area is presently under construction and not yet usable as public parking):

2. Parking located on the pile supported wooden dock known as the Reliance Dock:

3. Inner Harbor parking lot:

4. Shoemaker Bay parking lot:

NOTE: (It is recommended that legal descriptions of the various parking lot areas be obtained and inserted for the above parking areas).

CITY OF WRANGELL, ALASKA

Ordinance No. 482

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING WRANGELL MUNICIPAL CODE, TITLE 13, STREETS, SIDEWALKS, AND PUBLIC PLACES, BY REPEALING CHAPTER 13.12, ENTITLED PARKS, AND ENACTING CHAPTER 13.12, DESIGNATED PARKS, DEALING WITH THE REGULATION OF CITY PARKS.

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

Sec. 1. Classification. This ordinance is of 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 law and shall be effective thirty (30) days after final passage.

Sec. 4. Wrangell Municipal Code, Title 13, entitled "Streets, Sidewalks, and Public Places", is amended by repealing Chapter 13.12, entitled "Parks", and by enacting Chapter 13.12, designated "Parks", said chapter to read as follows:

Chapter 13.12

PARKS

Sections:

13.12.010	Definitions.
13.12.020	Reservations for use--preferences.
13.12.030	Camping and overnight parking regulations.
13.12.040	Vehicle regulations.
13.12.050	Additional regulations.

13.12.010 Definitions. For the purpose of this chapter, the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

(1) "City" (see WMC § 1.04.010 2).

(2) "Director" is the city manager, or designee made pursuant to Wrangell Municipal Code 3.52.030, who is immediately in charge of all park areas and activities. The director shall have the authority to designate certain areas of a park for camping and overnight parking. Said designated areas must be approved by council resolution. The director shall give notice by posted signs of those areas designated for specific use and of those regulations as are herein set forth or may be hereafter adopted. The director shall have the authority to direct city personnel to post signs which are reasonably calculated to apprise persons of the limitations, regulations and restrictions governing conduct within a city park.

(3) "Park" is a park, reservation, playground, beach, recreation center or any other area of the city, owned or used by the city, and devoted to active or passive recreation.

(4) "Shoemaker Park" refers to that park and related facilities located in the city and commonly referred to as Shoemaker Park, and as more particularly and legally described in Exhibit A incorporated herein by this reference.

(5) "Person" is any person, firm, partnership, association, corporation, company or organization of any kind.

(6) "Vehicle" is any wheeled conveyance, whether motor powered, animal drawn, or self propelled. The term shall include any trailer in tow of any size, kind or description. Exception is made for baby carriages and vehicles in the service of the city parks.

13.12.020 Reservations for use--preferences.

A. Reservations for the use of park facilities for picnic and other short term usages may be made by application submitted to the director. 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. No person shall be denied reservations, unless the director determines that the proposed activity and the use of the park will unreasonably interfere with or detract from promotion of public health, welfare, safety and recreation, or unless the facilities desired have been reserved for other use at the day and hour requested.

B. It shall be the policy of the director to give persons wishing to use the city parks for picnicing or other short term activities a preference over campers, with regard to the use of the sheltered facilities.

13.12.030 Camping and overnight parking regulations.

A. Persons camping in any city park not otherwise regulated by this section shall be limited to a period of twenty-four (24) consecutive hours of usage with said periods not to occur more than once every two weeks. No person shall camp within sheltered facilities of said parks. No vehicle shall be permitted to park overnight in said parks.


B. Persons camping in Shoemaker Park, either by erecting tents or other temporary shelters or without any shelter, in those areas designated by the director for camping in said manner, shall be limited to a period of one hundred twenty (120) consecutive hours of usage with said periods not to occur more than once every calendar month. No person shall camp within the sheltered facilities of Shoemaker Park. Vehicles will be permitted to park overnight in Shoemaker Park in those areas designated by the director for overnight vehicle parking for a period limited to two hundred forty (240) consecutive hours with said periods not to occur more than once every calendar month. Overnight parking shall be limited to those vehicles which are being used as overnight sleeping facilities.

13.12.040 Vehicle regulations. No person in a park shall drive any vehicle on any area except the park roads or parking areas, or such other areas as may on occasion be specifically designated as temporary park roads or parking areas by the director.

13.12.050 Additional regulations. The director may promulgate such additional and other park regulations as deemed necessary and advisable and submit them to the council for approval. Such regulations shall become effective upon adoption by ordinance incorporating said regulations and posting notice thereof at park areas.


PASSED AND APPROVED IN FIRST READING AUGUST 27, 1985.

PASSED AND APPROVED IN SECOND READING SEPTEMBER 10, 1985.



Mayor William B. Privett

ATTEST;



City Clerk Lanore K. Gunderson

EXHIBIT A TO ORDINANCE _____
SHOEMAKER PARK

1. Description of Shoemaker Park is:

NOTE: (It is recommended that a legal description of the park be obtained and inserted).

CITY OF WRANGELL, ALASKA

Ordinance No. 483

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA AMENDING WRANGELL MUNICIPAL CODE, TITLE 15, CHAPTERS 15.04 "WATER" AND 15.08 "SEWERS", BY ADDING SECTIONS AND PROVISIONS DEALING WITH BILL ADJUSTMENTS AND REFUNDS FOR OVERCHARGES.

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

Sec. 1. Classification. This ordinance is of 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 law and shall be effective thirty (30) days after final passage.

Sec. 4. Wrangell Municipal Code (hereinafter WMC), Chapter 15.04, designated "Water", is amended by adding a new section entitled 15.04.363 Bills--Adjustments--Refunds, said section as enacted to read as follows:

15.04.363 Bills--Adjustments--Refunds. No adjustments in customer's monthly billing rate will be made, except upon the written request of the customer. The customer shall be responsible for notifying the city of changes in their establishment which may require a change in monthly rate. Upon written request, a monthly billing rate shall be adjusted by the city if good cause is shown for such an adjustment. If the customer's rate is adjusted, refunds will only be made from the date the adjustment was requested in writing.

Sec. 5. WMC 15.04.470 Meter accuracy--Bill adjustment for inaccuracies, is amended to read:

15.04.470 Meter accuracy--Bill adjustment for inaccuracies.

A. When, upon test, a meter is found to be registering more than five percent fast under normal operating conditions, the city will refund to the customer the full amount of the overcharge, based on corrected meter readings,

[NOT EXCEEDING TWO REGULAR BILLING PERIODS THAT THE METER WAS IN USE.] for those billing periods that the meter was in use where good cause can be shown for the adjustment, and where the customer has notified the city in writing of the need for the test. In no case shall refunds be made in excess of the applicable statute of limitations period.

B. When, upon test, a meter is found to be registering more than ten percent slow, the city may bill the customer for the amount of the undercharge, based upon corrected meter readings, [NOT EXCEEDING TWO REGULAR BILLING PERIODS THAT THE METER WAS IN USE.] for those billing periods that the meter was in use where good cause could be shown for the adjustment. In no case shall the customer be charged for a period in excess of the applicable statute of limitations period.

Sec. 6. Note 3 of WMC 15.04.640 Monthly water rates, is amended by adding language, said note to read:

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 by the city manager shall apply, subject to adjustment[.] from the date the customer in writing requests an adjusted rate. The city manager shall notify the customer in writing of the rate determination.

Sec. 7. WMC Chapter 15.08, designated "Sewers", is amended by adding a new section 15.08.213 Bills--Adjustments--Refunds, said section as enacted to read as follows:

15.08.213 Bills--Adjustments--Refunds. No adjustments in customer's monthly billing rate will be made except upon the written request of the customer. The customer shall be responsible for notifying the city of changes in their establishment which may require a change in the monthly rate. Upon written request, a monthly billing rate shall be adjusted by the city if good cause is shown for such an adjustment. If the customer's rate is adjusted, refunds will only be made from the date the adjustment was requested in writing.

Sec. 8. Note 3 of WMC 15.08.240 Schedule of rates and charges, is amended by adding language, said note to read:

Note 3: Special Users. Each special user shall be evaluated separately based on the average flow, B.O.D., and suspended solids characteristic of its wastewater contribution. The flow, B.O.D., 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, that rate deemed most applicable by the city manager shall apply, subject to adjustment[.] from the date the customer in writing requests an adjusted rate. The city manager shall notify the customer in writing of the rate determination.

PASSED AND APPROVED IN FIRST READING AUGUST 27, 1985

PASSED AND APPROVED IN SECOND READING SEPTEMBER 10, 1985



Mayor William B. Privett

ATTEST:



City Clerk Lanore K. Gunderson

CITY OF WRANGELL, ALASKA

Ordinance No. 484

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA AMENDING CHAPTER 15.12 ENTITLED "ELECTRICITY" BY AMENDING SECTIONS OF SAID CHAPTER TO REMOVE PROVISIONS THAT SET RATES BY ORDINANCE FOR INDUSTRIAL USERS, AND PROVIDING THAT THE RATE TO BE CHARGED FOR ELECTRICAL ENERGY, AND OTHER SERVICES MAY BE SET BY WRITTEN CONTRACT BETWEEN THE INDUSTRIAL USER AND THE CITY.

WHEREAS, the City of Wrangell is in the process of the final stages of the approval of a contract negotiated between the City of Wrangell and the Alaska Power Authority, which agreement is specifically authorized by the charter of the City of Wrangell; and

WHEREAS, the council deems it in the best interest of the citizens of the City of Wrangell to enter into a negotiated agreement with its singular electrical industrial user, said agreement covering the rate to be charged for the electricity and other services provided to the industrial user;

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

Sec. 1. Classification. This ordinance is of 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 law and shall be effective thirty (30) days after final passage.

Sec. 4. Wrangell Municipal Code, (hereinafter WMC), Chapter 15.12 designated "Electricity", specifically Section 15.12.040 Promulgation of rules and regulations, is repealed in its entirety.

Sec. 5. WMC Section 15.12.220 Meter rates--
Industrial service (Schedule D) is amended by repealing the
second sentence of section A, and adding new sections, E, F and
G to read as follows:

A. Classification. Industrial service includes customers that receive service at a primary voltage level. [SUCH SERVICE SHALL INCLUDE THAT WHERE THE CUSTOMER PROVIDES MULTIPLE TRANSFORMATION FOR LOADS AT DIFFERENT SECONDARY VOLTAGES.]

B. Availability. Service delivered under this schedule shall be three-phase, sixty-cycle, alternating current at a primary voltage to be specified by the city. All installations shall be subject to the approval of the city.

C. Power Factor.

1. Adjustment of demand for power. The rate in this section does not include a charge for a power factor. The city reserves the right to adopt an adjustment of demand for power factor following installation of KW demand and RKVA reactive meters and adoption of rates as required by law.

2. Demand Charge. The rate in this section does not include a demand charge. The city reserves the right to adopt a demand charge after installation of demand meters and adoption of rates as required by law.

D. Rate.

Schedule D

Customer charge

\$22.50 per month

Energy charge

all KWH at 9.2¢
per KWH.

E. The rates in subsection C and subsection D herein shall apply for industrial service until such time as an agreement contemplated by subsections F and G herein is entered into and becomes effective between the city and the industrial user.

F. Rates. Pursuant to the provisions of Section 5-17 (C) of the charter, the rates to be established for the sale of electrical energy to industrial users shall be as negotiated between the City of Wrangell, and the industrial user, and as formalized in a written contract authorized by resolution of the council.

G. The rights and remedies of any patrons or any consumer shall not be abridged, reduced or lost by virtue of the existence of a contract between a patron or consumer of electrical energy and the city. The protection provided by this section shall exist in all contracts between the city and a consumer or patron whether or not it is written therein. Notwithstanding the failure of the following list to include all rights and remedies of patrons or consumers, it is generally recognized that a patron or consumer is entitled to a

supply of electrical energy or services without unjust or undue discrimination, without an unreasonable preference or advantage to any other patron or consumer, and without unjust or undue discrimination as between classes of service. Nothing in this section prohibits the establishment of reasonable classifications of service or requires unreasonable investment in facilities.


PASSED AND APPROVED IN FIRST READING AUGUST 13, 1985,

PASSED AND APPROVED IN SECOND READING SEPTEMBER 24, 1985.



Mayor WILLIAM B. PRIVETT

ATTEST:



City Clerk Lanore K. Gunderson

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 485

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING WRANGELL MUNICIPAL CODE, TITLE 20, ENTITLED ZONING BY AMENDING PROCEDURES ON VARIANCES AND AMENDMENTS, ESTABLISHING PROCEDURES FOR CONTRACT ZONING 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 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 (30) days after final passage.

Sec. 4. Providing for a Public Hearing. A public hearing shall be held with notice thereof ten days prior to said public hearing.

Sec. 5. Wrangell Municipal Code, Chapter 20.72, Variances is hereby repealed and reenacted to read:

Chapter 20.72

VARIANCES

Sections:

- 20.72.010 Purpose of provisions.
- 20.72.020 Application.
- 20.72.030 Public inspection of application.
- 20.72.040 Hearing and notice.
- 20.72.050 Conditions of approval.
- 20.72.060 Consideration of evidence.
- 20.72.070 Decision.
- 20.72.080 Expiration of approval.

20.72.010 Purpose of provisions. The variance provision is designed to allow the commission to adjust the regulations of this title in special cases where unusual physical features of the particular parcel involved would make a strict application of the zoning regulations unreasonable. Under no circumstances shall a variance be granted to permit a use of land or structure which is not otherwise permitted in the zone involved. Rezoning

is the only legal means of changing permitted uses of land and buildings.

20.72.020 Application. A. A written application shall be filed with the commission through the zoning administrator.

B. The application shall include the following:

1. A description by lot and block of the property involved;
2. The signature of the owner of the property concerned;
3. Site plans showing the location of all existing and proposed buildings or alterations, elevations of such buildings or alterations, and such other data as may be required;
4. A fee of twenty-five dollars to cover legal notice and administrative costs.

20.72.030 Public inspection of application. From the time of filing such application until the time of the commission's hearing, the application, together with all plans and data submitted, shall be available for public inspection in the office of the administrative official.

20.72.040 Hearing and notice. Before taking any action on the proposed variance but within thirty days of the filing of the application, the commission shall hold a public hearing on the proposed variance. At least ten days before the hearing a public notice specifying the subject, time and place of the hearing shall be posted on all public bulletin boards. In addition, at least ten days' notice of the time and place of the hearing shall be mailed to all parties in interest and to all property owners within three hundred feet of the property.

20.72.050 Conditions of approval. The commission must find all four of the following conditions to exist in order to grant the variance:

A. That there are exceptional physical circumstances or conditions applicable to the property or to its intended use or development which do not apply generally to the other properties in the same zone;

B. That the strict application of the provisions of this title would result in practical difficulties or unnecessary hardships. (The courts have generally ruled that financial difficulty cannot be considered a hardship in such cases.);

C. That the granting of the variance will not result in material damage or prejudice to other properties in the vicinity nor be detrimental to the public health, safety or welfare;

D. That the granting of the variance will not be contrary to the objectives of the comprehensive plan.

20.72.060 Consideration of evidence. The commission shall hear and consider evidence and facts from any person at the public hearings, or written communication from any person relative to the matter.

20.72.070 Decision. A. The commission shall render its decision within thirty days after the conclusion of the public hearing, unless such time limit is extended by common consent and agreement signed by both the applicant and the commission.

B. A variance may not be granted because of special conditions caused by actions of the person seeking relief or for reasons of pecuniary hardship or inconvenience. A variance may not be granted which will permit a land use in a district in which that use is prohibited.

C. The decision of the commission and the reasons therefor shall be entered into records of the commission.

20.72.080 Expiration of approval. Any variance approved by the commission shall expire unless the privilege granted is utilized within six months after the granting of the variance.

Sec. 6. Wrangell Municipal Code, Chapter 20.76, Amendments is hereby repealed and reenacted to read:

CHAPTER 20.76

AMENDMENTS

Sections:

- 20.76.010 Amendment authority.
- 20.76.020 Initiation.
- 20.76.030 Commission hearing and report.
- 20.76.040 City Council hearing and notice.

20.76.010 Amendment authority. Whenever the public necessity, convenience or general welfare requires, the city council may, under the procedure set forth in this chapter and by ordinance, amend or repeal these regulations or change the boundaries of zones.

20.76.020 Initiation. Changes in this title may be initiated by the following means:

- A. By the city council on its own motion;
- B. By the commission on its own motion;
- C. By petition signed by the owners of fifty percent of the property within an area proposed for rezoning; said petition shall be filed with the commission through the zoning administrator. The zoning administrator shall not accept incomplete or incorrect petitions for filing. If the city council finds that it is in the public's best interest to disapprove a petition, another petition requesting substantially the same zoning change may not be filed within six months after disapproval of the original petition. Besides the necessary signatures, the petition shall contain the following:

1. A description by lot and block and general location of the property involved;
2. Reasons for the proposed change;
3. A statement describing the effect of the proposed change on the objectives of the comprehensive plan; and
4. A fee of twenty-five dollars to cover legal notice and administrative costs.

20.76.030 Commission hearing and report. A. Before any proposed zoning change may be acted upon by the city council, the commission shall hold a public hearing on the proposed amendment to the zoning ordinance or proposed map. The zoning administrator, with such assistance of other city departments as may be required and appropriate, shall review and report to the commission on the proposed amendment, prior to the date of the hearing.

B. At least ten days before the hearing a public notice specifying the subject, time and place of the hearing shall be posted on all public bulletin boards. In addition, where the proposed zoning change affects a zone boundary, owners of property within the area of proposed zone change and all property owners within three hundred feet of this area shall be notified by mail of the subject, time and place of such hearing. Said notice shall be mailed at least ten days before the hearing.

C. Within fifteen days from the date of the hearing as set forth in this section, the commission shall study the proposed change and shall make a report in writing to the city council. Said report shall include the following:

1. Findings as to need and justification for the proposed change including findings as to the effect which the proposed change would have on the objectives of the comprehensive plan;

2. Findings as to the effect which the proposed change would have on property owners in the area of proposed boundary changes, including changes in traffic flow, population, density, off street parking, sewer and water services; and

3. Recommendation as to the approval or disapproval of the change.

20.76.040 City Council hearing and notice. A. Before taking any action on the proposed zoning change, but within thirty days of the filing of the report by the commission, the city council shall hold a public hearing on the proposed amendment to the zoning ordinance or proposed map.

B. At least ten days before the hearing a public notice specifying the subject, time and place of the hearing shall be posted on all public bulletin boards. In addition, where the proposed zoning change effects a zone boundary, owners of property within the area of proposed zone change and all property owners within three hundred feet of this area shall be notified by mail of the subject, time and place of such hearing. Said notice shall be mailed at least ten days before the hearing.

C. If the city council finds that it is in the public's best interest to approve the proposed zoning change, they may thereafter enact said change by ordinance.

Sec. 7. Wrangell Municipal Code, Title 20, Zoning is hereby amended by adding a new chapter to read-as-follows:

Chapter 20.77

CONTRACT ZONING

Sections:

20.77.010 Contract zoning - definition and purpose

20.77.020 Initiation.

20.77.030 Agreement.

20.77.010 Contract zoning - definition and purpose. In this chapter, "contract zoning" means a zoning reclassification to a less restricted use when the owner of the rezoned property, through an agreement with the city council, places restrictions on the use of the land beyond the zoning requirements generally attaching to the new district in which the property has been placed. Contract zoning shall follow the same procedures as set forth in 20.76.020 (C), 20.76.030 and 20.76.040 (A) and (B).

20.77.020 Initiation. Contract zoning shall be initiated by petition signed by the owners of the property to be rezoned. In addition to the information required in 20.76.020 (C), the petition shall include the following:

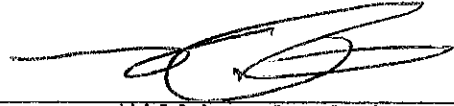
1. The use to which the property will be put;
2. The term desired for the agreement, which term shall not exceed the estimated useful life of the improvements that are or will be constructed on the property;
3. The dimensions, square feet and height of the improvements;
4. A detailed site plan, which shall include the location of improvements and provisions for off street parking spaces and loading/unloading space(s);
5. The estimated number of persons that will be employed;
6. A statement as to the type and volume of solid waste that will be generated and the proposed method of disposal;
7. A statement as to the amount of traffic that will be generated; and
8. A statement as to the noise or odor that may be generated.

20.77.030 Agreement. If the city council finds that it is in the public's best interest to approve the proposed contract zone, the city council shall thereafter prepare an agreement, including such terms and limitations as they deem necessary to protect neighboring properties, for approval by ordinance. Said agreement shall include covenants as follows:

1. That the property shall be developed for the proposed use within a specified period of time;
2. That if the owner ceases to use the property as agreed for a specified period of time the classification of said property will revert to the former zone; and
3. That should the property subject to the agreement be zoned to a zoning classification which permits the use set forth in the agreement, the provisions of the agreement restricting said property use shall be null and void.

PASSED IN FIRST READING: _____ AUGUST 27 _____, 1985

PASSED IN SECOND READING: SEPTEMBER 24, 1985



Mayor William B. Privett

ATTEST:



City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 486

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 20 OF THE WRANGELL MUNICIPAL CODE TO PROVIDE STANDARDS IN THE CONSTRUCTION AND USE OF STRUCTURES BUILT TO STORE FIREWOOD IN RESIDENTIAL ZONED DISTRICTS.

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

Sec. 1. Classification. This ordinance is an ordinance 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 by law and shall be effective thirty (30) days after final passage.

4. Wrangell Municipal Code Title 20, Chapter 20.52 is hereby amended by adding the following section:

20.52.260 Firewood storage. A structure built or constructed for the purpose of storing firewood may be located in any district to which this standard is made applicable, subject to the following limitations:

A. The structure shall be set back at least eighteen (18") inches from lot lines.

B. The structure shall not exceed a height of eight (8') feet and width of eight (8') feet.

C. The structure shall comply with the requirements of Wrangell Municipal Code 20.52.020.

D. The structure shall only be used for the storage of firewood, and shall not be used for the storage of construction materials such as studs, beams, and siding.

Sec. 5. Wrangell Municipal Code 20.16.050 is hereby amended by adding part V to read as follows:

V. Firewood storage 20.52.260.

Sec. 6. Wrangell Municipal Code 20.20.050 is hereby amended by adding part V to read as follows:

V. Firewood storage 20.52.260.

Sec. 7. Wrangell Municipal Code 20.28.050 is hereby amended by adding part Y to read as follows:

Y. Firewood storage 20.52.260.

Sec. 8. Wrangell Municipal Code 20.30.050 is hereby amended by adding part Y to read as follows:

Y. Firewood storage 20.52.260.

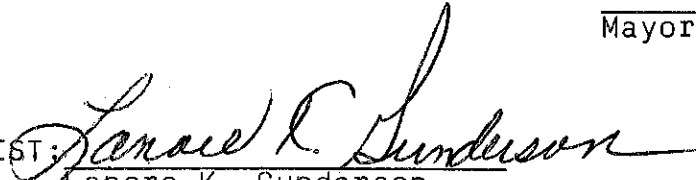
PASSED IN FIRST READING: November 12, 1985

PASSED IN SECOND READING: DECEMBER 2, 1985



Mayor William B. Privett

ATTEST:



Lanore K. Gunderson,
City Clerk

CITY OF WRANGELL, ALASKA

Ordinance No. 487

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING THE WRANGELL MUNICIPAL CODE TO CONFORM VARIOUS SECTIONS IN TITLE 5 AND TITLE 20 THEREOF TO THE RECENTLY ENACTED NEW TITLE 29 ENTITLED MUNICIPAL CORPORATIONS.

RECITALS

The purpose of this ordinance is to revise various provisions of the Wrangell Municipal Code as a result of a recent state legislature revision of Title 29 of the Alaska Statutes dealing with municipal corporations.

NOW, THEREFORE, 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 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 its application to other 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. WMC 5.08.100 entitled "Penalty and interest", is amended by changing the interest rate on delinquent sales tax from six percent to fifteen percent. Since no other amendments are made to this section, said section is not included in this ordinance.

Sec. 5. Wrangell Municipal Code (hereinafter "WMC") Chapter 20.04.040 entitled "Planning and zoning commission--Established" is amended to read as follows:

20.04.040 Planning and zoning commission--
Established. The city council, pursuant to the provisions of AS [29.10.207] 29.35.180(b), has appointed a planning commission

to recommend the boundaries of the various districts, make appropriate regulations to be enforced therein, and appoints and constitutes the members thereof to the zoning commission which commission shall be entitled the planning and zoning commission and referred to in this title as the "commission."


Sec. 6. WMC Section 20.80.020 "Hearing procedure", subsection C. thereof is amended to read as follows:

20.80.020 Hearing procedure.

C. In exercising the abovementioned powers, the board of adjustment may, [IN CONFORMITY WITH AS 29.10.234,] reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the body from whom the appeal is taken.

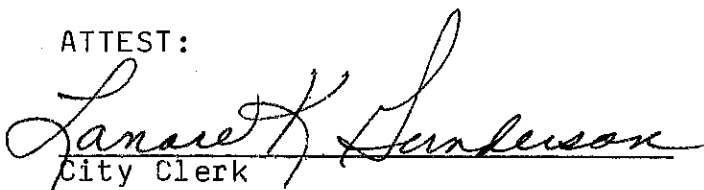
PASSED AND APPROVED IN FIRST READING April 8, 1986.

PASSED AND APPROVED IN SECOND READING April 22, 1986.



Mayor

ATTEST:



City Clerk

CITY OF WRANGELL, ALASKA

Ordinance No. 488

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, CONCERNING CONFLICT OF INTEREST, SETTING STANDARDS FOR DECLARATION OF FINANCIAL INTEREST AND, ONCE DECLARED, SETTING FORTH A PROCEDURE TO DETERMINE THE CONFLICT OF INTEREST.

RECITALS

This ordinance is enacted for the purpose of conforming the Wrangell Municipal Code with Title 29 of Alaska Statutes. The Council may hereafter present a Charter amendment to the voters to remove the more restrictive language of the Charter which defines a conflict as "a substantial direct or indirect financial interest." The Alaska Statutes state "a substantial financial interest." The Council also states that the Wrangell Charter provision precluding a Council member affected from voting on the determination of the conflict is more restrictive and, therefore, should remain.

NOW, THEREFORE, 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 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 its application to other circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided by law and shall be effective one hundred eighty (180) days after January 1, 1986.

Sec. 4. Chapter 3.04 of the Wrangell Municipal Code is amended by adding a section designated "Conflict of Interest", said section as added to read as follows:

3.04.112 Conflict of Interest.

A. All members of the Council shall vote on each question before the Council for a determination. No member of the Council, elected or appointed official, municipal employee or official, may vote on or participate in official action in which the Council person, elected or appointed official, municipal employee or official has a substantial financial interest.

B. A Council member, municipal Board member or Commission member shall declare a substantial financial interest the member has in an official action and ask to be excused from a vote on the matter.

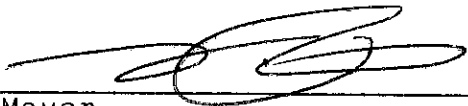
C. The presiding officer shall rule on a request made under subsection B.

D. The decision of the presiding officer on a request made under subsection B. may be overridden by the majority vote of the Council, Board or Commission.

Section 5. Wrangell Municipal Code Section 1.12.035 Abstentions is repealed.

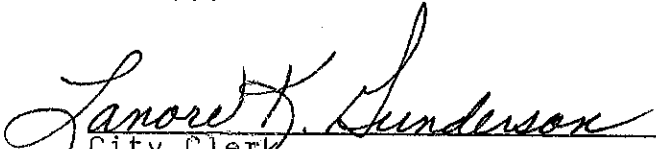
PASSED AND APPROVED IN FIRST READING April 8, 1986.

PASSED AND APPROVED IN SECOND READING April 22, 1986.



Mayor

ATTEST:



City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 489

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING THE LOCAL HIRE REQUIREMENT ON PUBLIC IMPROVEMENT CONTRACTS

Whereas, the Council has reviewed a special study measuring the economic impact of nonresidents on Alaska's economy during the 1984 calendar year prepared by the State of Alaska, and specifically, the data pertaining to the City of Wrangell.

Whereas, the Council based on its findings in reviewing the above study, and its additional findings as contained in this ordinance, deems it necessary to increase the percentage of residents of the labor for projects funded or administered by the City or as herein set out, is in response to problems and concerns identified by the findings set out herein, and above.

Whereas, the purpose of this ordinance, is to insure that qualified resident workers do not remain unemployed while nonresident workers are employed on construction projects, such that the level of unemployment among residents of the City is reduced, and such that the population of the City of Wrangell is stabilized, thus stabilizing the City's economy.

Whereas, it is the policy of the City, to fulfill the duty of loyalty owed to its citizens and to remedy social and economic problems, therefore, the City desires to grant an employment preference to residents.

NOW THEREFORE, 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 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 its application to other 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. Wrangell Municipal Code, Chapter 5.10, identified as "Purchases and sales" is amended by adding a section thereto, to read as follows:

5.10.065 Findings supporting local hire requirement on public improvement contracts. (a) The City Council finds:

1. Because of its isolated location and economic dependency on the seasonal and volatile industries of Timber and Fishing, the City of Wrangell has historically experienced social, seasonal, and geographic economic conditions that result in an unstable economy.
2. Because of the unstable economy, there is a high rate of unemployment among the residents of the City, creating a hardship that is aggravated by the influx of transient nonresident workers.
3. The City has a vested interest in providing jobs for its unemployed residents.
4. There is a high rate of resident unemployment in the construction industry in the City.
5. It is in the public interest for the City to allocate public funds for capitol projects in order to reduce unemployment among its resident construction workers.
6. It is appropriate for the City to consider the welfare of its residents when it funds or administers construction activities.
7. The influx of transient nonresident construction workers contributes to the high unemployment among resident construction workers, because the nonresident workers compete with residents for the available construction jobs.
8. The City has a vested interest in seeing that the benefits of public construction spending accrue to its residents, and nonresident workers displace qualified, available and unemployed Wrangell workers on City funded and administered public works projects.
9. A high percentage of the City's revenue is derived from property tax and the resident construction workers contribution to the tax base help to fund the public works projects.
10. The City has a duty of loyalty to its citizens and should fulfill this duty by giving Wrangell residents an employment preference on all City funded or administered projects in order to promote a more stable economy.
11. There is a legitimate vested governmental interest, in that the public health and welfare of Wrangell will suffer if its residents are not afforded employment preference in City funded and administered capitol improvement and public works construction projects.

12. That after review of the special study, measuring the economic impact of nonresidents on Alaska's economy during the 1984 calendar year, prepared by the State of Alaska, and specifically, the data pertaining to Wrangell, the Council finds support for its independent analysis and above findings.
13. That the Council has previously considered the preferential hire to Alaskan's issue in August of 1985, and in 1983, and further finds that the need for local hire is greater now, than previously.

Sec. 5. Wrangell Municipal Code Title 5, Chapter 5.10.070 entitled "Local hire required on public improvement contracts", is hereby amended to read:

5.10.070 Local hire required on public improvement contracts. A. Contracts for public improvements which are funded in whole or in part by local funds, or funds which in accordance with a Federal grant or otherwise, the City expends or administers, and to which the City is signatory to the public improvement contract, may include the requirement that [50] 90% of the work shall be accomplished by bona fide local residents, if qualified and available. In the case of Federal funds used on a public improvement, the Federal program should be intended to encourage economic revitalization including improvement opportunities for the poor and unemployed.

PASSED IN FIRST READING APRIL 8, 1986

PASSED IN SECOND READING May 13, 1986



Mayor

ATTEST:

BY:



City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 490

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AUTHORIZING THE LEASE OF CITY PROPERTY TO THE STATE OF ALASKA COURT SYSTEM, AUTHORIZING THE CITY COUNCIL TO DETERMINE THE TERMS AND CONDITIONS OF THE LEASE, AND CALLING FOR A SPECIAL ELECTION FOR VOTER APPROVAL OF SAID LEASE.

RECITALS

WHEREAS, the City of Wrangell is constructing and owns a building referred to as the "Public Safety Building", a portion of which building, it has always been contemplated, will be leased by the City to the State of Alaska Court System.

WHEREAS, a working draft of the contemplated lease agreement is on file in the office of the City Manager; however, the negotiations for the ultimate terms and conditions of the Lease, have not been finally authorized or culminated. The Council will exercise its final authority in reviewing and determining that the Lease of the real property is in the best interests of the Wrangell citizens.

WHEREAS, the Council has determined that the Lease of the property is of a substantial benefit to the people of Wrangell and will be used for a public purpose. The Council desires the voters of the City of Wrangell to ratify the Council's decision to enter into a Lease with the State of Alaska for a portion of said Public Safety Building.

WHEREAS, Section 5-17 of the Wrangell Charter requires that the City may lease real property, the value of which Lease or interest is more than Twenty-five Thousand Dollars (\$25,000.00), only by authority of an ordinance enacted or ratified at an 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, AS FOLLOWS:

Section 1. Classification. This ordinance is an ordinance of a permanent and general nature, but shall not become a part of the Code of the City of Wrangell, Alaska.

Section 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.

Section 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 special election JUNE 17, 1986.

Section 4. Repealer. This ordinance repeals no existing or effective Wrangell ordinance.

Section 5. Referendum Proposition. The Clerk of the City of Wrangell is hereby directed to place upon the ballot at the special election of the City of Wrangell called for the purpose of referring to the qualified voters of Wrangell, Alaska, the following:

PROPOSITION

SHALL THE CITY OF WRANGELL LEASE A PORTION OF A BUILDING ON THE FOLLOWING DESCRIBED CITY OWNED REAL PROPERTY TO THE STATE OF ALASKA COURT SYSTEM, SAID PROPERTIES LOCATED IN THE CITY OF WRANGELL? BY VOTING FOR THIS PROPOSITION, YOU WILL GIVE TO THE COUNCIL THE ABILITY TO DECIDE ALL TERMS AND CONDITIONS OF A LEASE BETWEEN THE CITY OF WRANGELL AND THE STATE OF ALASKA COURT SYSTEM. THE BUILDING AND REAL PROPERTY THAT THE CITY OF WRANGELL WILL LEASE TO THE STATE OF ALASKA IS LEGALLY DESCRIBED AS:

Parcel I:

Tract 2 Subdivision of Fraction of Lot 3, Block 20, Wrangell Town Site, according to the Plat thereof filed October 23, 1964 in Volume 1, Miscellaneous Plats, and

Parcel II:

Lot 2B, Block 20, Wrangell Township, according to the Plat thereof filed May 8, 1972.

Both Parcels I and II in the Wrangell Recording District, First Judicial District, State of Alaska

Section 6. Special Election. The Clerk of the City of Wrangell, Alaska, is hereby directed to call a special

election of the qualified voters of the City of Wrangell, Alaska, for JUNE 17, 1986.

Section 7. Election Precincts. For the purpose of the election on the foregoing proposition to be submitted at said special 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.

Section 8. Polls Open. The polls will be open for voting on the proposition between the hours of 8:00 a.m. and 8:00 p.m., on the special election day.


Section 9. Voter Qualifications. The qualifications for voters on the aforementioned proposition shall be the same as for voters at municipal elections generally.

Section 10. Notice. 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.

Section 11. Public Review. In addition to the notice for the special election, the Clerk is directed to give public notice that draft copies of the proposed Lease of the property may be reviewed at the office of the City Clerk, and a copy thereof shall be given upon request, and upon payment of a reasonable copying charge.

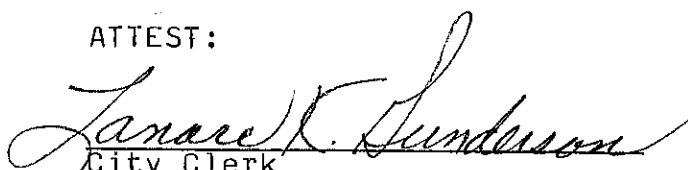
PASSED IN FIRST READING: APRIL 22, 1986.

PASSED IN SECOND READING: MAY 13, 1986.



Mayor

ATTEST:



City Clerk

CITY OF WRANGELL, ALASKA

Ordinance No. 491

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING THE WRANGELL MUNICIPAL CODE CONCERNING QUALIFICATIONS OF MAYOR, COUNCIL, PORT COMMISSION AND SCHOOL BOARD AND AMENDING THE ELECTION CODE.

RECITALS

The purpose of this ordinance is to revise various provisions of the Wrangell Municipal Code as a result of a recent state legislative revision of Title 29 of the Alaska Statutes dealing with municipal corporations.

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

Section. 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.

Section. 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 its application to other circumstances shall not be affected thereby.

Section. 3. Effective Date. This ordinance shall be published as provided by law and shall be effective thirty (30) days after final passage.

Section 4. WMC Section 2.08.030 entitled "Qualification of voters" is amended to read as follows:

2.08.030 Qualification of voters. Each voter must have the qualifications prescribed by state law. Each voter shall be registered to vote in the precinct in which that person seeks to vote in municipal elections. A voter that desires to vote in a municipal election whose name does not appear on the precinct list provided by the State of Alaska for said municipal election shall be required to vote a questioned ballot. 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.

Section 5. The title of Chapter 2.12 is repealed, and enacted to read: "Time, Notice and Publication Requirements for Elections".

Section 6. WMC 2.12.020 entitled "General elections--Notice" is amended to read as follows:

2.12.020 General elections--Notice. At least [T]wenty 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, 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 SECTION 2.08.020 OF THE CITY CODE.]

Each voter must have the qualifications prescribed by state law. Each voter shall be registered to vote in the precinct in which that person seeks to vote in municipal elections. A voter that desires to vote in a municipal election whose name does not appear on the precinct list provided by the State of Alaska for said municipal election shall be required to vote a questioned ballot.

Section 7. WMC Chapter 2.12 now entitled "Time and Notice of Election", and amended by this ordinance to read "Time, Notice and Publication Requirements for Elections", is amended by repealing WMC Section 2.12.050 and Section 2.12.060, and re-enacting said Sections to read as follows:

2.12.050 Special elections--Date. The resolution, ordinance or proclamation calling a special election shall fix the date of the election.

2.12.060 Special elections--Notice. Notice shall be given by both publication and posting as in the case of general elections. Notice of an election shall be given four (4) weeks prior to the election.

Section 8. Chapter 2.12 now entitled "Time and Notice of Election", and amended by this ordinance to read "Time, Notice and Publication Requirements for Elections", is amended by adding a new section designated "2.12.070 Election, Publication Requirements, and Notice", said section as enacted to read as follows:

2.12.070 Election, Publication Requirements, and Notice. Special publication requirements exist which may affect the ability to hold an election on a certain date, and may alter the notice requirements for a an election. The publication requirements are set by charter, ordinances and state law. Some specific examples are as follows:

A. Charter amendment. See Charter Section 10-9 and 13-1.

B. Initiative and Referendum. See Chater Section 11-1 and following sections.

C. Recall. See Charter Section 11-6 and Chapter 2.40 Recall of the Wrangell Municipal Code, specifically Section 2.40.090.

Section. 9. Wrangell Municipal Code (hereinafter "WMC") Chapter 2.16 entitled "Candidates" is amended by revising Section 2.16.010 to read as hereinafter set out, and by adding Section 2.16.020 "Declaration of Council Candidacy", adding Section 2.16.030 "Declaration of Port Commissioner Candidacy" and Section 2.16.040 "Declaration of School Board Member Candidacy", said Sections as amended and added to read as follows:

2.16.010 Declaration of Mayoral Candidacy. The declaration shall be in substantially the following form, said form to be [AS] provided by the city clerk's office:

DECLARATION OF MAYORAL CANDIDACY

I, _____, declare that I reside at _____ (Address), in the city of Wrangell, 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 three (3) years [THIRTY DAYS] preceding the date of this election; and that I am qualified to vote in a Wrangell municipal 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 Mayor for a term of two (2) 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 Wrangell, 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 or City Clerk)

2.16.020 Declaration of Council Candidacy. The declaration shall be in substantially the following form, said form to be provided by the city clerk's office:

DECLARATION OF COUNCIL CANDIDACY

I, _____, declare that I reside at _____ (Address), in the city of Wrangell, Alaska; that I am at least 18 years of age, that I have been a resident of Wrangell, Alaska for at least three (3) years preceding the date of this election, and that I am qualified to vote in a Wrangell municipal election.

I declare myself a candidate for the office of Council for a term of three (3) 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 Wrangell, 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 or City Clerk)

2.16.030 Declaration of Port Commission Candidacy.
The declaration shall be in substantially the following form, said form to be provided by the city clerk's office:

DECLARATION OF PORT COMMISSION CANDIDACY

I, _____, declare that I reside at _____ (Address), in the city of Wrangell, Alaska; that I am at least 21 years of age; that I have been a resident of Wrangell, Alaska for at least three (3) years preceding the date of this election; and that I am qualified to vote in a Wrangell municipal election.

I declare myself a candidate for the office of Port Commission for a term of three (3) 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 Wrangell, 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 or City Clerk)

2.16.040 Declaration of School Board Member Candidacy. The declaration shall be in substantially the following form, said form to be provided by the city clerk's office:

DECLARATION OF SCHOOL BOARD
MEMBER CANDIDACY

I, _____, declare that I reside at _____ (Address) _____, in the city of Wrangell, Alaska; that I am at least 18 years of age; that I have been a resident of Wrangell, Alaska for at least thirty (30) days preceding the date of this election; and that I am qualified to vote in a Wrangell municipal election.

I declare myself a candidate for the office of School Board 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 Wrangell, 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 or City Clerk)

Section 10. WMC Section 2.20.050 is amended to read as follows:

2.20.050 Ballots--Numbering and design. 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," and the date of the election [AND A FACSIMILE SIGNATURE OF THE CLERK CAUSING THE BALLOTS TO BE PRINTED].

Section 11. WMC Title 2 entitled "Elections" is amended by adding a new chapter entitled "2.40 Recall", said chapter as enacted to read as follows:

Chapter 2.40

RECALL

Sections:

- 2.40.010 Recall.
- 2.40.020 Grounds for recall.
- 2.40.030 Application for recall petition.
- 2.40.040 Recall petition.
- 2.40.050 Signature requirements.
- 2.40.060 Sufficiency of petition.
- 2.40.070 New recall petition application.
- 2.40.080 Submission.
- 2.40.090 Election.
- 2.40.100 Form of recall ballot.
- 2.40.110 Effect.
- 2.40.120 Successors.

2.40.010 Recall. An official who is elected or appointed to an elective municipal office may be recalled by the voters after the official has served the first 6 months of the term for which elected or appointed.

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

2.40.030 Application for recall petition.

A. An application for a recall petition shall be filed with the municipal clerk and shall contain

(1) the signatures and residence addresses of at least 10 municipal voters who will sponsor the petition;

(2) the address to which all correspondence relating to the petition may be sent;

(3) a statement in 200 words or less of the grounds for recall stated with particularity.

B. An additional sponsor may be added at any time before the petition is filed by submitting the name of the sponsor to the clerk.

2.40.040 Recall petition.

A. If the municipal clerk determines that an application for a recall petition meets the requirements of

2.40.030, the clerk shall prepare a recall petition. All copies of the petition shall contain

(1) the name of the official sought to be recalled;

(2) the statement of the grounds for recall as set out in the application for petition;

(3) the date the petition is issued by the clerk;

(4) notice that signatures must be secured within 60 days after the date the petition is issued;

(5) spaces for each signature, the printed name of each signer, the date of each signature, and the residence and mailing addresses of each signer;

(6) a statement, with space for the sponsor's sworn signature and date of signing, that the sponsor personally circulated the petition, that all signatures were affixed in the presence of the sponsor, and that the sponsor believes the signatures to be those of the persons whose names they purport to be; and

(7) space for indicating the number of signatures on the petition.

B. Copies of the petition shall be provided to each sponsor by the clerk.

2.40.050 Signature requirements.

A. The signatures on a recall petition shall be secured within 60 days after the date the clerk issues the petition. The statement provided under 2.40.040 (A)(6) shall be completed and signed by the sponsor. Signatures shall be in ink or indelible pencil.

B. The clerk shall determine the number of signatures required on a petition and inform each sponsor. If a petition seeks to recall an official who represents the municipality at large, the petition shall be signed by a number of voters equal to 25 percent of the number of votes cast for that office at the last regular election held before the date the petition was issued. If a petition seeks to recall an official who represents a district, the petition shall be signed by a number of the voters residing in the district equal to 25 percent of the number of votes cast in the district for

that office at the last regular election held before the date the petition was issued.

C. Illegible signatures shall be rejected by the clerk unless accompanied by a legible printed name. Signatures not accompanied by a legible residence shall be rejected.

D. A petition signer may withdraw the signer's signature upon written application to the clerk before certification of the petition.

2.40.060 Sufficiency of petition.

A. The copies of a recall petition shall be assembled and filed as a single instrument. A petition may not be filed within 180 days before the end of the term of office of the official sought to be recalled. Within 10 days after the date a petition is filed, the municipal clerk shall

(1) certify on the petition whether it is sufficient; and

(2) if the petition is insufficient, identify the insufficiency and notify the sponsors at the address provided under 2.40.040 (A)(2) by certified mail.

B. A petition that is insufficient may be supplemented with additional signatures obtained and filed before the 11th day after the date on which the petition is rejected if

(1) the petition contains an adequate number of signatures, counting both valid and invalid signatures; and

(2) the supplementary petition is filed more than 180 days before the end of the term of office of the official sought to be recalled.

C. A petition that is insufficient shall be rejected and filed as a public record unless it is supplemented under (B) of this section. Within 10 days after the supplementary filing the clerk shall recertify the petition. If it is still insufficient, the petition is rejected and filed as a public record.

2.40.070 New recall petition application. A new application for a petition to recall the same official may not be filed sooner than six months after a petition is rejected as insufficient.

2.40.080 Submission. If a recall petition is sufficient, the clerk shall submit it to the governing body at the next regular meeting or at a special meeting held before the next regular meeting.

2.40.090 Election.

A. If a regular election occurs within 75 days but not sooner than 45 days after submission of the petition to the governing body, the governing body shall submit the recall at that election.

B. If no regular election occurs within 75 days, the governing body shall hold a special election on the recall question within 75 days but not sooner than 45 days after a petition is submitted to the governing body.

C. If a vacancy occurs in the office after a sufficient recall petition is filed with the clerk, the recall question may not be submitted to the voters. The governing body may not appoint to the same office an official who resigns after a sufficient recall petition is filed naming that official.

2.40.100 Form of recall ballot. A recall ballot shall contain

(1) the grounds for recall as stated in 200 words or less on the recall petition;

(2) a statement by the official named on the recall petition 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 []".

2.40.110 Effect.

A. If a majority vote favors recall, the office becomes vacant upon certification of the recall election.

B. If an official is not recalled at the election, an application for a petition to recall the same official may not be filed sooner than six months after the election.

2.40.120 Successors.

A. If an official is recalled from the governing body, the office of that official is filled in accordance with AS 29.20.180. If all members of the governing body are recalled, the governor shall appoint additional members to fill remaining vacancies in accordance with AS 29.20.180.

B. If a member of the school board is recalled, the office of that member is filled in accordance with AS 14.12.070. If all members are recalled from a school board, the governor shall appoint three qualified persons to the school board. The appointees shall appoint additional members to fill remaining vacancies in accordance with AS 14.12.070.

C. A person appointed under (A) or (B) of this section serves until a successor is elected and takes office.

D. If an official other than a member of the governing body or school board is recalled, a successor shall be elected to fill the unexpired portion of the term. The election shall be held not more than 60 days after the date the recall election is certified, except that if a regular election occurs within 75 days after certification the successor shall be chosen at that election.

E. Nominations for a successor may be filed until seven days before the last date on which a first notice of the election must be given. Nominations may not be filed before the certification of the recall election.

Section 12. WMC Chapter 3.04 is amended by adding a new section to read as follows:

3.04.012 Qualifications. All members of the Council, including the Mayor shall have resided within the city at least three years. This qualification is in addition to the qualifications of Council members set forth in section 2-1 of the Wrangell Charter.


Section 13. Wrangell Municipal Code Section 14.12.010 is amended to read as follows:

14.12.010 Commission established--Membership--Terms. There is established the Wrangell port commission which shall consist of five members who shall each hold office for a period of three 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 of port commission members shall apply prospectively only, commencing with the respective terms of members elected after the effective date of the ordinance codified in this section. Members of the commission [, WHO] shall have the same qualifications as councilmen, except that port commission members shall be 21 years of age, and they shall serve without pay. Members shall continue to serve staggered terms, with a minimum of one member elected annually except in those years when more than one term expires more members may be elected. Filing shall be by declaration of candidacy filed with the city clerk not more than thirty days and at least fourteen 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.

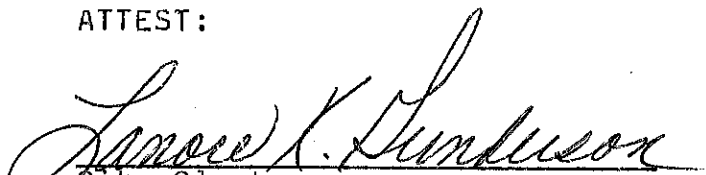
PASSED AND APPROVED IN FIRST READING APRIL 22, 1986.

PASSED AND APPROVED IN SECOND READING MAY 13, 1986.



Mayor

ATTEST:



City Clerk

CITY OF WRANGELL, ALASKA

Ordinance No. 492

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING THE EXEMPTIONS ON SALES TAX BY EXPANDING THE DEFINITION OF THE EXEMPTION TO INCLUDE ALL CONSTRUCTION COSTS, SUCH AS MATERIALS, RENTAL EQUIPMENT, SERVICES AND MATERIALS OR SUPPLIES SOLD TO A LICENSED CONTRACTOR.

RECITALS

The purpose of this ordinance is to clarify and expand the definitional section of the sales tax exemptions to make it clear that equipment rented, services or materials sold to a licensed contractor shall be exempt from the imposition of City sales tax.

NOW, THEREFORE, 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 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 its application to other 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. Wrangell Municipal Code Section 5.08.050, subsection O, and subsection S, is amended to read as follows:

5.08.050 Exemptions from Tax. The following transactions are exempt from the tax levied under this Chapter:

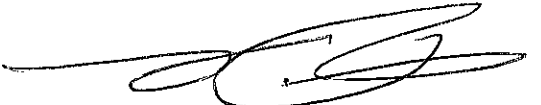
O. Sales of services, or building and construction supplies, materials, or equipment, including rental of equipment or tools, to a licensed contractor for use in construction for resale.

S. Sales of services, or building and construction supplies, materials, or equipment, including rental

of equipment or tools, to a licensed contractor for use in construction of projects under contract with the United States government, state of Alaska, city of Wrangell or any of its political subdivisions.

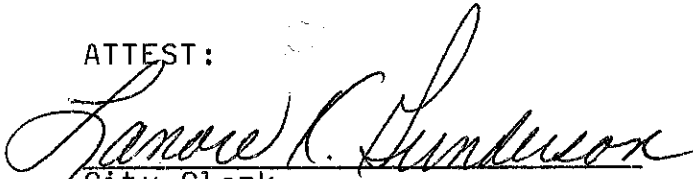
PASSED AND APPROVED IN FIRST READING APRIL 22, 1986.

PASSED AND APPROVED IN SECOND READING MAY 13, 1986.



Mayor

ATTEST:



City Clerk

CITY OF WRANGELL, ALASKA

Ordinance No. 493

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING WRANGELL MUNICIPAL CODE TITLE 10, ENTITLED PUBLIC PEACE, MORALS, AND WELFARE, BY ADDING A NEW CHAPTER 10.40, DESIGNATED ABANDONED PERSONAL PROPERTY, SAID CHAPTER DEALING WITH THE IMPOUNDMENT AND DISPOSITION OF ABANDONED PERSONAL PROPERTY.

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

Sec. 1. Classification. This ordinance is of 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 law and shall be effective thirty (30) days after final passage.

Sec. 4. Wrangell Municipal Code is hereby amended by adding a new chapter as follows:

Chapter 10.40

ABANDONED PERSONAL PROPERTY

Sections:

10.40.010 Impoundment authority.
10.40.020 Disposition of impounded personal property.

10.40.010 Impoundment authority. The police department, or its authorized representative, is authorized to receive and impound personal property abandoned or lost within the city. This section and the other sections of this chapter are applicable only to that personal property not otherwise regulated by the Wrangell Municipal Code, specifically abandoned vehicles and boats regulated by Chapter 11.72 and Section 14.16.100, respectively. Personal property impounded shall be stored in an appropriate place designated by the chief of police. A permanent record shall be made of each item or group of items impounded, date and location of such impoundment, together with a description of the item.

10.40.020 Disposition of impounded personal property. The police department is not required to search for the true owner of abandoned or lost personal property.

A. The owner of the impounded personal property may claim the same by identifying or presenting other proof of ownership to the chief of police, and upon payment of the cost of impounding and storage as set forth herein. If a person claims ownership of an item in custody of the police department and cannot conclusively establish ownership, the chief of police may use his discretion in deciding if ownership is sufficiently established. Such a decision shall be in writing. Any party wishing to dispute the decision shall have the right to appeal to the council within ten days of the decision.

No cost shall be assessed or collected when impounding is accomplished by the police department with equipment and facilities normally available to the department. When it is necessary to utilize equipment from other departments of the city or rent privately owned equipment to accomplish the impoundment, the actual cost shall be collected. When city storage facilities are available and used, no cost for storage shall be assessed and collected. If rent of storage space is necessary to store and/or protect the property, actual cost of storage shall be collected.

B. If impounded personal property is not claimed within six (6) months of the date of impoundment, it may be:

- (1) retained for use by the city;
- (2) donated to non-profit businesses or institutions;
- (3) destroyed, if its condition or saleability does not warrant other disposition; or
- (4) offered for public sale;

unless the persons who deposited it with the police department indicates at the time of deposit that they would wish the item.

If an unredeemed item is to be returned to the finder, the finder must execute an instrument agreeing to surrender the item or its apparent value to the true owner should the true owner make application for the item within two (2) years of original deposit with the police department. All knives, firearms, and items with an apparent value of Two Hundred and No/100 Dollars (\$200.00) or more shall be approved by the city manager or council prior to being released to a finder.


If an unredeemed item is offered for public sale, the chief of police shall cause to be published in a newspaper of general circulation in the municipality, a description of the item, the minimum bid, and the fact that the item and other items similarly described will be sold at a specified time to the highest bidder at a public sale under direction of the

chief of police, said public auction to occur not less than ten (10) days after publication of the notice of the sale. The minimum bid shall be the cost of all actual costs of impoundment and storage fees, plus Five and No/100 Dollars (\$5.00). The proceeds from the sale of the unredeemed items shall be deposited by the director of finance in the general fund of the city. Each purchaser shall be issued a receipt upon which shall be shown the date, amount, and description of the item.

C. An exception to this rule is bicycles. Any bicycle impounded by the police may be offered for public sale after being held for not less than ninety (90) days, or may be donated to a charity or charitable organization for distribution to needy children. Bicycles may not be given to the finder.

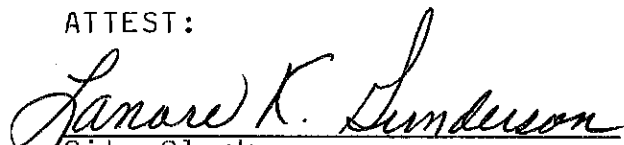
PASSED IN FIRST READING: MAY 13 , 1986.

PASSED IN SECOND READING: MAY 27 , 1986.



Mayor

ATTEST:



City Clerk

CITY OF WRANGELL, ALASKA

Ordinance No. 494

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, AMENDING TITLE 14 "BOAT HARBORS", SPECIFICALLY CONCERNING ABANDONMENT AND IMPOUND OF BOATS AND A PROCEDURE THEREFOR, AND ALSO AMENDING THE CHAPTER ON ENFORCEMENT PROVISIONS OF SAID BOAT HARBOR TITLE.

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

Sec. 1. Classification. This ordinance is of 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 law and shall be effective thirty days after final passage.

Sec. 4. Wrangell Municipal Code (hereinafter WMC), Chapter 14.08, entitled Definitions, is amended by adding a new section to read as follows:

14.08.052 Harbormaster. "Harbormaster" shall include the assistant harbormaster or any other person designated by the city manager to act for the harbormaster.

Sec. 5. WMC Section 14.16.080 Trespassing vehicles, is amended by repealing subsection C and subsection D.

Sec. 6. WMC, Section 14.16.090, specifically subsection "B" thereof, is amended to read as follows:

14.16.090 Removal of nuisances and denial of facilities to hazardous vessels.

B. Boats removed from the harbor facility under the provisions of this section shall be disposed of as provided in Section 14.16.100 [ABANDONED PROPERTY] Impounded boat -- Disposition procedure.

Sec. 7. WMC 14.16.100 Abandoned property, is hereby repealed and enacted to read as follows:

14.16.100 Impounded boat -- Disposition procedure.

A. Impoundment of boats or vessels for violations.

The harbormaster is hereby authorized to impound any boat or vessel in the boat harbor:

(1) whose owner, operator, master, or managing agent is not aboard and which is not properly identified by name and/or number;

(2) or any boat or vessel in the boat harbor which is in violation of any of the parking, mooring, or regulations of the boat harbor;

(3) or any boat or vessel in the boat harbor whose owner, operator, master or managing agent, has not paid the stall rent or any other fee or charge due the city for the boat or vessel by the due date of such rental, fee or charge;

(4) or any boat or vessel in the harbor that is a derelict, abandoned, or a nuisance.

The harbormaster may, pursuant to this section, impound a boat by immobilizing it or removing or having it removed from the water and placed in city or commercial storage with all expenses and risks of haul-out and storage to be borne by the owner of such boat.

B. Storage charge. Any impounded boat, or the owner, master, operator or managing agent thereof, shall be subject to and liable for standard moorage rates, but not less than \$25.00 per month, and shall be subject to and liable for all reasonable costs incurred by the city by reason of the impounding or removal.

C. Notice to owner. At least twenty days prior to impounding any boat, the port commission or harbormaster, shall post or cause to be posted, on the boat, in the harbormaster's office, at city hall and on the bulletin board of the United States Post Office, in Wrangell, Alaska, notice of such action to be taken by said port commission. A copy of the notice shall be mailed to the owner, master or registered agent of the boat at his last known address, which address shall be the same as that furnished in accordance with the provisions of Section 14.16.020. The notice shall contain the name and/or number of the boat, the name and address, if known, of the owner, master, operator or managing agent and the location of boat, and set forth the basis or reason for the impound. In the event that the name and address of the owner, master, operator or managing agent is not known and not practically ascertained, then the notice posted on the vessel shall constitute notice.

D. Hearing. As to any boat proposed for impoundment pursuant to this chapter by or at the request of the port commission, the city, its agents or employees, a person in lawful possession of the boat has the right to a pre-impoundment administrative hearing to determine whether there is probable cause to impound the boat if such person files a written demand with the city clerk within ten days after such person has learned such boat will be impounded or within ten days after the mailing of the notice required by Section 14.16.100(C), whichever occurs first.

E. Hearing Procedures. A hearing shall be conducted before an impartial hearing officer. A list of ten hearing officers shall be prepared in advance by the port commission.

The hearing officer for the hearings shall be selected from said list in chronological order. The person requesting the hearing shall be given one peremptory challenge of the hearing officer. A hearing officer may be disqualified for cause, with the decision thereon to be made by the port commission chairman, or vice-chairman. The list of hearing officers shall be updated as necessary, but at least annually by the port commission. Said hearing shall be held within seventy-two hours of receipt of a written demand therefor from the person seeking the hearing, unless such person waives the right to a speedy hearing. Saturdays, Sundays, and city holidays are to be excluded from the calculation of the seventy-two hour period. The hearing officer shall be someone other than the person who will direct the impounding and storage of the boat. The sole issue before the hearing officer shall be whether there is probable cause to impound the boat in question. "Probable cause to impound" shall mean such a state of facts as would lead a reasonable person exercising ordinary care and prudence to believe that there was a breach of local, state, or federal law rendering the boat subject to impoundment. The hearing officer shall conduct the hearing in an informal manner and shall not be bound by technical rules of evidence. The person demanding the hearing shall carry the burden of establishing that such person has the right to possession of the boat. The harbormaster shall carry the burden of establishing that there is probable cause to impound the boat in question. At the conclusion of the hearing, the hearing officer shall prepare a written decision. A copy of such decision and the reasons therefor shall be provided to the person demanding the hearing and the owner of the boat if such owner is not the person requesting the hearing. The hearing officer's decision shall in no way affect any criminal proceeding in connection with the impound in question and any criminal charges involved in such proceeding may only be challenged in the appropriate court. The decision of the hearing officer is final. Failure of the owner, operator, master, or managing agent to request or attend a scheduled pre-impoundment hearing shall be deemed a waiver of the right to such hearing.

F. The hearing officer shall only determine that as to the boat in question either that there is probable cause to impound the boat or that there is no such probable cause. In the event that the hearing officer determines that there is no probable cause, the hearing officer shall prepare and date a Certificate of No Probable Cause, copies of which shall be given to the owner, operator, master or managing agent and to the harbormaster. The boat or vessel shall then be released to the owner, operator, master or managing agent, and no fees, costs, or charges assessed or to be assessed against such person, that arise from the impoundment will be due. In the event that the hearing officer determines that there is probable cause, the hearing officer shall prepare and date a Certificate of Probable Cause, copies of which shall be given to the owner, operator, master or managing agent and the harbormaster or representative. Upon receipt of such Certificate of Probable Cause, the harbormaster may proceed

with impoundment and disposition of the boat by removal, sale, or destruction as authorized by this chapter. The owner, operator, master or managing agent of the boat or vessel may secure a release of the boat or vessel by paying all fees, costs, or charges, within the thirty day period set forth in 14.16.100 G. In the event all fees, costs, or charges are paid, and prior to release of the vessel, the harbormaster shall prepare a city impound release form, which shall be executed by both the harbormaster and person obtaining the release.

G. Any boat impounded or removed shall be held by the port commission, harbormaster, or assistant harbormaster, designee, or its agent for a period of not less than thirty days, during which time shall be published not less than ten days prior to such sale, 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 to sell the same at public auction, at Wrangell, on a day, place and at a time certain, for cash to the highest and best bidder. The minimum acceptable bid shall be the sum of the charges against the boat and/or owner. At any time prior to the date of the auction, the owner, operator, agent or managing agent may redeem the boat by a cash payment equal to all charges against the boat and/or owner. 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 city for the owner of the boat to claim; and if not claimed within two years, the balance shall be deposited into the port commission fund.

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

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

Sec. 8. WMC 14.20.130 Lien for unpaid rentals and fees, is amended to read as follows:

14.20.130 Lien for unpaid rentals and fees. In addition to any other remedy provided for herein or at law, the city shall have a lien, under the provisions of AS 34.35.220, for any unpaid mooring rentals, and a lien, under the provisions of AS 34.35.175, for any unpaid fees for services provided by the harbormaster; and, should any of such rentals and fees be unpaid nor secured for ninety 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).] Section 14.16.100 Impounded boat --
Disposition procedure.

Sec. 9. WMC 14.16.020 Registration, is amended to read as follows:

A. Every owner, master, or managing agent or any boat using the mooring facilities of the Wrangell Harbor is 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 harbormaster on forms to be provided by him for that purpose, within two hours after such boat enters and moors at any city float in the Wrangell Harbor. It shall also be the obligation of said owner, master, managing agent or agent to notify the city of any change in address, said address to be used by the city for notification purposes and all billing and notices shall be deemed delivered upon first class mailing at said address to said owner by the city.

Sec. 10. WMC, Chapter 14.24, entitled Enforcement, specifically Section 14.24.030 Mandatory appearance, and Appendix C thereof, shall be amended to read as follows:

14.24.030 Mandatory appearance. Commission of offenses involving a moving violation including a speeding violation in excess of the speed limit and other offense as more specifically set out in Appendix C annexed to this chapter shall require mandatory court appearances. The bail, and the fine shall be determined by the court pursuant to Chapter 1.20 of the Wrangell Municipal Code, but without incarceration.

APPENDIX C

14.24.030

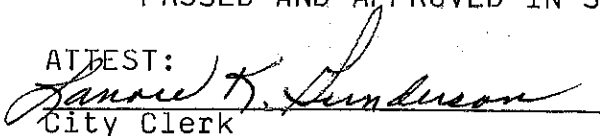
Mandatory Appearances, Bail and Fine Schedule

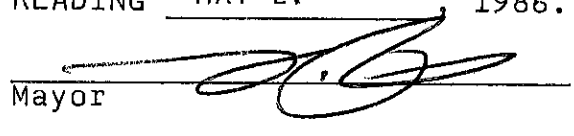
<u>CODE SECTION</u>	<u>OFFENSE</u>	<u>BAIL and/or FINE</u>
14.16.120 (A)	Reckless Operation	Determined by Court
14.16.120 (B)	Negligent Operation	Determined by Court
14.16.120 (C)	Speed Limit, 3 miles over limit	Determined by Court
14.16.120 (A1)	Non-Compliance with Harbormaster Orders	Determined by Court

PASSED AND APPROVED IN FIRST READING MAY 13, 1986.

PASSED AND APPROVED IN SECOND READING MAY 27, 1986.

ATTEST:


City Clerk


Mayor

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 495

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA AMENDING TITLE 15, CHAPTER 12, ELECTRICAL CODE, SPECIFICALLY PROVIDING FOR A REDUCTION IN ELECTRICAL RATES AND PROVIDING FOR A PUBLIC HEARING.

WHEREAS, the Council has retained Economic and Engineering Services, Inc., to perform a comprehensive electric rate study to evaluate present electric rate levels and propose new electric rate levels where appropriate; and

WHEREAS, the Electric Rate Study dated April 1986, was presented to the Council on May 5, 1986; and

WHEREAS, the Council has reviewed the Electric Rate Study and accepts the Cost of Service Results and Cost of Service Interclass Revenue Requirements as presented and will use the Study as the basis for the new rate design set forth herein.

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 (30) days after final passage and the rates herein will first be reflected on the utility statement mailed the end of July, 1986.

Sec. 4. Providing for a Public Hearing. A public hearing shall be held with notice thereof at least fifteen days prior to said public hearing.

Sec. 5. Wrangell Municipal Code Section 15.12.200 Meter rates--Residential Service (Schedule A), (B) is hereby amended to read as follows:

B. Rate.

Customer charge
Energy charge

Schedule A
[~~\$8.10~~] \$8.00 per month
[ALL KWH AT 12.3¢ PER KWH]

0 - 300 kwh
Over 300 kwh

10.0¢ per kwh
8.0¢ per kwh

Sec. 6. Wrangell Municipal Code Section 15.12.210 Meter rates -- Small Commercial service (Schedule B), (C) is hereby amended to read as follows:

C. Rate.

	<u>Schedule B</u>
Customer charge	[\$13.50] \$9.00 per month
Energy charge	All kwh at [11.3¢] <u>9.2¢</u> per kwh

Sec. 7. Wrangell municipal Code Section 15.12.215 Meter rates -- Large Commercial service (Schedule C), (D) is hereby amended to read as follows:

D. Rate

	<u>Schedule C</u>
Customer charge	\$13.50 per month
Energy charge	[All KWH AT 8.4% PER KWH]
0 - 70,000 kwh	<u>7.9 per kwh</u>
Over 70,000 kwh	<u>7.6 per kwh</u>

Sec. 8. Wrangell Municipal Code Section 15.12.220 Meter rates -- Industrial service is hereby amended to read as follows:

15.12.220 Meter rates--Industrial service (Schedule D).

A. Classification. Industrial service includes customers that receive service at a primary voltage level.

B. Availability. Service delivered under this schedule shall be three-phase, sixty-cycle, alternating current at a primary voltage to be specified by the city. All installations shall be subject to the approval of the city.

C. Power Factor.

1. Adjustment of Demand for Power. The rate in this section does not include a charge for a power factor. The city reserves the right to adopt an adjustment of demand for power factor following installation of kW demand and RKVA reactive meters and adoption of rates as required by law.

2. Demand Charge. The rate in this section does not include a demand charge. The city reserves the right to adopt a demand charge after installation of demand meters and adoption of rates as required by law.

[D. Rate.

SCHEDULE D

CUSTOMER CHARGE	\$22.50 PER MONTH
ENERGY CHARGE	ALL KWH AT 9.2¢ PER KWH]

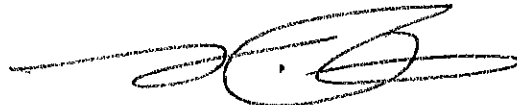
[E.] D. The rates [IN SUBSECTION C AND SUBSECTION D] established for Large Commercial service in Section 15.12.215 shall apply for industrial service until such time as an agreement contemplated by subsections E and F [AND G] of this section is entered into and becomes effective between the city and the industrial user.

[F.] E. Rates. Pursuant to the provisions of Section 5-17(C) of the Charter, the rates to be established for the sale of electrical energy to industrial users shall be as negotiated between the city, and the industrial user, and as formalized in a written contract authorized by resolution of the council.

[G.] F. The rights and remedies of any patrons or any consumer shall not be abridged, reduced or lost by virtue of the existence of a contract between a patron or consumer of electrical energy and the city. The protection provided by this section shall exist in all contracts between the city and a consumer or patron whether or not it is written therein. Notwithstanding the failure of the following list to include all rights and remedies of patrons or consumers, it is generally recognized that a patron or consumer is entitled to a supply of electrical energy or services without unjust or undue discrimination, without an unreasonable preference or advantage to any other patron or consumer, and without unjust or undue discrimination as between classes of service. Nothing in this section prohibits the establishment of reasonable classifications of service or requires unreasonable investment in facilities.

PASSED IN FIRST READING: MAY 13, 1986

PASSED IN SECOND READING: MAY 27, 1986



MAYOR

ATTEST Jarare K. Henderson
CITY CLERK

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 496

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING THE WRANGELL MUNICIPAL CODE, SPECIFICALLY TITLE 5, CHAPTER 8, SALES TAX, PROVIDING FOR AN INCREASE IN THE RATE OF TAX FROM FIVE PERCENT (5%) TO SIX PERCENT (6%).

NOW, THEREFORE, 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 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 its application to other 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. The effective date of the Sales Tax increase from five percent to six percent shall be July 1, 1986.

Sec. 4. WMC Section 5.08.020 entitled "Rate of tax", is hereby repealed and reenacted to read as follows:

5.08.020 Rate of Tax. The consumer sales tax is levied in the amount of six percent 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 four dollars and twenty-six cents, said tax is levied in accordance with the following schedule:

<u>Sales Price</u>		<u>Amount of Tax</u>
Under	\$0.10	None
\$.10	to .26	\$.01
.27	to .43	.02
.44	to .59	.03
.60	to .76	.04
.77	to .93	.05
.94	to 1.09	.06
1.10	to 1.26	.07
1.27	to 1.43	.08
1.44	to 1.59	.09
1.60	to 1.76	.10
1.77	to 1.93	.11
1.94	to 2.09	.12
2.10	to 2.26	.13

\$2.27	to	\$2.43	\$.14
2.44	to	2.59		.15
2.60	to	2.76		.16
2.77	to	2.93		.17
2.94	to	3.09		.18
3.10	to	3.26		.19
3.27	to	3.43		.20
3.44	to	3.59		.21
3.60	to	3.76		.22
3.77	to	3.93		.23
3.94	to	4.09		.24
4.10	to	4.26		.25
		Over \$4.26		Straight 6%

Sec. 5 WMC Section 5.08.070 entitled "Limitations of use to tax proceeds "is amended to read as follows:

5.08.070 Limitations of use of tax proceeds. The proceeds of the tax levied under this chapter 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:

A. [~~FORTY~~] Thirty-four percent of the total amount of tax collected shall be used only for any of the following purposes:

1. To operate and maintain school facilities;
2. To construct and maintain sewers within the city and other purposes relating to the health and sanitation of the city.

B. [~~TWENTY~~] Seventeen percent of the total amount of tax collected shall be used only to plan, design and construct street and sidewalk improvements.

C. [~~FORTY~~] Forty-nine percent of the total amount of tax collected shall be used only for any general fund purposes for which moneys of the city may be disbursed for any purpose:

PASSED AND APPROVED IN FIRST READING MAY 13 , 1986

PASSED AND APPROVED IN SECOND READING MAY 27 , 1986



 MAYOR

ATTEST:



 CITY CLERK

ORDINANCE NO. 497

AN ORDINANCE of the Council of the City of Wrangell, Alaska, authorizing negotiation of an amendment to the Loan Agreement by and between the City of Wrangell and the Alaska Municipal Bond Bank Authority dated November 29, 1983; and providing for issuance of a refunding bond of the City, in the principal amount not to exceed \$1,200,000, in exchange for the City's General Obligation Bond, 1983 in the principal amount of \$1,000,000.

WHEREAS, the City of Wrangell, Alaska, (the "City") by Ordinance No. 451 of the City Council, has authorized the issuance and sale of the general obligation bond of the City in the principal amount of \$1,000,000 (the "Bond") the issuance of which was ratified at an election held in the City of Wrangell, Alaska, on October 4, 1983; and

WHEREAS, by Section 8 of Ordinance No. 451 (the "Bond Ordinance"), the City Manager was authorized and directed to negotiate a Loan Agreement with the Alaska Municipal Bond Bank Authority (the "Authority") relating to the sale of said Bond to the Authority, the form of which Loan Agreement was to be approved by subsequent resolution of the City; and

WHEREAS, the City Manager was authorized to enter into said Loan Agreement, and the form of said Loan Agreement was approved by the City Council by Resolution No. 11-83-187, and

WHEREAS, said Loan Agreement was executed by the City and the Alaska Municipal Bond Bank Authority on November 29, 1983; and

WHEREAS, in 1983 the Authority issued its General Obligation 1983 Series C Bonds, in the principal amount of \$5,750,000 (the

"Authority's 1983 Bonds") to obtain funds to purchase the Bond, as well as to obtain funds to purchase certain bonds of the City of Ketchikan, Alaska; and

WHEREAS, the Authority now intends to issue its General Obligation Refunding Bonds 1986, Series A (the "Authority's Refunding Bonds") for the purpose of refunding the Authority's 1983 Bonds; and

WHEREAS, in order to accomplish such refunding the Authority has requested that the City refund the Bond by exchanging it for a refunding bond (the "City Refunding Bond") upon such terms as are provided herein; and

WHEREAS, the Authority is now the registered owner of the Bond; and

WHEREAS, the Authority, as registered owner of the Bond has agreed to exchange the Bond for the City Refunding Bond as set forth in the letter to the City attached hereto as Appendix A; and

WHEREAS, the Authority will realize a substantial savings as a result of issuance of the Authority's Refunding Bonds; and

WHEREAS, the Authority has advised the City that a portion of the savings to the Authority in debt service as a result of issuance of the Authority's Refunding Bonds will be passed on to the City as set forth in the letter to the City attached hereto as Appendix A; and

WHEREAS, the Loan Agreement between the City and the Authority does not now provide for a reduction in the interest rate on the Bond in the event that the Authority's 1983 Bonds are

refunded at an interest savings to the Authority before such time as the Bond may be redeemed; and

WHEREAS, refunding of the Bond and the amendments to the Loan Agreement authorized by this ordinance are in the public interest of the citizens of the City;

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 capitalized terms shall have the meaning as set forth in Ordinance No. 451. In addition, the following words shall have the following meanings:

"Authority's Refunding Bonds" means the proposed General Obligation Refunding Bonds 1986 Series A, to be issued by the Authority;

"Bond" means the City of Wrangell General Obligation Bond, 1983, issued pursuant to the Bond Ordinance.

"Bond Ordinance" means Wrangell City Ordinance No. 451, passed October 25, 1983.

"City Refunding Bond" means the refunding bond authorized by this Ordinance.

"Loan Agreement" means the agreement by and between the City and the Authority, dated November 29, 1983.

"Ordinance" means this ordinance.

Section 2. Authorization of Issuance of City Refunding Bond in Exchange for Bond. For the purpose of refunding by exchange the Bond and thereby effecting a savings to the City and its

taxpayers, the City shall issue its refunding bond (the "City Refunding Bond") in exchange for the Bond, in the aggregate principal amount not to exceed the lesser of \$1,200,000 or the amount required to carry out such refunding. The City Refunding Bond shall be designated "City of Wrangell Refunding Bond, 1986, Series A."

The City Refunding Bond shall be fully registered as to both principal and interest. The aggregate principal amount, principal installments, interest rate or rates, and date of the City Refunding Bond shall be determined by subsequent resolution of the City Council and pursuant to the Loan Agreement as amended in accordance with Section 11 of this Ordinance. The principal installments on the City Refunding Bond shall be payable on December 1 in the years 1986 through 2003. Such installments of principal shall bear interest at a rate fixed as provided above, payable semiannually on the first days of December and June of each year from the date of issue. 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.

The City Treasurer is hereby authorized to issue to the Authority, as registered owner of the Bond, in exchange for the Bond, the City Refunding Bond, immediately upon compliance with the following conditions:

The Treasurer shall be in receipt of:

(1) the Bond certificate, in the form in which it is currently outstanding as of the date of this Ordinance, accompanied by a certificate of the Authority consenting to the cancellation of the Bond and the extinguishment of all rights thereunder;

(2) An executed copy of the Loan Agreement, as amended pursuant to Section 11 of this Ordinance, and ratified by resolution of the City Council.

(3) A certificate executed by the Authority stating the schedule of principal and interest to be paid by the City on the City Refunding Bond, in accordance with the terms of the Loan Agreement, as amended, pursuant to Section 11 of this Ordinance and this section and stating the amount of savings each year to the City resulting from issuance of the Authority's Refunding Bonds.

(4) A certified copy of a resolution of the City setting the principal amount, principal installments, interest rate or rates, and date of the City Refunding Bond.

(5) A certificate of the Authority verifying delivery of the Authority's Refunding Bonds to the purchaser thereof.

The Bond shall remain in full force and effect until such issuance of the City Refunding Bond. If the City Treasurer has not received all of the items listed in subparagraphs (1) through (5) above on or before October 1, 1986 the City Treasurer shall not be authorized to issue the City Refunding Bond.

Upon such issuance and exchange of the City Refunding Bond for the Bond, the obligations of the City under the ordinances and resolutions authorizing issuance of the Bond shall be discharged and replaced by the obligations set forth in this Ordinance, and in the Loan Agreement as amended pursuant to Section 11 hereof.

Section 3. Redemption of City Refunding Bond. The City hereby reserves the right (subject to any applicable provisions of the Loan Agreement, as amended), to prepay any or all unpaid installments or portions thereof, of the City Refunding Bond in inverse chronological order and in multiples of \$5,000, on December 1, 1996, or any interest payment date thereafter, at par plus accrued interest to the date of prepayment.

Notice of any such intended prepayment shall be given by mailing notice thereof to the registered owner of the City Refunding Bond 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. Form of City Refunding Bond. The City Refunding 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 REFUNDING BOND, 1986, SERIES A

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

in the following installments on December 1 of each of the following years, together with interest on such installments, payable semiannually on the first days of June and December of each year from the date hereof until such installments have been paid, or such payment has been duly provided for, as follows:

<u>Maturity Year</u>	<u>Principal Installment Due</u>	<u>Interest Rate</u>
1986	\$	
1987		
1988		
1989		
1990		
1991		
1992		
1993		
1994		
1995		
1996		
1997		
1998		
1999		
2000		
2001		
2002		
2003		

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 bond registration books of the City. 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 a loan agreement between the City and the Alaska Municipal Bond Bank Authority, dated November 29, 1983, as amended) to prepay any or all unpaid installments, or portions thereof, in inverse chronological order and in multiples of \$5,000, on December 1, 1996 or on any interest payment date thereafter, at par plus accrued interest to the date of prepayment.

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, and duly adopted ordinances and resolutions of the City, for the purpose of refunding by exchange the outstanding City of Wrangell General Obligation Bond, 1983, issued pursuant to Ordinance No. 451 of the City Council of the City.

This bond is payable, both principal and interest, out of the special fund of the City entitled the "1983 General Obligation Bond Redemption Fund" created by Ordinance No. 451 of the City Council of the City.

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 moneys of the City available for such purposes as the City 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 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, does not exceed any constitutional or statutory limitation.

IN WITNESS WHEREOF, the City of Wrangell, Alaska, has caused this bond to be signed by its Mayor, to be attested by its Clerk, and the official seal of the City to be impressed hereon, as of the _____ day of _____, 19__.

CITY OF WRANGELL, ALASKA

By /s/ manual signature
Mayor

Attest:

/s/ manual signature
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 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
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

The Bond in fully registered form 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 City Refunding Bond. The City Refunding 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. Bond Redemption Fund. Both principal of and interest payable on the City Refunding Bond shall be paid out of funds deposited into the special fund of the City heretofore created by City Ordinance No. 451, known as the "1983 General Obligation Bond Redemption Fund" (the "Bond Redemption Fund"). All accrued interest received at the time of delivery of the City Refunding Bond shall be paid into said Bond Redemption Fund.

Section 7. Pledge of Taxes. The City hereby irrevocably covenants and pledges for as long as the City Refunding Bond is outstanding that it will make provision for the payment of the principal of and interest on the City Refunding Bond in its annual budgets and further covenants that it will make annual levies of ad valorem taxes, for payment into the 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 the City Refunding Bond as the same shall become due.

Section 8. 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 City Refunding 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 Bond Redemption Fund securing the installments of the City Refunding Bond so provided for, for the payment of the principal of and interest on such installments of the City Refunding Bond, and, to the extent of such installments, the City Refunding 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 9. Transfer of Bond. The City Refunding Bond may be transferred by the registered owner thereof, provided that such transfer relates to the entire principal amount of the City Refunding Bond, and such transfer is noted on the bond registration books of the City.

Section 10. Arbitrage Covenant. The City covenants to the purchaser of the City Refunding Bond that it will make no use of the proceeds of the City Refunding Bond at any time during the term thereof which would cause the City Refunding 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 11. Amendment of Loan Agreement Authorized. The City Manager is hereby authorized and directed to negotiate with the Authority and to execute on behalf of the City an amendment to the Loan Agreement providing for an interest and principal payment schedule on the City Refunding Bond which shall not exceed the interest and principal payment schedule to be paid by the City on the Bond or that paid by the Authority on any bond or bonds of the Authority sold in order to refund any bond or bonds of the Authority sold to provide funds for the purchase of the Bond by the Authority. The amended Loan Agreement shall be in substantially the form attached hereto as Appendix B. The form and terms of said amended Loan Agreement shall be subject to approval by resolution of the City Council. As finally executed and approved, the provisions of said amended Loan Agreement shall be applicable to the City Refunding Bond as if set forth herein in full.


Section 12. Appendices Incorporated. All Appendices referred to hereinabove and attached hereto are incorporated by reference into this Ordinance.

Section 13. Prior Acts. Any and all acts taken pursuant to the authority of this Ordinance but prior to its effective date are hereby ratified and confirmed.


Section 14. Effective Date. This Ordinance shall take effect 30 days after its passage and publication as required by law.

PASSED by the Council of the City of Wrangell, Alaska, and approved by its Mayor at a regular meeting of said Council held this _____ day of JULY, 1986.

CITY OF WRANGELL, ALASKA

By 
Mayor

ATTEST:


Clerk

First Reading: JULY 8, 1986

Second Reading and
Passage Date: JULY 23, 1986

Effective Date: AUGUST 23, 1986

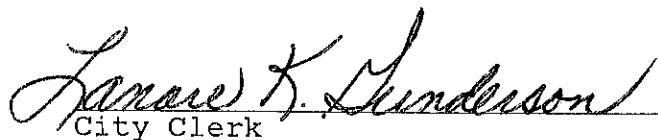
CERTIFICATE

I, the undersigned, Clerk of the City of Wrangell, Alaska, (herein called the "City"), DO HEREBY CERTIFY:

1. That the attached Ordinance numbered 497 (herein called the "Ordinance") is a true and correct copy of an Ordinance of the City as finally passed at a meeting of City Council of the City held on the 23rd day of JULY, 1986, and duly recorded in my office.

2. That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such meeting was given; that a legal quorum was present throughout the meeting and a legally sufficient number of members of the City Council voted in the proper manner for the passage of the Ordinance; that all other requirements and proceedings incident to the proper passage of the Ordinance have been duly fulfilled, carried out and otherwise observed, and that I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City this 24th day of JULY, 1986.


City Clerk

[CITY SEAL]

APPENDIX A

LAW OFFICES

WOHLFORTH & FLINT

A PROFESSIONAL CORPORATION
900 WEST 5TH AVENUE, SUITE 600
ANCHORAGE, ALASKA 99501-2086

ERIC E. WOHLFORTH
ROBERT B. FLINT
PETER ARGETSINGER
ROBERT M. JOHNSON
KENNETH E. VASSAR
THOMAS F. KLINKNER
ROGER A. LUBOVICH
CHARLES F. SCHUETZE
BRADLEY E. MEYEN
JANICE COLEMAN GRAHAM*

*ADMITTED IN NEW YORK ONLY

TELEPHONE
(907) 276-6401

TELECOPIER
(907) 276-5093

OF COUNSEL
RICHARD W. GARNETT III

July 11, 1986

Mr. Jeff Jabusch
Finance Director
City of Wrangell
P.O. Box 531
Wrangell, Alaska 99929

Re: Wrangell General Obligation Bonds, 1983
\$1,000,000 and 1984 \$7,100,000

Alaska Municipal Bond Bank Authority,
General Obligation Refunding Bonds, 1986 Series A
Our File: 03742/004

Dear Mr. Jabusch:

I am authorized by Perry T. Davis, Executive
Director, to make the following statement in his behalf:

The Alaska Municipal Bond Bank Authority is the registered owner of the above described Bonds of the City of Wrangell (the "City's 1983 and 1984 Bonds"). As the registered owner of the City's 1983 and 1984 Bonds, the Authority proposes the refunding by exchange of the City's 1983 and 1984 Bonds for refunding bonds of the City (the "City's Refunding Bonds"), in connection with the issuance of the above described Bonds of the Authority (the "Authority's Refunding Bonds").

Through issuance of the Authority's Refunding Bonds, the Authority will realize certain debt service savings. Accordingly, the Authority agrees to pass said debt service savings on to the various municipalities whose bonds secure the Authority's Refunding Bonds, including the City of Wrangell. Said debt service savings will be passed to the City in the form of a reduced debt service payment schedule for the City's Refunding Bonds. After the refunding, the City's principal payments will increase slightly, while the interest payments will be lower, producing a total debt service payable on the City's Refunding Bonds which is less than the total debt service payable on the City's 1983 and

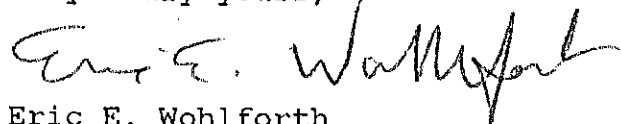
A80334

1984 Bonds. The Authority agrees to the changes in debt service payable by the City as a result of such exchange of the City's 1983 and 1984 Bonds for the City's Refunding Bonds. It is understood that the effectuation of the foregoing depends on the ability of the Authority to sell and deliver the above described Authority's Refunding Bonds.

The Authority is proceeding with its refunding under the assumption that the City will pass the ordinance authorizing issuance of the City's Refunding Bonds, and that the City will complete the transaction by passing any subsequent required resolution prior to closing. We wish to assure you that the Authority will not proceed with its refunding unless the City does realize debt service savings.

Thank you for your cooperation. We are pleased to be able to help you reduce your debt service obligations.

Very truly yours,



Eric E. Wohlforth

EEW:lak

APPENDIX B

LOAN AGREEMENT*

AGREEMENT, dated the 29th day of November, 1983, between the Alaska Municipal Bond Bank, a body corporate and politic constituted as an instrumentality of the State of Alaska exercising public and essential governmental functions (hereinafter referred to as the "Bank"), created pursuant to the provisions of Chapter 85, Title 44, Alaska Statutes, as amended, (hereinafter referred to as the "Act"), having its principal place of business at Anchorage, Alaska, and the City of Wrangell, Alaska, a duly constituted home rule city of the State (hereinafter referred to as the "Municipality"):

W I T N E S S E T H:

WHEREAS, pursuant to the Act, the Bank is authorized to make loans of money (hereinafter referred to as the "Loan" or "Loans") to governmental units; and

WHEREAS, the Municipality is a Governmental Unit as defined in the General Bond Resolution of the Bank hereinafter mentioned and pursuant to the Act is authorized to accept a Loan from the

* Underlined portions of this sample Loan Agreement reflect proposed changes thereto, to be negotiated between the City of Wrangell and the Alaska Municipal Bond Bank Authority.

Bank to be evidenced by its municipal bonds purchased by the Bank;
and

WHEREAS, the Municipality is desirous of borrowing money from the Bank in the amount of \$1,000,000 and has submitted an application to the Bank for a Loan in such amount and the Municipality has duly authorized the issuance of fully registered bonds in the aggregate principal amount of \$1,000,000, payable in installments, (the "Municipal Bonds") which bonds are to be purchased by the Bank as evidence of the Loan in accordance with this Agreement;
and

WHEREAS, the application of the Municipality contains the information required by the Bank; and

WHEREAS, to provide for the issuance of bonds of the Bank in order to obtain from time to time monies with which to make such Loans, the Bank has adopted the General Bond Resolution on May 27, 1976, as supplemented on October 28, 1977 and May 11, 1978 (herein referred to as the "Bond Resolution") and will adopt a resolution authorizing the making of such Loan to the Municipality and the purchase of the Municipal Bonds,

NOW, THEREFORE, the parties agree:

1. The Bank hereby makes the Loan and the Municipality accepts the Loan in the amount of \$1,000,000. As evidence of the Loan made to the Municipality and such money borrowed from the Bank by the Municipality, the Municipality hereby sells to the Bank the Municipal Bonds in the amount of \$1,000,000. The Municipal Bonds shall bear interest from their date at such rate

or rates per annum stated on Exhibit "A" appended hereto. The interest cost rate for purposes of this Loan Agreement will be computed without regard to Sections 3 and 4 hereof which require that the Municipality make funds available to the Trustee acting under the Bond Resolution for the payment of principal and interest at least seven business days prior to each respective principal and interest payment date. Subject to any applicable legal limitations, the rate or rates of interest borne by the Municipal Bonds shall be the same rate or rates of interest borne by the bonds sold by the Bank (for corresponding maturities) in order to obtain the monies with which to make the Loan and to purchase the Municipal Bonds. In the event such bonds sold by the Bank are refunded and the rates of interest stated in Exhibit A exceed the rates of interest borne by the Bank Refunding Bonds, (for corresponding maturities) then, pursuant to this section and Section 3 hereof, a revised exhibit setting forth the new schedule of interest and principal payments on the Municipal Bonds shall be presented to the Municipality by the Bank, for approval by the Municipality and, if approved by the Municipality, shall be attached hereto and incorporated herein, in replacement of the previous exhibit detailing said interest and principal payments.

2. The Municipality represents that it has duly adopted or will adopt all necessary ordinances and resolutions and has taken or will take all proceedings required by law to enable it to enter into this Loan Agreement and issue its binding obligations to the Bank.

3. The amount to be paid by the Municipality pursuant to this Loan Agreement representing interest due on its Municipal Bonds (hereinafter referred to as the "Municipal Bonds Interest Payments") shall be not less than the interest the Bank is required to pay on the bonds issued by the Bank to obtain the funds from which this Loan is made and shall be scheduled by the Bank in such manner and at such times (notwithstanding the dates of payment as stated in the Municipal Bonds) as to provide funds sufficient to pay interest as the same becomes due on the proportionate amount of bonds issued by the Bank for the purpose of obtaining funds to make the loan to the Municipality (hereinafter referred to as the "Municipality's Loan Obligation") and the Municipality shall make such funds available to the Trustee acting under the Bond Resolution at least seven business days prior to each interest payment date.

In the event the Bank Loan Obligations, as defined hereinafter, have been refunded and the interest the Bank is required to pay on said refunding bonds is less than the interest the Bank was required to pay on the Bank Loan Obligations, the Municipal Bonds Interest Payments shall be reduced so that the Municipal Bonds Interest Payment owing on the Municipal Bonds in any year in which the Municipal Bonds remain outstanding shall not exceed the interest the Bank is required to pay on the refunding bonds in such corresponding year; provided, however, that in the event of any refunding of the Bank Loan Obligations, the Municipal Bonds Principal Payments (as hereinafter defined) may also be

adjusted as necessary for the purpose of accomplishing said refunding in such manner as will result in the Municipality owing in each year an amount on the Municipal Bonds which shall not exceed the principal and interest the Bank is required to pay on the refunding bonds in such year, and which shall provide for a reduction in total debt service payable on the Municipal Bonds. Provided further, that for purposes of this section, the term "Municipal Bonds" shall include any bonds of the Municipality issued as refunding bonds in exchange for the Municipal Bonds originally issued, as necessitated by the refunding of the Bank Loan Obligations.

4. The amount to be paid by the Municipality pursuant to this Loan Agreement representing principal due on its Municipal Bonds (hereinafter referred to as the "Municipal Bonds Principal Payments") shall be scheduled by the Bank in such manner and at such times (notwithstanding the dates of payment as stated in the Municipal Bonds) as to provide funds sufficient to pay the principal of the Municipality's Loan Obligation as the same matures (based upon the maturity schedule provided by and for the Municipality and appended hereto as Exhibit "A") and the Municipality shall make such funds available to the Trustee acting under the Bond Resolution at least seven business days prior to each principal payment date. In the event the amounts referred to in paragraphs (3) and (4) to be paid by the Municipality pursuant to this Loan Agreement are not made available at any time specified therein, the Municipality agrees that any money payable to it

by any department or agency of the State be withheld from it and paid over directly to the Trustee acting under the Bond Resolution and this Agreement shall be full warrant, authority and direction to make such payment upon notice to such department or agency by the Bank as provided in the Act.

5. The Municipality is obligated to pay Fees and Charges to the Bank. Such Fees and Charges actually collected from the Municipality shall be in an amount sufficient, together with the Municipality's Allocable Proportion of other monies available therefor under the provisions of the Bond Resolution, and other monies available therefor, including any specific grants made by the United States of America or any agency or instrumentality thereof or by the State or any agency or instrumentality thereof and amounts applied therefor from amounts transferred to the Operating Fund pursuant to paragraph (3) of Section 603 of the Bond Resolution:

(a) to pay, as the same become due, the Municipality's Allocable Proportion of the Administrative Expenses (as defined in the Bond Resolution) of the Bank; and

(b) to pay, as the same become due, the Municipality's Allocable Proportion of the fees and expenses of the Trustee and paying agents for the bonds of the Bank. Municipality's Allocable Proportion as used herein shall mean the proportionate amount of the total requirement in respect to which the term is used determined by the ratio that the total of the Municipality's Loan Obligation outstanding bears to the total of that portion of the

bonds issued by the Bank to obtain funds with which to make loans which are outstanding as certified by the Bank.

6. The Municipality is obligated to make the Municipal Bonds Principal Payments scheduled by the Bank on an annual basis and is obligated to make the Municipal Bonds Interest Payments scheduled by the Bank and to pay the Fees and Charges imposed by the Bank on a semi-annual basis.

7. The Bank shall not sell and the Municipality shall not redeem prior to maturity any of the Municipal Bonds with respect to which the Loan is made in an amount greater than the bonds sold by the Bank to obtain the funds from which the Loan is made which are then outstanding and which are then redeemable, and in the event of any such sale or redemption, the same shall be in an amount not less than the aggregate of (i) the principal amount of the Municipality's Loan Obligation (or portion thereof) so to be redeemed, (ii) the interest to accrue on the Municipality's Loan Obligation (or portion thereof) so to be redeemed to the next redemption date thereof not previously paid, (iii) the applicable premium, if any, payable on the Municipality's Loan Obligation (or portion thereof) so to be redeemed, and (iv) the cost and expenses of the Bank in effecting the redemption of the Municipality's Loan Obligation (or portion thereof) so to be redeemed; provided, however, that, in the event the bonds of the Bank issued to provide the funds with which the Bank made the Loan under this Loan Agreement with respect to which the sale or redemption prior to maturity of such Municipal Bonds is being made (herein called

the "Bank Loan Obligations") have been refunded and the refunding bonds of the Bank issued for the purpose of refunding such Bank Loan Obligations were issued in a principal amount in excess of or less than Municipality's Loan Obligation remaining unpaid at the date of issuance of such refunding bonds, the amount which the Municipality shall be obligated to pay or the Bank shall receive under item (i) above shall be the principal amount of such refunding bonds outstanding.

In the event the Bank Loan Obligations have been refunded and the interest the Bank is required to pay on the refunding bonds is less than the interest the Bank was required to pay on the Bank Loan Obligations, the amount which the Municipality shall be obligated or the Bank shall receive under item (ii) above shall be the amount of interest to accrue on such refunding bonds outstanding.

The Municipality shall give the Bank at least fifty (50) days notice of intention to redeem its Municipal Bonds.

In the event the Bank Loan Obligations have been refunded, the amount which the Municipality shall be obligated to pay or the Bank shall receive under item (iii) above, when the refunding Bank Loan Obligations are to be redeemed, shall be the applicable premium, if any, on the said Bank Loan Obligations to be redeemed.

Nothing in this Section shall be construed as restricting the Municipality from refunding the Municipal Bonds in exchange for a new Municipal Bond in conjunction with a refunding of the Bank Loan Obligations.

8. Simultaneously with the delivery of the Municipality's Bond or Bonds to the Bank, the Municipality shall furnish to the Bank evidence satisfactory to the Bank which shall set forth among other things, that said Bond or Bonds will constitute valid general obligations of the Municipality.

9. The Municipality shall be obligated to inform in writing the Bank and the corporate trust office of the Trustee for the Bank's bonds at least thirty (30) days prior to each interest payment date on the Municipal Bonds of the name of the official to whom invoices for the payment of interest and principal should be addressed.

10. Notwithstanding Paragraph 14 hereof, prior to payment of the amount of the Loan, or any portion thereof, and the delivery of the Municipality's Bond or Bonds to the Bank or its designee, the Bank shall have the right to cancel all or any part of its obligations hereunder if:

(a) Any representation, warranty or other statement made by the Municipality to the Bank in connection with its application to the Bank for a Loan shall be incorrect or incomplete in any material respect.

(b) The Municipality has violated commitments made by it in its application and supporting documents or has violated any of the terms of this Loan Agreement.

(c) The financial position of the Municipality has, in the opinion of the Bank, suffered a materially adverse change

between the date of this Loan Agreement and the scheduled time of delivery of the Municipal Bonds to the Bank.

11. The obligation of the Bank under this Loan Agreement is contingent upon delivery of its 1983 Series C Bonds and receipt of the proceeds thereof.

12. If any provision of this Loan Agreement shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such provision shall not affect any of the remaining provisions of this Loan Agreement and this Loan Agreement shall be construed and enforced as if such invalid or unenforceable provision had not been contained herein.

13. This Loan Agreement may be executed in one or more counterparts, any of which shall be regarded for all purposes as an original and all of which constitute but one and the same instrument. Each party agrees that it will execute any and all documents or other instruments, and take such other actions as are necessary to give effect to the terms of this Loan Agreement.

14. No waiver by either party of any term or condition of the Loan Agreement shall be deemed or construed as a waiver of any other terms or conditions, nor shall a waiver of any breach be deemed to constitute a waiver of any subsequent breach, whether of the same or of a different section, subsection, paragraph, clause, phrase, or other provision of this Loan Agreement.

15. This Loan Agreement merges and supersedes all prior negotiations, representations, and agreements between the parties

hereto relating to the subject matter hereof and constitutes the entire agreement between the parties hereto in respect thereof.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

ALASKA MUNICIPAL BOND BANK

(S E A L)

By _____
Chairman

A T T E S T:

CITY OF WRANGELL, ALASKA

(S E A L)

By _____
Title _____

A T T E S T:

EXHIBIT "A" TO LOAN AGREEMENT BETWEEN THE
CITY OF WRANGELL, ALASKA, AND
THE ALASKA MUNICIPAL BOND BANK

Municipality's Bonds Due December 1		Interest Rate	Municipality's Bonds Due December 1		Interest Rate
	Amount			Amount	
1984	\$ 15,000		1994	\$ 45,000	
1985	20,000		1995	50,000	
1986	20,000		1996	55,000	
1987	25,000		1997	60,000	
1988	25,000		1998	65,000	
1989	25,000		1999	75,000	
1990	30,000		2000	80,000	
1991	35,000		2001	90,000	
1992	35,000		2002	100,000	
1993	40,000		2003	110,000	

COUNCIL OF THE CITY OF WRANGELL, ALASKA

ORDINANCE NO. 498

AN ORDINANCE of the Council of the City of Wrangell, Alaska, authorizing negotiation of an amendment to the Loan Agreement by and between the City of Wrangell and the Alaska Municipal Bond Bank Authority dated October 1, 1984; and providing for issuance of a refunding bond of the City, in the principal amount not to exceed \$8,750,000, in exchange for the City's General Obligation Bond, 1984 in the principal amount of \$7,100,000.

PASSED: JULY 23, 1986

Prepared by:

PRESTON, THORGRIMSON,
ELLIS & HOLMAN
5400 Columbia Seafirst Center
701 Fifth Avenue
Seattle, Washington 98104-7011

TABLE OF CONTENTS*

	<u>Page</u>
Recitals	1
Section 1 Definitions	3
Section 2 Authorization of Issuance of City Refunding Bond in Exchange for Bond	4
Section 3 Redemption of City Refunding Bond	6
Section 4 Form of City Refunding Bond	6
Section 5 Execution of City Refunding Bond	10
Section 6 Bond Redemption Fund	10
Section 7 Pledge of Taxes	10
Section 8 Defeasance	11
Section 9 Transfer of City Refunding Bond	12
Section 10 Arbitrage Covenant	12
Section 11 Amendment of Loan Agreement Authorized	12
Section 12 Appendices Incorporated	13
Section 13 Prior Acts	13
Section 14 Effective Date	13

* This Table of Contents and the cover page are not part of this Ordinance. They are provided for convenience of the reader only.

ORDINANCE NO. 498

AN ORDINANCE of the Council of the City of Wrangell, Alaska, authorizing negotiation of an amendment to the Loan Agreement by and between the City of Wrangell and the Alaska Municipal Bond Bank Authority dated October 1, 1984; and providing for issuance of a refunding bond of the City, in the principal amount not to exceed \$8,750,000, in exchange for the City's General Obligation Bond, 1984 in the principal amount of \$7,100,000.

WHEREAS, the City of Wrangell, Alaska, (the "City") by Ordinance No. 463 of the City Council, has authorized the issuance and sale of the general obligation bond of the City in the principal amount of \$7,100,000 (the "Bond") the issuance of which Bond was ratified at an election held in the City of Wrangell, Alaska, on October 4, 1983; and

WHEREAS, by Section 8 of Ordinance No. 463 (the "Bond Ordinance"), the City Manager was authorized and directed to negotiate a Loan Agreement with the Alaska Municipal Bond Bank Authority (the "Authority") relating to the sale of said Bond to the Authority, the form of which Loan Agreement was to be approved by subsequent resolution of the City; and

WHEREAS, the City Manager was authorized to enter into said Loan Agreement, and the form of said Loan Agreement was approved by the City Council by Resolution No. 10-84-208, and

WHEREAS, said Loan Agreement was executed by the City and the Alaska Municipal Bond Bank Authority on October 1, 1984; and

WHEREAS, in 1984 the Authority issued its General Obligation 1984 Series A Bonds, in the principal amount of \$16,365,000 (the "Authority's 1984 Bonds") to obtain funds to purchase the Bond, as well as to obtain funds to purchase certain bonds of the Cities of Kenai, Alaska, Petersburg, Alaska and Seward, Alaska ;and

WHEREAS, the Authority now intends to issue its General Obligation Refunding Bonds 1986, Series A (the "Authority's Refunding Bonds") for the purpose of refunding the Authority's 1984 Series A Bonds; and

WHEREAS, in order to accomplish such refunding the Authority has requested that the City refund the Bond by exchanging it for a refunding bond (the "City Refunding Bond") upon such terms as are provided herein; and

WHEREAS, the Authority is now the registered owner of the Bond; and

WHEREAS, the Authority, as registered owner of the Bond has agreed to exchange the Bond for the City Refunding Bond as set forth in the letter to the City, attached hereto as Appendix A; and

WHEREAS, the Authority will realize a substantial savings as a result of issuance of the Authority's Refunding Bonds; and

WHEREAS, the Authority has advised the City that a portion of the savings to the Authority in debt service as a result of issuance of the Authority's Refunding Bonds will be passed on to the City as set forth in the letter to the City attached hereto as Appendix A; and

WHEREAS, the Loan Agreement between the City and the Authority does not now provide for a reduction in debt service on the Bond in the event that the Authority's 1984 Bonds are refunded at an interest savings to the Authority before such time as the Bond may be redeemed; and

WHEREAS, refunding of the Bond and the amendments to the Loan Agreement authorized by this ordinance are in the public interest of the citizens of the City;

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 capitalized terms shall have the meaning as set forth in Ordinance No. 463. In addition, the following words shall have the following meanings:

"Authority's Refunding Bonds" means the proposed General Obligation Refunding Bonds 1986, Series A, to be issued by the Authority.

"Bond" means the City of Wrangell General Obligation Bond, 1984, issued pursuant to the Bond Ordinance.

"Bond Ordinance" means Wrangell City Ordinance No. 463, passed September 11, 1984.

"City Refunding Bond" means the refunding bond authorized by this ordinance.

"Loan Agreement" means the agreement by and between the City and the Authority, dated October 1, 1984.

"Ordinance" means this ordinance.

Section 2. Authorization of Issuance of City Refunding Bond in Exchange for Bond. For the purpose of refunding by exchange the Bond and thereby effecting a savings to the City and its taxpayers, the City shall issue its refunding bond (the "City Refunding Bond") in exchange for the Bond, in the aggregate principal amount not to exceed the lesser of \$8,750,000 or the amount required to carry out such refunding. The City Refunding Bond shall be designated "City of Wrangell Refunding Bond, 1986, Series B."

The City Refunding Bond shall be fully registered as to both principal and interest. The aggregate principal amount, principal installments, interest rate or rates, and date of the City Refunding Bond shall be determined by subsequent resolution of the City Council and pursuant to the Loan Agreement as amended in accordance with Section 11 of this Ordinance. The principal installments on the City Refunding Bond shall be payable on October 1 in the years 1986 through 2004. Such installments of principal shall bear interest at a rate fixed as provided above, payable semiannually on the first days of October and April of each year from the date of issue. 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.

The City Treasurer is hereby authorized to issue to the Authority, as registered owner of the Bond, and in exchange for

the Bond, the City Refunding Bond immediately upon compliance with the following conditions:

The Treasurer shall be in receipt of:

(1) The Bond certificate, in the form in which it is currently outstanding as of the date of this Ordinance, accompanied by a certificate of the Authority consenting to the cancellation of the Bond and the extinguishment of all rights thereunder;

(2) An executed copy of the Loan Agreement, as amended pursuant to Section 11 of this Ordinance, and ratified by resolution of the City Council.

(3) A certificate executed by the Authority stating the schedule of principal and interest to be paid by the City on the City Refunding Bond, in accordance with the terms of the Loan Agreement, as amended, pursuant to Section 11 of this Ordinance and this section and stating the amount of savings each year to the City resulting from issuance of the Authority's Refunding Bonds.

(4) A certified copy of a Resolution of the City setting the principal amount, principal installments, interest rate or rates, and date of the City Refunding Bond.

(5) A certificate of the Authority verifying delivery of the Authority's Refunding Bonds to the purchaser thereof.

The Bond shall remain in full force and effect until such issuance of the City Refunding Bond. If the City Treasurer has not received all of the items listed in subparagraphs (1) through

(5) above on or before October 1, 1986 the City Treasurer shall not be authorized to issue the City Refunding Bond.

Upon such issuance and exchange of the City Refunding Bond for the Bond, the obligations of the City under the ordinances and resolutions authorizing issuance of the Bond shall be discharged and replaced by the obligations set forth in this Ordinance, and in the Loan Agreement as amended pursuant to Section 11 hereof.

Section 3. Redemption of City Refunding Bond. The City hereby reserves the right (subject to any applicable provisions of the Loan Agreement, as amended) to prepay any or all unpaid installments or portions thereof, of the City Refunding Bond in inverse chronological order and in multiples of \$5,000, on October 1, 1996, or any interest payment date thereafter, at par plus accrued interest to the date of prepayment.

Notice of any such intended prepayment shall be given by mailing notice thereof to the registered owner of the City Refunding Bond 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. Form of City Refunding Bond. The City Refunding 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 REFUNDING BOND, 1986, SERIES B

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

in the following installments on October 1 of each of the following years, together with interest on such installments, payable semiannually on the first days of October and April of each year from the date hereof until such installments have been paid, or such payment has been duly provided for, as follows:

<u>Maturity Year</u>	<u>Principal Installment Due</u>	<u>Interest Rate</u>
1986		
1987		
1988		
1989		
1990		
1991		
1992		
1993		
1994		
1995		
1996		
1997		
1998		
1999		
2000		
2001		
2002		
2003		
2004		

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 bond registration books of the City. 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 a loan agreement between the City and the Alaska Municipal Bond Bank Authority, dated October 1, 1984 ,as amended) to prepay any or all unpaid installments, or portions thereof, in inverse chronological order and in multiples of \$5,000, on October 1, 1996 or on any interest payment date thereafter, at par plus accrued interest to the date of prepayment.

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, , and duly adopted ordinances and resolutions of the City, for the purpose of refunding by exchange the outstanding City of Wrangell General Obligation Bond, 1984, issued pursuant to Ordinance No. 463 of the City Council of the City.

This bond is payable, both principal and interest, out of the special fund of the City entitled the "1984 General Obligation Bond Redemption Fund" created by Ordinance No. 463 of the City Council of the City.

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 moneys of the City available for such purposes as the City 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 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, does not exceed any constitutional or statutory limitation.

IN WITNESS WHEREOF, the City of Wrangell, Alaska, has caused this bond to be signed by its Mayor, to be attested by its Clerk, and the official seal of the City

to be impressed hereon, as of the _____ day of _____,
19____.

CITY OF WRANGELL, ALASKA

By /s/ manual signature
Mayor

Attest:

/s/ manual signature
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 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
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

The Bond in fully registered form 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 City Refunding Bond. The City Refunding 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. Bond Redemption Fund. Both principal and interest payable on the City Refunding Bond shall be paid out of funds deposited into the special fund of the City, heretofore created by City Ordinance No. 463, known as the "1984 General Obligation Bond Redemption Fund" (the "Bond Redemption Fund"). All accrued interest received at the time of delivery of the City Refunding Bond shall be paid into said Bond Redemption Fund.

Section 7. Pledge of Taxes. The City hereby irrevocably covenants and pledges for as long as the City Refunding Bond is outstanding that it will make provision for the payment of the principal of and interest on the City Refunding Bond in its annual budgets and further covenants that it will make annual levies of ad valorem taxes, for payment into the 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 the City Refunding 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 interest as the same shall become due.

Section 8. 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 City Refunding 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 Bond Redemption Fund securing the installments of the City Refunding Bond so provided for, for the payment of the principal of and interest on such installments of the City Refunding Bond, and, to the extent of such installments, the City Refunding 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 shall be deemed not to be outstanding hereunder.

Section 9. Transfer of City Refunding Bond. The City Refunding Bond may be transferred by the registered owner thereof, provided that such transfer relates to the entire principal amount of such City Refunding Bond, and such transfer is noted on the bond registration books of the City.

Section 10. Arbitrage Covenant. The City covenants to the purchaser of the City Refunding Bond that it will make no use of the proceeds of the City Refunding Bond at any time during the term thereof which would cause the City Refunding 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 11. Amendment of Loan Agreement Authorized. The City Manager is hereby authorized and directed to negotiate with the Authority and to execute on behalf of the City an amendment to the Loan Agreement providing for an interest and principal payment schedule on the City Refunding Bond which shall not exceed the interest and principal payment schedule to be paid by the City on the Bond or that paid by the Authority on any bond or bonds of the Authority sold in order to refund any bond or bonds of the Authority sold to provide funds for the purchase of the Bond by the Authority. The amended Loan Agreement shall be in substantially the form attached hereto as Appendix B.

The form and terms of said amended Loan Agreement shall be subject to approval by resolution of the City Council. As finally executed and approved, the provisions of said amended Loan

Agreement shall be applicable to the City Refunding Bond as if set forth herein in full.

Section 12. Appendices Incorporated. All Appendices referred to hereinabove and attached hereto are incorporated by reference into this Ordinance.

Section 13. Prior Acts. Any and all acts taken pursuant to the authority of this Ordinance but prior to its effective date are hereby ratified and confirmed.

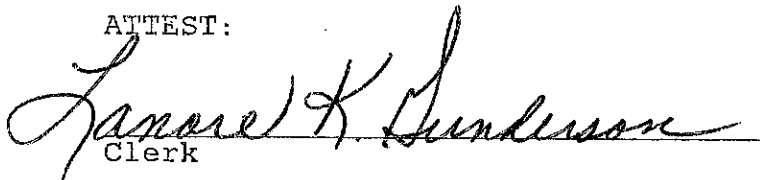
Section 14. Effective Date. This Ordinance shall take effect 30 days after its passage and publication as required by law.

PASSED by the Council of the City of Wrangell, Alaska, and approved by its Mayor at a regular meeting of said Council held this 23rd day of JULY, 1986.

CITY OF WRANGELL, ALASKA

By 
Mayor

ATTEST:


Clerk

First Reading: JULY 8, 1986

Second Reading and
Passage Date: JULY 23, 1986

Effective Date: AUGUST 23, 1986

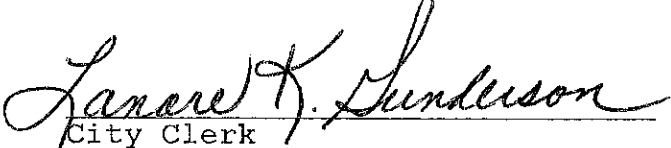
CERTIFICATE

I, the undersigned, Clerk of the City of Wrangell, Alaska, (herein called the "City"), DO HEREBY CERTIFY:

1. That the attached Ordinance numbered 498 (herein called the "Ordinance") is a true and correct copy of an Ordinance of the City as finally passed at a meeting of City Council of the City held on the 23rd day of JULY, 1986, and duly recorded in my office.

2. That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such meeting was given; that a legal quorum was present throughout the meeting and a legally sufficient number of members of the City Council voted in the proper manner for the passage of the Ordinance; that all other requirements and proceedings incident to the proper passage of the Ordinance have been duly fulfilled, carried out and otherwise observed, and that I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City this 24th day of JULY, 1986.


City Clerk

[CITY SEAL]

APPENDIX A

LAW OFFICES

WOHLFORTH & FLINT

A PROFESSIONAL CORPORATION
900 WEST 5TH AVENUE, SUITE 600
ANCHORAGE, ALASKA 99501-2086

ERIC E. WOHLFORTH
ROBERT B. FLINT
PETER ARGETSINGER
ROBERT M. JOHNSON
KENNETH E. VASSAR
THOMAS F. KLINKNER
ROGER A. LUBOVICH
CHARLES F. SCHUETZE
BRADLEY E. MEYEN
JANICE COLEMAN GRAHAM*

TELEPHONE
(907) 276-6401

TELECOPIER
(907) 276-5093

OF COUNSEL
RICHARD W. GARNETT III

*ADMITTED IN NEW YORK ONLY

July 11, 1986

Mr. Jeff Jabusch
Finance Director
City of Wrangell
P.O. Box 531
Wrangell, Alaska 99929

Re: Wrangell General Obligation Bonds, 1983
\$1,000,000 and 1984 \$7,100,000

Alaska Municipal Bond Bank Authority,
General Obligation Refunding Bonds, 1986 Series A
Our File: 03742/004

Dear Mr. Jabusch:

I am authorized by Perry T. Davis, Executive
Director, to make the following statement in his behalf:

The Alaska Municipal Bond Bank Authority is the
registered owner of the above described Bonds of the City of
Wrangell (the "City's 1983 and 1984 Bonds"). As the
registered owner of the City's 1983 and 1984 Bonds, the
Authority proposes the refunding by exchange of the City's
1983 and 1984 Bonds for refunding bonds of the City (the
"City's Refunding Bonds"), in connection with the issuance of
the above described Bonds of the Authority (the "Authority's
Refunding Bonds").

Through issuance of the Authority's Refunding Bonds,
the Authority will realize certain debt service savings.
Accordingly, the Authority agrees to pass said debt service
savings on to the various municipalities whose bonds secure
the Authority's Refunding Bonds, including the City of
Wrangell. Said debt service savings will be passed to the
City in the form of a reduced debt service payment schedule
for the City's Refunding Bonds. After the refunding, the
City's principal payments will increase slightly, while the
interest payments will be lower, producing a total debt
service payable on the City's Refunding Bonds which is less
than the total debt service payable on the City's 1983 and

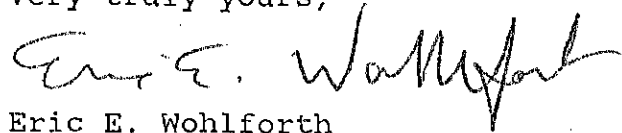
A80334

1984 Bonds. The Authority agrees to the changes in debt service payable by the City as a result of such exchange of the City's 1983 and 1984 Bonds for the City's Refunding Bonds. It is understood that the effectuation of the foregoing depends on the ability of the Authority to sell and deliver the above described Authority's Refunding Bonds.

The Authority is proceeding with its refunding under the assumption that the City will pass the ordinance authorizing issuance of the City's Refunding Bonds, and that the City will complete the transaction by passing any subsequent required resolution prior to closing. We wish to assure you that the Authority will not proceed with its refunding unless the City does realize debt service savings.

Thank you for your cooperation. We are pleased to be able to help you reduce your debt service obligations.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Eric E. Wohlforth".

Eric E. Wohlforth

EEW:lak

APPENDIX B

LOAN AGREEMENT*

AGREEMENT, dated as of the 1st day of October, 1984, between the Alaska Municipal Bond Bank, a body corporate and politic constituted as an instrumentality of the State of Alaska (the "State") exercising public and essential governmental functions (hereinafter referred to as the "Bank"), created pursuant to the provisions of Chapter 85, Title 44, Alaska Statutes, as amended, (hereinafter referred to as the "Act"), having its principal place of business at Anchorage, Alaska, and the City of Wrangell, Alaska, a duly constituted home rule city of the State (hereinafter referred to as the "Municipality")

W I T N E S S E T H:

WHEREAS, pursuant to the Act, the Bank is authorized to make loans of money (hereinafter referred to as the "Loan" or "Loans") to governmental units; and

WHEREAS, the Municipality is a Governmental Unit as defined in the General Bond Resolution of the Bank hereinafter mentioned and pursuant to the Act is authorized to accept a Loan from the Bank to be evidenced by its municipal bonds purchased by the Bank; and

* Underlined portions of this Loan Agreement reflect proposed changes thereto, to be negotiated between the City of Wrangell and the Alaska Municipal Bond Bank Authority.

WHEREAS, the Municipality is desirous of borrowing money from the Bank in the amount of \$7,100,000, and has submitted an application to the Bank for a Loan in such amount and the Municipality has duly authorized the issuance of one fully registered bond in the aggregate principal amount of \$7,100,000, payable in installments, (the "Municipal Bonds") which bond is to be purchased by the Bank as evidence of the Loan in accordance with this Agreement; and

WHEREAS, the application of the Municipality contains the information required by the Bank, and

WHEREAS, to provide for the issuance of bonds of the Bank in order to obtain from time to time monies with which to make such Loans, the Bank has adopted the General Bond Resolution on May 27, 1976, as supplemented on October 28, 1977 and May 11, 1978 (herein referred to as the "Bond Resolution") and will adopt a resolution authorizing the making of such Loan to the Municipality and the purchase of the Municipal Bonds,

NOW, THEREFORE, the parties agree:

1. The Bank hereby makes the Loan and the Municipality accepts the Loan in the amount of \$7,100,000. As evidence of the Loan made to the Municipality and such money borrowed from the Bank by the Municipality, the Municipality hereby sells to the Bank the Municipal Bonds in the amount of \$7,100,000. The Municipal Bonds shall bear interest from their date at such rate or rates per annum stated on Exhibit "A" appended hereto. The interest cost rate for purposes of this Loan Agreement will be

computed without regard to Sections 3 and 4 hereof which require that the Municipality make funds available to the Trustee acting under the Bond Resolution for the payment of principal and interest at least seven business days prior to each respective principal and interest payment date. Subject to any applicable legal limitations, the rate or rates of interest borne by the Municipal Bonds shall be the same rate or rates of interest borne by the bonds sold by the Bank (for corresponding maturities) in order to obtain the monies with which to make the Loan and to purchase the Municipal Bonds. In the event such bonds sold by the Bank are refunded and the rates of interest stated in Exhibit A exceed the rates of interest borne by the Bank Refunding Bonds, (for corresponding maturities) then, pursuant to this section and Section 3 hereof, a revised exhibit setting forth the new schedule of interest and principal payments on the Municipal Bonds shall be presented to the Municipality by the Bank, for approval by the Municipality and, if approved by the Municipality, shall be attached hereto and incorporated herein, in replacement of the previous exhibit detailing said interest and principal payments.

2. The Municipality represents that it has duly adopted or will adopt all necessary ordinances or resolutions and has taken or will take all proceedings required by law to enable it to enter into this Loan Agreement and issue its binding obligations to the Bank.

3. The amount to be paid by the Municipality pursuant to this Loan Agreement representing interest due on its Municipal

Bonds (hereinafter referred to as the "Municipal Bonds Interest Payments") shall be not less than the interest the Bank is required to pay on the bonds issued by the Bank to obtain the funds from which this Loan is made and shall be scheduled by the Bank in such manner and at such times (notwithstanding the dates of payment as stated in the Municipal Bonds) as to provide funds sufficient to pay interest as the same becomes due on the proportionate amount of bonds issued by the Bank for the purpose of obtaining funds to make the loan to the Municipality (hereinafter referred to as the "Municipality's Loan Obligation") and the Municipality shall make such funds available to the Trustee acting under the Bond Resolution at least seven business days prior to each interest payment date.

In the event the Bank Loan Obligations, as defined hereinafter, have been refunded and the interest the Bank is required to pay on said refunding bonds is less than the interest the Bank was required to pay on the Bank Loan Obligations, the Municipal Bonds Interest Payments shall be reduced so that the Municipal Bonds Interest Payments owing on the Municipal Bonds in any year in which the Municipal Bonds remain outstanding shall not exceed the interest the Bank is required to pay on the refunding bonds in such corresponding year; provided, however, that in the event of any refunding of the Bank Loan Obligations, the Municipal Bonds Principal Payments (as hereinafter defined) may also be adjusted as necessary for the purpose of accomplishing said refunding in such manner as will result in the Municipality owing in each year

an amount on the Municipal Bonds which shall not exceed the principal and interest the Bank is required to pay on the refunding bonds in such year, and which shall provide for a reduction in total debt service payable on the Municipal Bonds. Provided further, that for purposes of this section, the term "Municipal Bonds" shall include any bonds of the Municipality issued as refunding bonds in exchange for the Municipal Bonds originally issued, as necessitated by the refunding of the Bank Loan Obligations.

4. The amount to be paid by the Municipality pursuant to this Loan Agreement representing principal due on its Municipal Bonds (hereinafter referred to as the "Municipal Bonds Principal Payments") shall be scheduled by the Bank in such manner and at such times (notwithstanding the dates of payment as stated in the Municipal Bonds) as to provide funds sufficient to pay the principal of the Municipality's Loan Obligation as the same matures (based upon the maturity schedule appended hereto as Exhibit "A") and the Municipality shall make such funds available to the Trustee acting under the Bond Resolution at least seven business days prior to each principal payment date. In the event the amounts referred to in sections (3) and (4) to be paid by the Municipality pursuant to this Loan Agreement are not made available at any time specified therein, the Municipality agrees that any money payable to it by any department or agency of the State be withheld from it and paid over directly to the Trustee acting under the Bond Resolution and this Agreement shall be full

warrant, authority and direction to make such payment upon notice to such department or agency by the Bank as provided in the Act.

5. The Municipality is obligated to pay Fees and Charges, to the Bank. Such Fees and Charges (as defined in the Bond Resolution) actually collected from the Municipality shall be in an amount sufficient, together with the Municipality's Allocable Proportion of other monies available therefor under the provisions of the Bond Resolution, and other monies available therefor, including any specific grants made by the United States of America or any agency or instrumentality thereof or by the State or any agency or instrumentality thereof and amounts applied therefor from amounts transferred to the Operating Fund pursuant to paragraph (3) of Section 603 of the Bond Resolution:

(a) to pay, as the same become due, the Municipality's Allocable Proportion of the Administrative Expenses (as defined in the Bond Resolution) of the Bank; and

(b) to pay, as the same become due, the Municipality's Allocable Proportion of the fees and expenses of the Trustee and paying agents for the bonds of the Bank. Municipality's Allocable Proportion as used herein shall mean the proportionate amount of the total requirement in respect to which the term is used determined by the ratio that the total of the Municipality's Loan Obligation outstanding bears to the total of that portion of the bonds issued by the Bank to obtain funds with which to make loans which are outstanding as certified by the Bank. The waiver by the

Bank of any fees payable pursuant to this Section 5 shall not constitute a subsequent waiver thereof.

6. The Municipality is obligated to make the Municipal Bonds Principal Payments scheduled by the Bank on an annual basis and is obligated to make the Municipal Bonds interest Payments scheduled by the Bank and to pay the Fees and Charges imposed by the bank on a semi-annual basis.

7. The Bank shall not sell and the Municipality shall not redeem prior to maturity any of the Municipal Bonds with respect to which the Loan is made in an amount greater than the bonds sold by the Bank to obtain the funds from which the Loan is made which are then outstanding and which are then redeemable, and in the event of any such sale or redemption, the same shall be in an amount not less than the aggregate of (i) the principal amount of the Municipality's Loan Obligation (or portion thereof) so to be redeemed, (ii) the interest to accrue on the Municipality's Loan Obligation (or portion thereof) so to be redeemed to the next redemption date thereof not previously paid, (iii) the applicable premium, if any, payable on the Municipality's Loan Obligation (or portion thereof) so to be redeemed, and (iv) the cost and expenses of the Bank in effecting the redemption of the Municipality's Loan Obligation (or portion thereof) so to be redeemed; provided, however, that, in the event the bonds of the Bank issued to provide the funds with which the Bank made the Loan under this Loan Agreement with respect to which the sale or redemption prior to maturity of such Municipal Bonds is being made (herein called

the "Bank Loan Obligations") have been refunded and the refunding bonds of the Bank issued for the purpose of refunding such Bank Loan Obligations were issued in a principal amount in excess of or less than Municipality's Loan Obligation remaining unpaid at the date of issuance of such refunding bonds, the amount which the Municipality shall be obligated to pay or the Bank shall receive under item (i) above shall be the principal amount of such refunding bonds outstanding.

In the event the Bank Loan Obligations have been refunded and the interest the Bank is required to pay on the refunding bonds is less than the interest the Bank was required to pay on the Bank Loan Obligations, the amount which the Municipality shall be obligated to pay or the Bank shall receive under item (ii) above shall be the amount of interest to accrue on such refunding bonds outstanding.

The Municipality shall give the Bank at least fifty (50) days notice of intention to redeem its Municipal Bonds.

In the event the Bank Loan Obligations have been refunded, the amount which the Municipality shall be obligated to pay or the Bank shall receive under item (iii) above, when the refunded Bank Loan Obligations are to be redeemed, shall be the applicable premium, if any, on the said Bank Loan Obligations to be redeemed.

Nothing in this section shall be construed as restricting the Municipality from refunding the Municipal Bonds in exchange for a new Municipal Bond in conjunction with a refunding of the Bank Loan Obligations.

8. Simultaneously with the delivery of the Municipality's Bond or Bonds to the Bank, the Municipality shall furnish to the Bank evidence satisfactory to the Bank which shall set forth among other things, that said Bond or Bonds will constitute valid general obligations of the Municipality.

9. The Municipality shall be obligated to inform in writing the Bank and the corporate trust office of the Trustee for the Bank's bonds at least thirty (30) days prior to each interest payment date on the Municipal Bonds of the name of the official to whom invoices for the payment of interest and principal should be addressed.

10. Notwithstanding Paragraph 14 hereof, prior to payment of the amount of the Loan, or any portion thereof, and the delivery of the Municipality's Bond or Bonds to the Bank or its designee, the Bank shall have the right to cancel all or any part of its obligations hereunder if:

(a) Any representation, warranty or other statement made by the Municipality to the Bank in connection with its application to the Bank for a Loan shall be incorrect or incomplete in any material respect.

(b) The Municipality has violated commitments made by it in its application and supporting documents or has violated any of the terms of this Loan Agreement.

(c) The financial position of the Municipality has, in the opinion of the Bank, suffered a materially adverse change

between the date of this Loan Agreement and the scheduled time of delivery of the Municipal Bonds to the Bank.

11. The obligation of the Bank under this Loan Agreement is contingent upon delivery of its 1984 Series A Bonds and receipt of the proceeds thereof.

12. If any provision of this Loan Agreement shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such provision shall not affect any of the remaining provisions of this Loan Agreement and this Loan Agreement shall be construed and enforced as if such invalid or unenforceable provision had not been contained herein.

13. This Loan Agreement may be executed in one or more counterparts, any of which shall be regarded for all purposes as as an original and all of which constitute but one and the same instrument. Each party agrees that it will execute any and all documents or other instruments, and take such other actions as are necessary to give effect to the terms of this Loan Agreement.

14. No waiver by either party of any term or condition of the Loan Agreement shall be deemed or construed as a waiver of any other terms or conditions, nor shall a waiver of any breach be deemed to constitute a waiver of any subsequent breach.

whether of the same or of a different section, subsection, paragraph, clause, phrase, or other provision of this Loan Agreement.

15. This Loan Agreement merges and supersedes all prior negotiations, representations, and agreements between the parties

hereto relating to the subject matter hereof and constitutes the entire agreement between the parties hereto in respect thereof.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

ALASKA MUNICIPAL BOND BANK

(S E A L)

By _____
Chairman

A T T E S T:

CITY OF WRANGELL, ALASKA

(S E A L)

By _____
Title _____

A T T E S T

EXHIBIT "A" TO LOAN AGREEMENT BETWEEN THE
 CITY OF WRANGELL, ALASKA, AND
THE ALASKA MUNICIPAL BOND BANK

Municipality's Bonds Due			Municipality's Bonds Due		
October 1	Amount	Interest Rate	October 1	Amount	Interest Rate
1985	\$115,000	12.50%	1995	315,000	10.20%
1986	130,000	12.50	1996	350,000	10.40
1987	145,000	12.50	1997	390,000	10.50
1988	160,000	12.50	1998	430,000	10.60
1989	175,000	12.50	1999	475,000	10.70
1990	190,000	12.50	2000	525,000	10.70
1991	215,000	9.50	2001	580,000	10.70
1992	235,000	9.50	2002	640,000	10.70
1993	260,000	9.75	2003	705,000	10.70
1994	285,000	10.00	2004	780,000	10.70

City of Wrangell

For introduction at
July 22, 1986
City Council Meeting

MOTION

I move that the Ordinance amending Ordinance No. 463 and authorizing amendment of the Loan Agreement between the City and the Alaska Municipal Bond Bank Authority dated October 1, 1984, be amended according to the blacklined copy of the Ordinance which we have received, in order to provide for a refunding of the City's General Obligation Bond, 1984, by exchange for a refunding bond of the City, to be designated the "City of Wrangell General Obligation Refunding Bond, 1986 Series B," in the principal amount not to exceed \$8,750,000.

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 499

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING THE WRANGELL MUNICIPAL CODE, CHAPTER 15.16, CEMETERY, PROVIDING FOR RULES AND REGULATIONS AND ESTABLISHING CHARGES FOR SERVICES.

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

Section 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.

Section 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.

Section 3. Effective Date. This Ordinance shall be published as provided by law and shall be effective thirty (30) days after final passage.

Section 4. Wrangell Municipal Code (hereinafter WMC), Section 15.16.010 entitled "Non discrimination of availability" is hereby repealed and reenacted to read as follows:

15.16.010 Established. The municipal cemetery now owned and operated by the city located in U.S. Survey 1336 shall be known as the Wrangell Memorial Cemetery and the municipal cemetery now owned and operated by the city located in U. S. Survey 3402, Tract "A", Lot 3 shall be known as the Sunset Gardens Cemetery. The municipal cemeteries shall be available, subject to the provisions of this chapter, to all persons irrespective of race, religion, creed or color.

Section 5. WMC Section 15.16.040 entitled "Cemetery rules-- Promulgation and adoption by reference" is hereby repealed and reenacted to read as follows:

15.16.040 Cemetery Operation and Maintenance. The City Manager shall provide for the annual costs of care and maintenance of the cemeteries in the city budget, which costs will include the grounds upkeep and such other operation and maintenance as may be necessary.

Section 6. WMC Section 15.16.070 entitled "digging graves-- Permission" is amended to read as follows:

15.16.070[DIGGING] Opening and closing graves [---PERMISSION].
A. No person shall be permitted to open and close graves within [THE] a city cemetery, [WITHOUT FIRST OBTAINING PERMISSION FROM THE CARETAKER OR SUPERINTENDENT IN CHARGE.] except upon applica-

tion to the City Clerk permission may be given for a person to bury cremated remains under supervision of the city. The City shall open and close all graves [AT NO] and a charge [,] shall be collected from the persons requesting the opening and closing.

B. The fee for each opening and closing of a grave shall be one hundred fifty dollars except the fee for the grave of a child six years of age or younger shall be seventy-five dollars. If the opening and closing of a grave is done on a holiday, Saturday or Sunday, the charge shall be two hundred twenty-five dollars or one hundred twelve dollars for the grave of a child six years of age or younger. Cremated remains will be buried by the city for a charge of twenty-five dollars.

C. The funeral director, or person in charge, shall notify the city when a grave is to be opened, and shall give the date and time graveside services will be conducted, which notice shall be given no less than forty-eight hours in advance of any service.

Section 7. WMC Section 15.16.080 entitled "Uniformity of grounds and markers" is amended to read as follows:

15.16.080 Uniformity of grounds and markers. A. It is highly desirable that uniformity be maintained and, in order to maintain such uniformity, the city reserves the right to standardize the design and material used for markers, the planting of trees and shrubs, and to prohibit the erection of fences or other structures of any kind to carry out such uniformity.

B. No permanent grave marker or monument or any other such object which extends above the surface of the ground shall be erected or placed on or near a grave except with written consent of the city. Plants may be placed on the grave next to the marker, under the supervision of the city. No temporary marker or monument may be placed upon or near a grave which extends above the surface of the ground except on Memorial Day, Fourth of July or Veteran's Day and these shall be removed within seven days thereafter. All permanent markers shall be set on foundations constructed and installed to the specifications of the city. Upon request, the city will install the markers for a fee of twenty-five dollars.

C. Sunset Gardens Cemetery began operation in 1966. The city desires that this cemetery be maintained in a uniform manner and the following rules shall apply:

(1) No grave marker or monument erected or placed on or near a grave shall extend above the surface of the ground, except temporary markers and monuments allowed under (B) of this section.

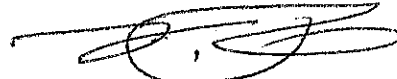
(2) No enclosure of any kind, such as a fence, roping, hedge, border or ditch shall be permitted around any grave and no grave shall be raised above the established grade. The city shall remove all materials prohibited by this section which may be in place at the passage of this ordinance or may in the future be placed on or near any grave, after giving thirty days notice of such action to any known party which may have an interest therein.

D. Holders containing flowers or other decorations will be removed as soon as the flowers fade and wither and the city reserves the right to make such removal. Winter wreaths will be removed before mowing season. The city will dispose of all such flowers, along with holders containing flowers, or other decorations.

E. The city reserves the right to make special exceptions to the rules set forth in this section or to adopt additional rules by resolution in order to properly operate and maintain the cemeteries.

PASSED AND APPROVED IN FIRST READING JULY 8, 1986

PASSED AND APPROVED IN SECOND READING JULY 23, 1986



MAYOR

ATTEST:


CITY CLERK

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 500

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL AUTHORIZING THE SALE OF THE LAND, AND THE WRANGELL FIRE HALL BUILDING LOCATED AT 110 FRONT STREET, SAID SALE TO BE CONDUCTED BY COMPETITIVE SEALED BIDS, AND SUBMITTING THE QUESTION OF THE SALE OF THE FIRE HALL TO THE VOTERS AT THE GENERAL ELECTION OCTOBER 7, 1986, FOR RATIFICATION.

RECITALS

WHEREAS, the City of Wrangell is the owner of the Wrangell Fire Hall with the City of Wrangell being responsible for maintenance and operation thereof.

WHEREAS, the Council is keenly aware of the stressful economic times, and does not desire to burden the taxpayers with the expense of maintaining and operating unneeded property.

WHEREAS, the Council has determined that it is desirable to sell the Wrangell Fire Hall, subject to the voter approval.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AS FOLLOWS:

Sec. 1. Classification. This ordinance is not of a general and permanent 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 become effective upon its passage and approval, but shall not become finally effective until and after a majority of the voters voting at the municipal election October 7, 1986 have ratified this ordinance authorizing the sale of the Wrangell Fire Hall.

Sec. 4. That the hereinafter described real property is hereby determined to constitute real property owned by the City with a value of Twenty-five Thousand and No/100 Dollars (\$25,000.00) or more, said real property declared to be surplus

to the needs of the City of Wrangell, and to be sold by competitive sealed bid.

Sec. 5. The purpose of this ordinance is to submit a proposition to the voters of the City of Wrangell at the general election to be held October 7, 1986, in Wrangell on the question of the sale of the Wrangell Fire Hall Building, said Fire Hall Building located at 110 Front Street, in downtown Wrangell, Alaska.

Sec. 6. That the Clerk of the City of Wrangell is ordered to take all necessary steps to place on the regular municipal election ballot to the qualified voters in the City of Wrangell, Alaska on October 7, 1986, the following question:

PROPOSITION

WRANGELL FIRE HALL SALE

SHALL THE CITY OF WRANGELL, ALASKA, SELL THE REAL PROPERTY COMMONLY KNOWN AS THE WRANGELL FIRE HALL, AND LOCATED AT 110 FRONT STREET IN DOWNTOWN WRANGELL, AND MORE PARTICULARLY DESCRIBED AS:

THAT PORTION OF LOT FOUR (4), BLOCK THREE (3), WRANGELL TOWNSITE, U.S. SURVEY NO. 1119, OWNED BY THE CITY OF WRANGELL AND ON WHICH STANDS THE WRANGELL FIRE HALL,

WITH THE SALE TO BE EFFECTED THROUGH COMPETITIVE SEALED BID, WITH THE MINIMUM ACCEPTABLE SALE PRICE TO BE THE APPRAISED VALUE AS DETERMINED BY A QUALIFIED APPRAISER; SAID COMPETITIVE BID SALE SHALL BE SUBJECT TO THE CONDITION THAT IF THE HIGHEST RESPONSIBLE BIDDER FOR CASH, OR FOR TERMS DEEMED TO BE IN THE BEST INTERESTS OF THE RESIDENTS OF THE CITY OF WRANGELL IS NOT GREATER THAN OR EQUAL TO THE APPRAISED VALUE OF THE PROPERTY, THEN UPON RESOLUTION, THE COUNCIL MAY OFFER THE PROPERTY FOR PUBLIC SALE OVER THE COUNTER AND WITHOUT COMPETITIVE BID, UPON SUCH TERMS AND CONDITIONS AS THE COUNCIL MAY PRESCRIBE, AT A PRICE NO LESS THAN THE APPRAISED VALUE, WITH THE PROPERTY BEING OFFERED BY THE CITY CLERK OVER THE COUNTER AT CITY HALL ON A FIRST COME, FIRST SERVE BASIS? IN ALL CASES, WHETHER BY COMPETITIVE BID, OR OVER THE COUNTER SALE, THE COUNCIL SHALL HAVE THE RIGHT TO REJECT ANY AND ALL BIDS, OR SALES IN THE BEST INTERESTS OF THE TAXPAYERS OF THE CITY OF WRANGELL.

_____ YES

_____ NO

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 (2) election precincts, the boundaries of which and places for voting in each of said precincts are and shall be as for municipal elections generally.

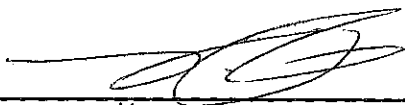
Sec. 8. That the polls will be open for voting on the proposition between the hours of 8:00 a.m. and 8:00 p.m. on the date of the general election.

Sec. 9. That the qualifications for voters on the proposition shall be the same as for voters at municipal elections generally.

Sec. 10. That the notice, publication and posting shall be given by the City Clerk in accordance with the provisions of the Wrangell Municipal Code, the charter, statutes and law.

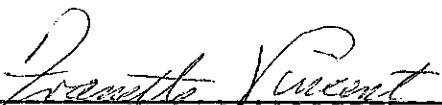
PASSED IN FIRST READING: August 12, 1986.

PASSED IN SECOND READING: August 26, 1986.



Mayor

ATTEST:

By: 
City Clerk (Acting)

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 501

AN ORDINANCE OF THE CITY OF WRANGELL, EXEMPTING REAL AND PERSONAL PROPERTY ACQUIRED, USED AND/OR INSTALLED AFTER JANUARY 1, 1985, AND USED IN PROCESSING TIMBER, SAID EXEMPTION NOT TO EXCEED FIVE YEARS AND SUBJECT TO THE APPROVAL AND RATIFICATION OF THE VOTERS IN THE OCTOBER 1986 ELECTION, WITH AN EXEMPTION EFFECTIVE DATE OF JANUARY 1, 1987.

WHEREAS, pursuant to the request of the City of Wrangell, and the timber industry, the State Legislature has made it possible for an exemption of real and personal property used in processing timber to occur at a local level, subject to voter approval; and

WHEREAS, the timber industry is depressed, such that the Wrangell economy loses jobs; however, the timber industry has pledged to continue its efforts to market its product and to continue to provide and increase available jobs in Wrangell; and

WHEREAS, it is the opinion of the council of the City of Wrangell, that providing an exemption as permitted under recently enacted law, will foster, encourage, promote and increase available jobs in the City of Wrangell, Alaska; and

WHEREAS, the council has determined that it is in the best interest of the citizens of Wrangell to exempt real and personal property acquired, installed and used in processing timber; and

WHEREAS, the council desires to place the question of the exemption before the voters in the October 7, 1986 election, such that the exemption will be available January 1, 1987.

NOW THEREFORE, 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 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 its application to other circumstances shall not be affected thereby.

Sec. 3. This ordinance shall not become effective until after it has been actually approved by a majority of the qualified voters who vote on the question at the said general election October 7, 1986, with the additional proviso, that the exemption granted herein, if approved by the voters, shall not become effective until January 1, 1987.

Sec. 4. Wrangell Municipal Code, Chapter 5.04, Property Tax, is amended by adding a new section thereto, designated 5.04.036, entitled "Exemption-Timber processing", said section as enacted to read as follows:

5.04.036 Exemption-Timber processing.

A. Real and personal property used in processing timber, shall be exempt for seventy-five percent of the rate of taxes levied on other real and personal property in that differential tax zone in which the real and personal property is located. The real and personal property shall have been acquired, installed and/or constructed, and actually used for processing timber which has been delivered to the processing site in the previous calendar year for which the exemption is requested. The timber processor must be processing timber with 40 full time employees 9 months of the previous calendar year.

B. The duration of this exemption shall not exceed five years, and this ordinance granting this exemption if approved by the voters, shall expire by lapse of time on December 31, 1991, and shall not be effective thereafter, unless after December 31, 1991, a new ordinance is passed and approved by the voters.

C. Only seventy-five percent of the real and personal property which has been actually acquired, constructed, or placed in use after January 1, 1985, may qualify for an exemption.

D. Any taxpayer claiming a timber exemption shall on or before January 15 of any year, make application for the exemption to the assessor. The taxpayer shall specifically identify the real or personal property for which the exemption is requested, giving a description sufficient to conclusively identify said real or personal property, including the date of acquisition, the cost of acquisition, the date of any construction, including the construction cost and the date of placing said real or personal property in use for processing timber and affirmatively represent that the real and personal property has actually been used to process timber in the previous calendar year for which the exemption is requested. There shall be no waivers of a failure to meet the deadline for filing the application for the exemption. Unless the property, both real and personal is listed on the exemption application, and proof submitted, as required, to the assessor, by January 15, for the previous calendar year, the exemption shall not be available.

Sec. 5. The purpose of this ordinance is to grant an exemption to real and personal property used in processing timber, and to place the question to the voters of the City of Wrangell at the general election to be held October 7, 1986, as to whether or not this exemption should be granted. This ordinance is therefore subject to voter approval at said general election.

Sec. 6. The City Clerk is ordered to take all necessary steps to place on the regular municipal election ballot to the qualified voters in the City of Wrangell on October 7, 1986, the following question:

PROPOSITION

EXEMPTION FOR REAL AND PERSONAL
PROPERTY USED IN PROCESSING TIMBER.

SHALL THE CITY OF WRANGELL EXEMPT REAL AND PERSONAL PROPERTY USED IN PROCESSING TIMBER AFTER IT HAS BEEN ACQUIRED, CONSTRUCTED AND ACTUALLY PLACED IN SERVICE AFTER JANUARY 1, 1985, SAID EXEMPTION TO BE AT THE RATE OF SEVENTY-FIVE PERCENT OF THE RATE OF TAXES LEVIED ON OTHER PROPERTY IN THAT TAX ZONE, AND IN THE AMOUNT OF SEVENTY-FIVE PERCENT OF THE ASSESSED VALUE AS OF ANY GIVEN TAX YEAR. THE EXEMPTION SHALL BE AVAILABLE JANUARY 1, 1987. THE TIMBER PROCESSOR MUST BE PROCESSING TIMBER WITH _____ FULL TIME EMPLOYEES _____ MONTHS OF THE PREVIOUS CALENDAR YEAR TO QUALIFY FOR THE EXEMPTION. THIS EXEMPTION IF APPROVED BY THE VOTERS, WILL AUTOMATICALLY EXPIRE DECEMBER 31, 1991.

_____ YES
_____ NO

Sec. 7. That for the purpose of the election on the foregoing proposition to be submitted at said regular municipal 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. 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 the date of said municipal election.

Sec. 9. That the qualifications for voters on the aforementioned proposition shall be the same as for the voters at municipal elections generally.

Sec. 10. That notice, publication and posting shall be given by the City Clerk in accordance with the provisions of the Wrangell Municipal Code, the Charter, Statutes, and law.

PASSED AND APPROVED: August 12, 1986.

PASSED AND APPROVED: August 26, 1986.



Mayor

ATTEST:

By: *Rosetta Vincent*
City Clerk (Acting)

PROPOSITION NO. 11, Election October 7, 1986
YES: 372 NO: 415

I certify the foregoing is a true and correct result of the election held October 7, 1986. Proposition failed.

Lanore K. Gunderson
Lanore K. Gunderson, City Clerk

CITY OF WRANGELL, ALASKA

Ordinance No. 502

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING THE SALES TAX CODE, CHAPTER 5.08, BY ADDING A NEW EXEMPTION ON PURCHASES MADE UNDER THE 7 U.S.C. 2011-2025 (FOOD STAMP ACT).

RECITALS

The purpose of this Ordinance is to exempt purchases made with food coupons, food stamps, or other type of certificate issued under 7 U.S.C. 2011-2025 (Food stamp Act) from sales tax to comply with the Food Security Act of 1985.

NOW, THEREFORE, 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 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 its application to other circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided by law and shall be effective October 1, 1986.


Sec. 4. Wrangell Municipal Code Section 5.08.050 is amended by adding a new subsection "T" to read as follows:

5.08.050 Exemptions from Tax. The following transactions are exempt from the tax levied under this chapter:

T. Purchases made with food coupons, food stamps or other type of certificate issued under 7 U.S.C. 2011-2025 (Food Stamp Act).

PASSED AND APPROVED IN FIRST READING: August 12, 1986

PASSED AND APPROVED IN SECOND READING: August 26, 1986



Mayor

ATTEST: 

City Clerk (Acting)

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 503

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF WRANGELL BY REZONING PROPERTY HEREINAFTER DESCRIBED FROM OPEN SPACE TO WATERFRONT DEVELOPMENT DISTRICT.

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 20.76 of Title 20 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 Open Space to Waterfront Development District.

Sec. 5. Property Rezoned. The property hereinafter described is hereby rezoned from Open Space to Waterfront Development District:

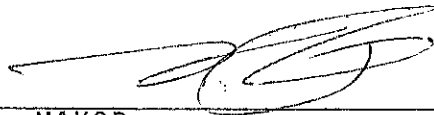
A Portion of U.S.S. 1518, more particularly as shown on the attached drawing marked Exhibit "A" and incorporated herein, a Portion of which is upland from ATS 1114, situated in the City of Wrangell, First Judicial District, Wrangell Recording District, State of Alaska.

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: August 12, 1986

PASSED IN SECOND READING: August 26, 1986



MAYOR

ATTEST: *Ernestine Vincent*
CITY CLERK (ACTING)

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 504

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 14, BOAT HARBORS, PROVIDING FOR A DECREASE IN WHARFAGE FEES AND A PUBLIC HEARING.

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 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 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 Charter and the Wrangell Municipal Code, and shall be effective thirty (30) days after final passage.

Sec. 4. Public Hearing. A Public Hearing was held July 3, 1986, on the proposed rate decrease as provided in Wrangell Municipal Code Sec. 14.12.110.

Sec. 5. Wrangell Municipal Code Sec. 14.20.070 Wrangell Wharfage--Wharfage specifically subsection "F" thereof, is hereby amended to read as follows:

14.20.070 Wrangell Wharf--Wharfage

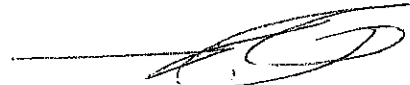
F. Lumber and logs (2,240 pounds shall be considered 1,000 board feet):

1. Over the dock. [1.75] 1.00 per 1,000 board feet

[2. OFF THE WATER. 0.875 PER 1,000 BOARD FEET]

PASSED AND APPROVED IN FIRST READING: August 12, 1986

PASSED AND APPROVED IN SECOND READING: August 26, 1986



MAYOR

ATTEST: 
ACTING CITY CLERK

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 505

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING THE WRANGELL MUNICIPAL CODE, CHAPTER 3.40, THOMAS BAY POWER COMMISSION, PRESCRIBING POWERS AND DUTIES FOR THE COMMISSION TO OPERATE AND MAINTAIN LAKE TYEE HYDROELECTRIC PROJECT AS AN AGENT OF THE CITY OF WRANGELL.

Recitals

The purpose of this ordinance is to specifically provide for the operation and maintenance of Lake Tye Hydroelectric Project, owned by the State of Alaska, by Thomas Bay Power Commission, acting as an agent of the City of Wrangell and the City of Petersburg.

NOW, THEREFORE, 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 (30) days after final passage.

Sec. 4. Wrangell Municipal Code (hereinafter WMC) Chapter 3.40 entitled "Thomas Bay Power Commission" is amended by adding a new section as follows:

3.40.060 Operation and Maintenance of Lake Tye Hydroelectric Project. On approval by Resolution of the City Council, the Commission may enter into an agreement as an agent of the City to maintain and operate Lake Tye Hydroelectric Project owned by the State of Alaska. Under said agreement, the Commission shall have the following powers and duties:

A. Prepare and approve an annual budget for the operation and maintenance of the project and any such other costs that the commission will have. Said budget shall be submitted to the City Council for approval in sufficient time to allow Council action prior to submittal to the State and the Project Management Committee, as established pursuant to Section 7 of that certain Long-Term Power Sales Agreement Four Dam Pool - Initial Project of the Alaska Power Authority effective October 28, 1985.

B. There shall be no costs incurred above the budget approved in subsection A of this Section without prior approval of the City Council and, when appropriate, the Project Management Committee.

C. To employ consulting engineers, environmental specialists, attorneys or other special, professional or skilled services, the costs of which have prior budget approval.

D. To employ a general manager who shall have the active management of the project, subject to the supervision and control of the Commission; and to delegate to such manager authority to hire and discharge such subordinate employees as it may deem advisable.

E. To determine all salaries, wages, and benefits to be paid to each classification of labor employed.

F. To submit an operating and financial report to the Council for each quarter calendar year, which report will be submitted not later than thirty days after the close of each quarter calendar year.

G. To adopt procedures governing purchases of materials, supplies, equipment, improvements and contractual services, including procedures for competitive bidding. Said procedures shall set forth the employee authorized to contract for such purchases and establish an amount which shall require the prior approval of the Commission. A copy of the procedures shall be filed with the City. Purchases of supplies, materials, equipment, improvements, or contractual services whose cost does not exceed five thousand dollars, excluding freight or shipping costs, may be made without competitive bidding. "Contractual Services" means services performed for the project by persons not in the employment of the Commission, and may include the use of equipment or the furnishing of commodities in connection with the services

under express or implied contract. Contractual services include travel; telephone, telegraph, utilities; rents; printing and binding; improvements, repairs, alterations, and maintenance of buildings, equipment, and other physical facilities of the project; and other services performed for the Commission by persons not in the employment of the Commission. Contractual services of a professional nature such as legal, engineering, architectural, and placement of insurance coverage are exempt from competitive bidding. The Commission may exempt the following purchases from competitive bidding:

1. Supplies, materials, equipment, or contractual services which must be purchased from a specific source in order to prevent incompatibility with previously purchased supplies, materials, equipment, or contractual services. For purposes of this subsection the term "incompatibility" is defined as the inability to (A) interconnect, combine, interchange, or join, or (B) that which causes or necessitates maintenance expertise or training where such acquisition would result in substantial duplication. The Commission must approve by motion or resolution any purchase whose cost exceeds five thousand dollars which is to be excluded from competitive bidding by the authority of this subsection;

2. Supplies, materials, equipment, contractual services, or improvements which the Commission declares to be required on an emergency basis or which the commission declares is impractical or impossible.

3. When competitive bidding has been followed, but no bids or quotations are received or the bids or quotations are rejected. In such a case, after Commission approval, the general manager may proceed to have the services performed or the supplies purchased without further competitive bidding or quotation.

H. To provide for an independent annual audit of the accounts of the Commission in accordance with accepted standards and procedures determined by the Project Management Committee.

I. To follow such procedures as required by the Project Management Committee as they exercise their

duties under that certain Long-Term Power Sales Agreement Four Dam Pool - Initial Project of the Alaska Power Authority effective October 28, 1985.

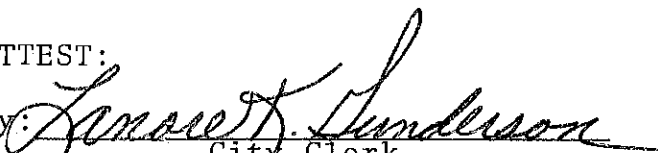
PASSED IN FIRST READING: AUGUST 26 , 1986

PASSED IN SECOND READING: SEPTEMBER 9 , 1986



Mayor

ATTEST:

By: 

City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 506

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 15, HEALTH AND SAFETY, CHAPTER 08, THE SEWER CODE ESTABLISHING A RATE FOR PUBLIC SWIMMING POOLS 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 section 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. Wrangell Municipal Code Sec. 15.D8.240 Schedule of Rates and Charges Class B Commercial Rates is hereby amended as follows:

<u>Designation</u>	<u>Unit(s)</u>
Bakeries	3.00
with initial preparation off premises	1.50
Bars	3.00
Barbershops, two chairs	1.00
per each additional chair	.50
Beautyshops, two basins	1.00
per each additional basin	.50
Canneries	Special
Shellfish canneries (hand pick)	Special
Shellfish canneries (machine pick)	Special
Fish processing	Special
Churches	1.00
Cleaners and cleaning plants	2.00

<u>Designation</u>	<u>Unit (s)</u>
Clubs and lodges:	
Without bar or restaurant facilities	1.00
With bar or restaurant facilities	2.00
Cold storage plants	Special
Dock	1.00
Garages, service stations, car lots:	
Without washrack	1.00
With washrack	2.00
Grocery stores:	
Without meat market	1.00
With meat market	2.00
Hotels and motels, first ten rooms or less	3.00
Over ten rooms, per room	.20
Hospitals	2.00
Plus per-bed charge based on occupancy rate percentage	.40
Laundromats, self-service:	
Under thirty-pound capacity, per machine	.50
Thirty pound or over capacity, per machine	1.50
Office buildings, first office	1.00
Each additional plumbed office	1.00
Each additional unplumbed office	.20
Offices, medical and dental:	
With laboratory and/or x-ray unit	2.00
Without laboratory and/or x-ray unit	1.00
Public showers:	
First two stalls	1.00
Per each additional stall	.20
Ranger District (Forest Service)	7.80
Restaurants:	
Up to and including thirty seats	3.00
Each additional twenty seats or fraction thereof	1.00
Lunchcounters, drive-in or fast food, of less than thirty seats	1.50
Industrial	Special
Schools, per class room	.43
Shops, miscellaneous	1.00
Stores: drygoods, gift, etc.	1.00
<u>Swimming Pool, Public</u>	<u>8.00</u>
Roominghouses	1.00
Each bed	.20
Theaters, seating five hundred 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, B.O.D., and suspended solids characteristic of its wastewater contribution. The flow, B.O.D., 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 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:

$$\text{SUMC} = \frac{f}{240} \left[1 + \left(\frac{b-1}{B} \right) + \left(\frac{s}{S} - 1 \right) \right] C$$

Where:

"SUMC" represents the special user's monthly charge;

"f" represents the special user's average flow in gallons per day (not less than four hundred twenty 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 B.O.D. loading of the user's wastewater contribution, expressed in parts per million (not less than two hundred parts per million);

"B" represents the allowable limit of B.O.D. loading above which a user's surcharge shall be levied, hereby designated as being two hundred parts per million;

"s" represents the average suspended solids loading of the user's wastewater contribution, expressed in parts per million (not less than two hundred parts per million); and

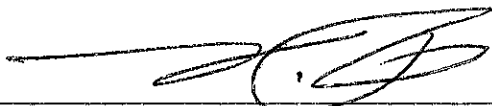
"S" represents the allowable limit of suspended solids loading above which a user's surcharge shall be levied, hereby designated as being two hundred parts per million.

Service Connection Charges

All service connections to customers shall be charged at the actual cost of materials, equipment and labor, plus fifteen percent, with a minimum charge of three hundred dollars per connection.

PASSED IN FIRST READING: SEPTEMBER 23, 1986

PASSED IN SECOND READING: OCTOBER 14,, 1986



MAYOR

ATTEST: 

CITY CLERK

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 507

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 15, CHAPTER 4, WATER, ESTABLISHING A RATE FOR PUBLIC SWIMMING POOLS 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 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 (30) days after final passage.

Sec. 4. Providing for a Public Hearing. A public hearing shall be held with notice thereof fifteen days prior to said public hearing.

Sec. 5. Wrangell Municipal Code, Sec. 15.04.640, Monthly Water Rates Class B--Commercial and Industrial--Flat Rates is hereby amended as follows:

<u>Designation</u>	<u>Monthly Rate</u>
Bakeries	\$ 37.80
Bars	37.80
Barbershops--one chair	9.45
per each additional chair	7.55
Beautyshops--one basin	9.45
per each additional basin	7.55
Canneries:	
Shellfish canneries (hand pick)	189.00*
Fish processing	201.60*
Rinsing and packaging only	37.80*
Salt water process only	37.80*
Churches	9.45
Cleaners and cleaning plants	18.90
Clubs, lodges--without bar or restaurant facilities	9.45
Cold storage plants	201.60
Docks	47.25
Docks or marinas for small boats, including oil docks	31.50
Garages, service stations, car lots:	
Without washrack	18.90
With washrack	28.35

<u>Designation</u>	<u>Monthly Rate</u>
[HOSPITALS	\$ 75.60]
Grocery stores:	
Without meat market	14.15
With meat market	29.30
<u>Hospitals</u>	<u>75.60</u>
Hydrants, fire, each	6.00
Hotels and motels:	
Ten rooms or less	28.35
Over ten rooms, per room	2.20
Laundromats, self service:	
Under thirty pound capacity, per machine	10.00
Thirty pounds or over capacity, per machine	20.15
Meat markets	15.10
Oceangoing freight and passenger vessels taking water:	
Fifteen tons or less	18.90
Each ton over fifteen tons	.60
Office building, first office	9.45
Each additional plumbed office	9.45
Each additional unplumbed office	2.20
Offices, medical and dental:	
With laboratory and/or x-ray unit	32.15
Without laboratory and/or x-ray unit	9.45
Plane floats	18.90
Public showers:	
First two stalls	10.10
Per each additional stall	2.50
Ranger District (Forest Service)	96.90*
Restaurants, lunch counters, etc:	
Up to and including thirty seats	28.35
Over thirty seats	37.80
Fountain only	9.45
Sawmills	630.00
Schools, per classroom	6.25
Shops, miscellaneous	9.45
Stores--drygoods, gift, etc.	10.10
<u>Swimming Pool, Public</u>	<u>128.00</u>
Theaters, seating five hundred people or less	18.90

*Rates herein apply to the average monthly usage. No adjustments will be made for seasonal work.

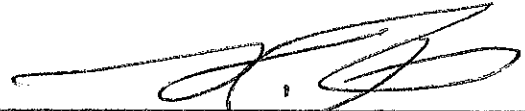
Note 1: A commercial enterprise consisting of more than one facility shall be charged the sum of the applicable rates for each facility.

Note 2: All commercial and industrial rates to customers outside the city limits shall be seventy-five percent 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.

PASSED IN FIRST READING: SEPTEMBER 23, 1986

PASSED IN SECOND READING: OCTOBER 14, 1986



MAYOR

ATTEST:



CITY CLERK

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 508

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING THE WRANGELL MUNICIPAL CODE BY ESTABLISHING NEW COLLECTION AND DISPOSAL FEES FOR THE RANGER DISTRICT, PUBLIC SWIMMING POOL, AND CANNERY; RAISING THE GENERAL RATES FOR ALL GARBAGE AND COLLECTION IN THREE INCREMENTS, SAID INCREMENTS EFFECTIVE JANUARY 1987, JULY 1987 AND JULY 1988; PROVIDING FOR WAIVER OF FEES BY THE CITY DURING COMMUNITY CLEAN-UP PROJECTS.

Whereas, the Council has closely scrutinized garbage collection and disposal rates and desires to decrease the gap between the collection of revenues and the cost of service, such that the general fund subsidy will be reduced; and

Whereas, the property tax may be presently subsidizing the garbage collection by approximately one full mill, with resulting benefit to any entity which does not pay property taxes; and

Whereas, the Council desires to equalize the burden of the cost of the services according to the actual benefits derived by users.

NOW THEREFORE, 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 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 its application to other 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. Wrangell Municipal Code (hereafter WMC), Section 9.04.095 is amended by repealing 9.04.095 B, relettering 9.04.095 C as subsection B, and amending said present subsection C to read as follows:

[C] B. The rate for the collection and refuse disposal service shall be double the applicable rate for

similar service provided in the territorial limits of the city. [THE PRESENT RATES ARE AS ESTABLISHED IN SECTION 9.04.060.]

Sec. 5. Wrangell Municipal Code, Section 9.04.070, specifically Schedule A annexed to Ordinance Number 383, and is incorporated by reference in said section 9.04.070, is repealed, and enacted to read as follows:

SCHEDULE A

Sec. [42.40.060] 9.04.070

MONTHLY REFUSE COLLECTION OR DISPOSAL FEES

Class A. Mandatory rate for all occupants or persons.

Residential - Flat Rates

<u>Designation</u>	<u>Monthly Rate</u>			
	<u>Present Rate</u>	<u>Rate Effect. 1-1-87</u>	<u>Rate Effect. 7-1-87</u>	<u>Rate Effect. 7-1-88</u>
1. Per family unit	\$ 4.00	\$ 6.00	\$ 9.00	\$11.25

Class B. Mandatory rate for all occupants or persons.

Commercial and Industrial - Flat Rates

<u>Designation</u>	<u>Monthly Rate</u>			
	<u>Present Rate</u>	<u>Rate Effect. 1-1-87</u>	<u>Rate Effect. 7-1-87</u>	<u>Rate Effect. 7-1-88</u>
1. Bakery	\$ 6.65	\$10.00	\$14.95	\$18.70
2. Bank	6.65	10.00	14.95	18.70
3. Bar	20.00	30.00	45.00	56.25
4. Barber Shop . .	4.00	6.00	9.00	11.25
5. Beauty Shop . .	4.00	6.00	9.00	11.25
6. Canneries . . .	-0-	30.00	45.00	56.25
7. Churches	4.00	6.00	9.00	11.25
8. Clubs, Lodges .	6.65	10.00	14.95	18.70
9. Cold Storage Plant	-0-	-0-	-0-	-0-
10. Furniture Stores	10.65	16.00	23.95	29.95
11. Garages	10.00	15.00	22.50	28.15
12. Grocery Stores	33.35	50.05	75.05	93.80

Designation	Monthly Rate			
	Present Rate	Rate Effect. 1-1-87	Rate Effect. 7-1-87	Rate Effect. 7-1-88
13. Hospitals . . .	13.35	20.05	30.05	37.55
14. Hotels.	16.65	25.00	37.45	46.85
15. Laundromat. . .	10.00	15.00	22.50	28.15
16. Offices	4.00	6.00	9.00	11.25
17. Restaurants . .	23.35	35.05	52.55	65.70
18. Schools, per classroom . . . \$.65	\$ 1.00	\$ 1.45	\$ 1.85
19. Shops, Miscellaneous . .	6.65	10.00	14.95	18.70
20. Stores - dry goods, gift, etc.	10.00	15.00	22.50	28.15
[21. YOUNG ADULT CONSERVATION CAMP.	45.00]			
21. Ranger District (Forest Service)	-0-	25.00	37.50	46.85
22. Public Swimming Pool.	-0-	15.00	22.50	28.15

CLASS C. Additional rate garbage hauled to landfill disposal site by any business, government, or individual.

Designation	Monthly Rate			
	Present Rate	Rate Effect. 1-1-87	Rate Effect. 7-1-87	Rate Effect. 7-1-88
1. Ten yard dump truck, load, or equivalent . . . \$	-0-	\$ 8.00	\$12.00	\$15.00
2. Abandoned or Passenger vehicle, pick-up truck, van, and trucks smaller in size than one ton truck.	-0-	50.00	75.00	94.00

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.

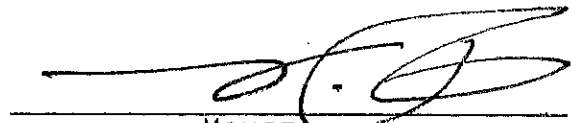
Sec. 6. Wrangell Municipal Code, Section 9.04.070 is amended by adding a new paragraph to be designated subsection B, and designating the existing paragraph of WMC 9.04.070 as subsection A, said subsection B to read as follows:

9.04.070 Collection or disposal fees.

B. The city manager shall have the authority to waive any fees in subsection A above, for a period up to two weeks during community clean-up projects.

PASSED IN FIRST READING SEPTEMBER 23, 1986

PASSED IN SECOND READING OCTOBER 28, 1986.



Mayor

ATTEST:

BY: 

City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 509

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 11 ENTITLED "VEHICLES AND TRAFFIC" SPECIFICALLY CONCERNING IMPOUNDMENT OF VEHICLES AND PROVIDING A PROCEDURE THEREFORE.

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

Section 1. Classification. This ordinance is an ordinance of a permanent and general nature, but shall not become a part of the Code of the City of Wrangell, Alaska.

Section 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 its application to other circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance shall be published as provided by law and shall be effective thirty (30) days after final passage.

Section 4. Wrangell Municipal Code, Section 11.72.010 is hereby repealed and re-enacted to read as follows:

11.72.010 Impoundment of vehicles.

A. Impoundment of vehicles for violations. The chief of police, or his designee, is hereby authorized to impound any vehicle:

1. considered abandoned, pursuant to AS 28.11.010, et seq.;
2. parked in violation of any municipal ordinance, or state regulation or law;
3. creating an unsafe condition;
4. unlawfully blocking or obstructing the efficient movement of traffic;
5. when an arrest of the owner or operator of the vehicle is made by a law enforcement officer under conditions set forth in 13 AAC 02.345(c).

The police may, pursuant to this section, impound a vehicle by immobilizing it or removing or having it removed and placed in city or commercial storage with all expenses and risks of

towing and storage to be borne by the owner of such vehicle. The impound procedure to be followed is governed by the emergency or nonemergency facts relating to the reason for the impound and set forth in subsections C and D below.

B. Storage charge. Any vehicle impounded by the police shall be subject to and liable for an impound fee of Fifty and No/100 Dollars (\$50.00), plus towing charges. In addition, there shall be paid a storage fee of One and No/100 Dollar (\$1.00) per day for such vehicle when the vehicle remains impounded after the first twenty-four (24) hours.

C. Non-emergency impound procedure.

1. Pre-impound hearing. This subsection applies to impoundment of vehicles under all circumstances not specifically set forth in subsection D below. As to any vehicle proposed for impoundment pursuant to this subsection by or at the request of a peace officer, or an employee authorized by the City Manager, the registered owner, or a person in lawful possession, or the record lienholders of the vehicle have the right to a pre-impoundment administrative hearing to determine whether there is probable cause to impound the vehicle. Such person must file a written demand for such a hearing with the City within fifteen (15) days after such person has learned such vehicle will be impounded or within fifteen (15) days after the mailing of the notice required herein, whichever occurs first.

2. Notice. At least twenty (20) days prior to impounding any vehicle, the police shall cause notice of the impoundment action to be taken by the police to be posted on the vehicle. A copy of the notice of intended impoundment shall be given to the registered owner or lawful possessor and record lienholders of the vehicle at his/her last known address, either by personal delivery to the person to be notified or by registered mail, return receipt requested. The giving of notice by mail is considered complete upon return of the receipt or upon return of the notice undeliverable, refused, or unclaimed. Posting of notice on the vehicle is sufficient even though the mailed notice is undeliverable, refused or unclaimed. Proof of the giving of notice in either manner may be made by the affidavit of the person giving the notice, naming the person to whom the notice was given and specifying the time, place, and manner of giving the notice.

D. Emergency impound procedure.

1. Post-impound hearing. This subsection applies to impoundment of vehicles in the following circumstances only: (a) vehicles blocking or obstructing the efficient movement of traffic; (b) vehicles creating an unsafe condition; (c) vehicles left unattended after an arrest of the owner or

operator of the vehicle is made by a law enforcement officer; and (d) vehicles parked in violation of 13 AAC 02.340. As to any vehicle proposed for impound pursuant to this subsection, by or at the request of a law enforcement officer or employee authorized by the Chief of Police, the owner or lawful possessor of the vehicle has the right to a post-impoundment administrative hearing to determine whether there was probable cause for impounding the vehicle if such person files a written demand for the hearing.

2. Notice. Immediately after impounding, a copy of the notice shall be personally delivered or mailed to the registered owner or lawful possessor and record lienholder of the vehicle at his/her last-known address in accordance with the procedures set forth in section C2, above. A notice shall also be posted on the vehicle.

E. Contents of Notice of Impoundment. The notice shall contain the make, model and vehicle identification number of the vehicle, the name and address, if known, of the owner, and the location of the vehicle's registered owner, and set forth the statute, regulation or ordinance violated. In the event that the name and address of the owner is not known and not practically ascertainable, then the notice posted on the vehicle shall constitute notice. In addition to the contents of the notice set forth above, the notice for a non-emergency impound shall also contain substantially the following:

ATTENTION. As vehicle owners or other persons entitled to possession of impounded vehicles, you have the following options:

1. You may recover possession of your vehicle by paying to the city the impound fee, the towing costs, and any storage fees that may have accrued;

Additional notice requirements for emergency impound:

1. If you take issue with the impoundment of your vehicle, you may:

(a) Recover possession of the vehicle by paying the impound, towing and storage fees that have accrued to the City; and

(b) Demand in writing an administrative hearing before an independent hearing officer who is to determine whether there was a sufficient factual and legal basis for impounding your vehicle. To be entitled to such hearing, your written demand must be filed with the City Clerk, within (i) fifteen

(15) days after you learned that your vehicle was impounded or was missing; or (ii) within fifteen (15) days after the City mailed notice to the vehicle's registered owner or lawful possessor that the vehicle had been impounded; whichever occurs first. The hearing must be held within forty-eight (48) hours after the filing of your written demand. A determination that there was an insufficient factual or legal basis for impounding your vehicle will require the city to refund any fees paid to release the vehicle to you without your having to pay the towing, impound and storage fees, otherwise all fees shall be owing. A hearing may be demanded by filing a written request with the Wrangell Chief of Police or his designee at the Police Department between 8:00 a.m. and 5:00 p.m. on any day other than Saturday, Sunday, and city holidays.

F. Hearing. A hearing shall be conducted before an impartial hearing officer designated by the city manager or designee, the hearing to be held within forty-eight (48) hours of receipt of a written demand therefor from the person seeking the hearing unless such person waives in writing the right to a speedy hearing. Saturdays, Sundays, and city holidays are to be excluded from the calculation of the forty-eight-hour period. The hearing officer shall be someone other than the person who will direct the impounding and storage of the vehicle. The sole issue before the hearing officer shall be whether there is probable cause to impound the vehicle in question. "Probable cause to impound" shall mean such a state of facts as would lead a person of ordinary care and prudence to believe that there was a breach of local, state, or federal law or that the impoundment comes within the authority to impound set out above. The hearing officer shall conduct the hearing in an informal manner and shall not be bound by technical rules of evidence. The person demanding the hearing shall carry the burden of establishing that such person has the right to possession of the vehicle. The City (police) shall carry the burden of establishing that there is probable cause to impound the vehicle in question. At the conclusion of the hearing, the hearing officer shall prepare a written decision. A copy of such decision and the reasons therefor shall be provided to the person demanding the hearing and the owner of the vehicle if such owner is not the person requesting the hearing. The hearing officer's decision shall not affect any criminal proceeding in connection with the impound in question and any criminal charges involved in such proceeding may only be challenged in the appropriate court. The decision of the hearing officer is final. Failure of the owner or lawful possessor who has had notice to request or attend a scheduled

pre- or post-impoundment hearing shall be deemed a waiver of the right to such hearing.

G. The hearing officer shall only determine that as to the vehicle in question either that there is probable cause to impound the vehicle or that there is no such probable cause. In the event that the hearing officer determines that there is no probable cause, the hearing officer shall prepare and date a Certificate of No Probable Cause, copies of which shall be given to the owner, and to the police. In the event that the hearing officer determines that there is probable cause, the hearing officer shall prepare and date a Certificate of Probable Cause, copies of which shall be given to the owner and the police. Upon receipt of such Certificate of Probable Cause, the police may proceed with impoundment, if not already done, and disposition of the vehicle by removal, sale, or destruction as authorized by this chapter.

Section 5. Wrangell Municipal Code, Section 11.72.020 is hereby repealed and re-enacted to read as follows:

11.72.020 Disposition Procedure.

A. Notice of sale. Any vehicle impounded shall be held by the City for a period of not less than thirty (30) days, during which the Chief of Police or his designee shall cause to be sent by Certified Mail a notice to the owner and registered owner thereof, if with the exercise of due diligence the owners or registered owners name can be ascertained. The notice shall accurately describe the vehicle, give the date the vehicle was impounded and inform the owner of the intention of the City to sell the vehicle at public auction, on a day and at a place and time certain, for cash to the highest bidder, and inform the owner that at any time prior to the auction he may redeem the vehicle by a cash payment for all charges against the vehicle. The Chief of Police or his designee shall also publish in a newspaper of general circulation in the City, a notice describing the vehicle, the owner's name, if known, and the intention of the City to sell the vehicle and other vehicles similarly described, at public auction, on a day and at a place and time certain for cash to the highest bidder, the public auction to occur not less than ten (10) days after publication of the notice. At any time prior to the auction, the owner may redeem the vehicle by a cash payment for all charges against the vehicle.

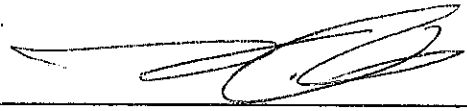
B. Sale. The minimum acceptable bid shall be a sum equal to the City's charges against the vehicle, including the cost of all towing and storage fees, plus Fifty and No/100 Dollars (\$50.00). Upon the sale being made, the City shall make and deliver its Bill of Sale, without warranty, conveying the vehicle to the Buyer.

C. Other disposition. If at the public sale there are not acceptable bidders for the vehicle, the City may destroy, sell at private sale, or otherwise dispose of the vehicle. The owner shall be liable for any costs not covered by the disposition.

D. The Chief of Police shall keep a permanent record of all vehicles impounded containing date of impoundment, description of vehicle, cause for which impounded, date of redemption, if redeemed, and amount paid upon redemption, date of letter to owner, if owner, known, notice of sale, record of sale, price paid at sale and name of purchaser.

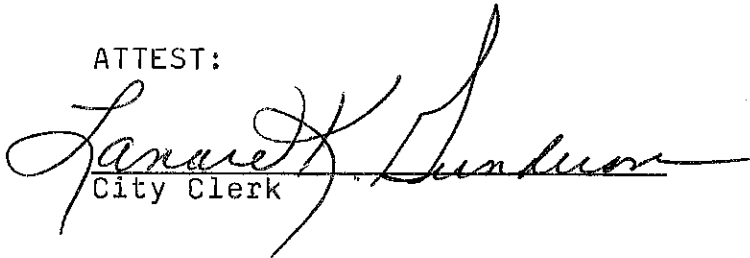
PASSED AND APPROVED IN FIRST READING OCTOBER 28, 1986.

PASSED AND APPROVED IN SECOND READING NOVEMBER 24, 1986.



Mayor

ATTEST:



City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 510

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING THE WRANGELL MUNICIPAL CODE, CHAPTER 3.40, THOMAS BAY POWER COMMISSION, PRESCRIBING POWERS AND DUTIES FOR THE COMMISSION TO OPERATE AND MAINTAIN LAKE TYEE HYDROELECTRIC PROJECT AS AN AGENT OF THE CITY OF WRANGELL.

Recitals

The purpose of this ordinance is to specifically provide for the operation and maintenance of Lake Tyee Hydroelectric Project, owned by the State of Alaska, by Thomas Bay Power Commission, acting as an agent of the City of Wrangell and the City of Petersburg.

NOW, THEREFORE, 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 (30) days after final passage.

Sec. 4. Wrangell Municipal Code (hereinafter WMC) Chapter 3.40 entitled "Thomas Bay Power Commission" is amended by adding a new section as follows:

3.40.060 Operation and Maintenance of Lake Tyee Hydroelectric Project. On approval by Resolution of the City Council, the Commission may enter into an agreement as an agent of the City to maintain and operate Lake Tyee Hydroelectric Project owned by the State of Alaska. Under said agreement, the Commission shall have the following powers and duties:

Published: 12-18-86

A. Prepare and approve an annual budget for the operation and maintenance of the project and any such other costs that the commission will have. Said budget shall be submitted to the City Council for approval in sufficient time to allow Council action prior to submittal to the State and the Project Management Committee, as established pursuant to Section 7 of that certain Long-Term Power Sales Agreement Four Dam Pool - Initial Project of the Alaska Power Authority effective October 28, 1985.

B. There shall be no costs incurred above the budget approved in subsection A of this Section without prior approval of the City Council and, when appropriate, the Project Management Committee.

C. To employ consulting engineers, environmental specialists, attorneys or other special, professional or skilled services, the costs of which have prior budget approval.

D. To employ a general manager who shall have the active management of the project, subject to the supervision and control of the Commission; and to delegate to such manager authority to hire and discharge such subordinate employees as it may deem advisable.

E. To determine all salaries, wages, and benefits to be paid to each classification of labor employed.

F. To submit an operating and financial report to the Council for each quarter calendar year, which report will be submitted not later than thirty days after the close of each quarter calendar year.

G. To adopt procedures governing purchases of materials, supplies, equipment, improvements and contractual services, including procedures for competitive bidding. Said procedures shall set forth the employee authorized to contract for such purchases and establish an amount which shall require the prior approval of the Commission. A copy of the procedures shall be filed with the City. Purchases of supplies, materials, equipment, improvements, or contractual services whose cost does not exceed five thousand dollars, excluding freight or shipping costs, may be made without competitive bidding. "Contractual Services" means services performed for the project by persons not in the employment of the Commission, and may include the use of equipment or the furnishing of commodities in connection with the services under express or implied contract. Contractual services include travel; telephone, telegraph, utilities; rents; printing and binding; improvements, repairs, alterations, and maintenance of buildings, equipment, and other physical facilities

of the project; and other services performed for the Commission by persons not in the employment of the Commission. Contractual services of a professional nature such as legal, engineering, architectural, and placement of insurance coverage are exempt from competitive bidding. The Commission may exempt the following purchases from competitive bidding:

1. Supplies, materials, equipment, or contractual services which must be purchased from a specific source in order to prevent incompatibility with previously purchased supplies, materials, equipment, or contractual services. For purposes of this subsection the term "incompatibility" is defined as the inability to (A) interconnect, combine, interchange, or join, or (B) that which causes or necessitates maintenance expertise or training where such acquisition would result in substantial duplication. The Commission must approve by motion or resolution any purchase whose cost exceeds five thousand dollars which is to be excluded from competitive bidding by the authority of this subsection.

2. Supplies, materials, equipment, contractual services, or improvements which the Commission declares to be required on an emergency basis or which the commission declares is impractical or impossible.

3. When competitive bidding has been followed, but no bids or quotations are received or the bids or quotations are rejected. In such a case, after Commission approval, the general manager may proceed to have the services performed or the supplies purchased without further competitive bidding or quotation.

H. To provide for an independent annual audit of the accounts of the Commission in accordance with accepted standards and procedures determined by the Project Management Committee.

I. To follow such procedures as required by the Project Management Committee as they exercise their duties under that certain Long-Term Power Sales

Agreement Four Dam Pool - Initial Project of the
Alaska Power Authority effective October 28, 1985.

PASSED IN FIRST READING: NOVEMBER 25, 1986

PASSED IN SECOND READING: DECEMBER 9, 1986

Kenneth C. Mason
Vice-Mayor

ATTEST: Lanaw L. Henderson
City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 511

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 5, REVENUE AND FINANCE, CHAPTER 08 SALES TAX, CONCERNING THE APPROVAL OF LATE APPLICATIONS FOR REFUND FOR 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 City Charter and ordinances and shall be effective thirty (30) days after final passage.

Sec. 4. Wrangell Municipal Code (hereinafter WMC), Section 5.08.060, specifically subsection "F" thereof, is amended to read as follows:

F. A late application shall be given consideration only upon showing good cause for such delinquency, which must be approved by the [CITY COUNCIL] City Clerk.

PASSED IN FIRST READING: January 14, 1987

PASSED IN SECOND READING: January 27, 1987


MAYOR

ATTEST:


CITY CLERK

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 512

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF WRANGELL, ALASKA BY REZONING PROPERTY HEREINAFTER DESCRIBED FROM SINGLE FAMILY RESIDENTIAL 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 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 20.76 of Title 20 of the Wrangell Municipal Code have 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 Single Family Residential to Light Industrial.

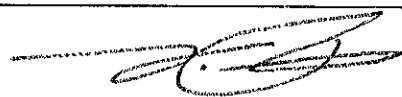
Sec. 5. Property Rezoned: The property hereinafter described is hereby rezoned from Single Family Residential to Light Industrial.

Lot 12-1, Lot 12-2, Lot 12-3 and Lot 13,
Block 83, Wrangell Townsite, situated 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: JANUARY 14, 1987

PASSED IN SECOND READING: JANUARY 27, 1987



Mayor

ATTEST:



City Clerk

Published: 02-05-87

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 513

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF WRANGELL, ALASKA BY REZONING PROPERTY HEREINAFTER DESCRIBED FROM SINGLE FAMILY RESIDENTIAL 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 20.76 of Title 20 of the Wrangell Municipal Code have 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 Single Family Residential to Commercial.


Sec. 5. Property Rezoned. The property hereinafter described is hereby rezoned from Single Family Residential to Commercial.

Lot 6B, Block 3, USS 1593, Wrangell Townsite, situated 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: JANUARY 14, 1987

PASSED IN SECOND READING: JANUARY 27, 1987



Mayor

ATTEST: 
City Clerk

Published: 02-05-87

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 514

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, EXTENDING THE DEADLINE DATE FOR COMPLETION OF CERTAIN CONSTRUCTION REQUIREMENTS FOR INDUSTRIAL PROPERTY SOLD BY THE CITY, WHICH EXTENSION IS CONTRARY TO THE PRESENT PROVISIONS OF WRANGELL MUNICIPAL CODE, CHAPTER 16.12 FOLLOWING.

RECITALS

The purpose of this ordinance is to extend the deadline date for completion of construction to permit an alleged defaulting property owner to later comply. Construction requirements were established as a condition of the sale of real property by the City of Wrangell to Pete White and Debbie (Palzer) White.

Subsequent to default notices and an appeal by the Whites to the council, on October 21, 1986, a public hearing was held, after which the council's consensus was to permit Whites to submit a plan for construction and to give Whites additional time to complete the construction.

On November 25, 1986, Mr. Todd White acting for himself, and for Pete White and Debbie (Palzer) White, submitted a "plan" for development and construction of Lot Three (3) and Lot Four (4), Block Fifty-Nine A (59-A), which plan was accepted by the City Council.

The present provisions of Wrangell Municipal Code 16.12.120 set out certain default provisions which the council will not apply at this time to the Whites or to said Lot Three (3) and Lot Four (4), Block Fifty-Nine A (59-A). The council desires to extend the time for completion of the construction requirements as a condition of sale.

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

Sec. 1. Classification. This ordinance is not of a general or permanent 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. All construction requirements as set forth in Wrangell Municipal Code, specifically Section 16.12.100 or other sections as may be applicable, shall be completed on or before MAY 1, 1987.

PASSED IN FIRST READING: DECEMBER 9, 1986

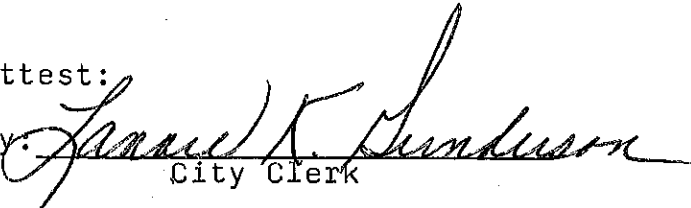
PASSED IN SECOND READING: FEBRUARY 10, 1987



Mayor

Attest:

By:



City Clerk

CITY OF WRANGELL, ALASKA

Ordinance No. 515

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING WRANGELL MUNICIPAL CODE, CHAPTER 16.12, DISPOSITION OF PUBLIC LANDS, DEALING WITH THOSE SECTIONS INVOLVING CONSTRUCTION AS A CONDITION OF SALE.

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 law and shall be effective thirty (30) days after final passage.

Sec. 4. Wrangell Municipal Code, Chapter 16.12, entitled "Disposition of Public Lands", is hereby amended by adding the following section:

16.12.105 Construction as condition of sale--Construction completion terms for industrial development. A. "Construction," within the meaning of Sections 16.12.080 thru 16.12.130, for industrial development, shall require development consistent with Title 20, and shall be substantially complete within two years after the date of sale.

B. Within 60 days after the date of sale, purchaser of the subject property shall present a written development plan to the planning and zoning commission for approval. At a minimum, the development plan shall include a description of the construction planned and a time schedule for its completion. The commission shall forward the plan, with its recommendations, to the city council for approval within 30 days after receipt from the purchaser. If the plan is not approved by the council, the council shall prepare and deliver a written statement to the purchaser explaining their reasons for disapproving the plan. The purchaser shall be required to submit a revised plan to the council within 30 days. If the revised plan is not approved by the council, the sale shall be considered in default.

C. After approval of the purchaser's development plan by the city council, the purchaser shall have the remainder of the two year period after date of sale to make the improvements indicated by the approved plan.

D. Notwithstanding any other provisions of this section, an enclosed building will be required as part of any development plan submitted by the purchaser for approval. The building and all other development features shall comply with Title 15 and 18 of this code.

Sec. 5. Wrangell Municipal Code, Section 16.12.110, entitled "Construction as condition of sale--Extension of construction period", is hereby repealed and reenacted as follows:

16.12.110 Construction as condition of sale--Extension of construction period. A. Upon the written request of the purchaser, the city council may extend the time for construction completion for good cause shown by the purchaser. The purchaser shall submit written evidence of good cause to the council. The purchaser may request an extension on or before 30 days before the construction completion date. The council shall prepare a written decision within 30 days of the purchasers request for extension, and a copy of such decision shall be provided to the purchaser.

B. Extensions of time for construction completion of industrial development will be granted if the city has prevented compliance by not meeting those elements of the development plan required to be performed by the city.

C. 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.

Sec. 6. Wrangell Municipal Code, Section 16.12.120, entitled "Construction as condition of sale--Default provisions", is hereby amended as follows:

16.12.120 Construction as condition of sale - Default provisions. In the event of the acquiring party's failure to strictly comply with the completion requirements set forth in this chapter, the following default provisions shall apply [AUTOMATICALLY AT THE EXPIRATION OF THE TWO-YEAR PERIOD WITHOUT REQUIREMENTS OF NOTICE BEING SENT BY THE CITY]:

Sec. 7. Wrangell Municipal Code, Section 16.12.130, entitled "Construction as condition of sale - Inspection and report authority - Appeals", is hereby repealed and reenacted as follows:

16.12.130 Construction as condition of sale--Inspection and report authority--Appeals. A. The city building inspector shall have the duty of inspecting all properties subject to the construction conditions. The inspection will be made on or before the date constituting expiration of the term for construction completion, except that purchaser may request earlier inspection. The building inspector shall inspect within 30 days of written request by purchaser.

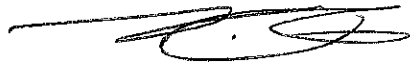
B. The purpose of the inspection is to determine whether or not there has been compliance with the construction requirements according to the standards contained in this chapter.

C. The building inspector shall report his findings to the planning and zoning commission. The commission shall immediately review the findings and prepare a written report of their compliance determination 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.

D. An aggrieved party wishing to challenge or controvert the determination 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 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 of the council within 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 that of the planning and zoning commission, and shall enter its decision within two days after the hearing without necessity for formal reconvention at special or regular meeting.

PASSED IN FIRST READING: MARCH 10 , 1987

PASSED IN SECOND READING: MARCH 24 , 1987



Mayor

ATTEST:

By: *Janice K. Anderson*
City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 516

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING THE SALES TAX CODE, CHAPTER 5.08, BY ADDING A NEW EXEMPTION ON PURCHASES MADE UNDER 42 U.S.C. 1786 CHILD NUTRITION ACT OF 1966. (SPECIAL SUPPLEMENTAL FOOD PROGRAM FOR WOMEN, INFANTS, AND CHILDREN).

RECITALS

The purpose of this Ordinance is to exempt purchases made with food vouchers or other type of certificates issued under 42 U.S.C. 1786 from sales tax to comply with the Child Nutrition Act of 1966, as amended by P.L. 99-591, Sec. 342 (Special Supplemental Food Program for Women, Infants, and Children).

NOW, THEREFORE, 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 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 its application to other 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. Wrangell Municipal Code Section 5.08.050 is amended by adding a new subsection "U" to read as follows:


5.08.050 Exemptions from Tax. The following transactions are exempt from the tax levied under this chapter:


U. Purchases made with food vouchers or other type of certificate issued under 42.U.S.C. 1786 (Child Nutrition Act, WIC).

PASSED AND APPROVED IN FIRST READING: MARCH 24, 1987

PASSED AND APPROVED IN SECOND READING: APRIL 14, 1987

ATTEST:


City Clerk


Mayor

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 517

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 3, ADMINISTRATION AND PERSONNEL, CHAPTER 56 PERSONNEL, AMENDING THE POLICY ON SICK LEAVE.

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 law and shall be effective July 1, 1987.

Sec. 4. Wrangell Municipal Code, Sec. 3.56.140, Sick Leave, specifically subsection "D" thereof, is repealed and reenacted to read as follows:

D. Accumulation of Sick Leave. Unused sick leave may be accumulated from year to year, provided, however, that the total accumulation of an employee shall not exceed sixty (60) days as of July 1, 1977. Those employees that have accumulated up to ninety (90) days sick leave as of July 1, 1977, shall not accumulate in excess of that amount. Those employees as of July 1, 1977, that have accumulated in excess of sixty (60) days up to and including ninety (90) days sick leave, shall retain those sick leave credits which may be used as provided in Wrangell Municipal Code Sec. 03.56.140. Effective July 1, 1987, employees will be entitled to one day off with pay for each two days earned and unused sick leave credit in excess of sixty (60) days. No employees may accumulate credit for more than six (6) days off and any days earned in excess of that will be forfeited by the employee. This section is intended to recognize and provide for a longevity incentive plan.


PASSED IN FIRST READING: APRIL 14, 1987

PASSED IN SECOND READING: APRIL 28, 1987



Mayor

ATTEST:



City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 518

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF WRANGELL, ALASKA BY REZONING PROPERTY HEREINAFTER DESCRIBED FROM COMMERCIAL TO OPEN SPACE.

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 20.76 of Title 20 of the Wrangell Municipal Code have 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 Commercial to Open Space.

Sec. 5. Property Rezoned. The property hereinafter described is hereby rezoned from Commercial to Open Space.

A portion of Lot 16, Block 6, USS 1119, Wrangell Townsite, more particularly described as follows: Beginning at the Northwest corner of said Lot 16, Blk 6; thence N 71°07'25" E 187.86 ft.; thence S 6°38'E, 76.61 ft to the North boundary of Episcopal Street; Thence S 78°59' W, 176.48 ft. along said North boundary of Episcopal Street to the east boundary of Front Street; Thence N 15°16' W. 50.84 ft. along said east boundary of Front Street to the Northwest corner of Lot 16, the point of beginning. Excepting therefrom a strip of land 6 ft. wide and 176.48 ft. long abutting the north boundary of Episcopal Street. Wrangell Recording District, First Judicial 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 14, 1987

PASSED IN SECOND READING: APRIL 28, 1987

ATTEST:


City Clerk


MAYOR

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 519

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 15, CHAPTER 08, THE SEWER CODE, PROVIDING FOR COMBINATION GRAVITY FLOW/PUMP SYSTEMS AND ESTABLISHING A 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 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 (30) days after final passage.

Sec. 4. Providing for a Public Hearing. A public hearing shall be held with notice thereof fifteen days prior to said public hearing.

Sec. 5. Wrangell Municipal Code 15.08.025, Sewage Pumps, is amended to read as follows:

15.08.025 Sewage pumps. A. The city will purchase and install for residential users only, a sewage pump where a gravity flow system is not reasonably possible from the sewer main to the residential dwelling. Only existing occupied residential dwellings on existing public sewer mains shall be eligible for the purchase and installation of a sewage pump by the city after application, and submission of such information as is required to the city manager.

B. The city manager, subject to appeal and final determination by the council, shall determine who will qualify to have a sewage pump purchased and paid for by the city, which determination as to sewer mains to be constructed in the future, to be determined on the cut-off date as hereinafter provided. The city has determined that five residential users now qualify for the purchase and installation of a sewage pump by the city.

C. In a residential district which is not presently served by a public sewer main, the city will purchase and install a sewage pump when a public sewer line is constructed and installed; however, the city will only purchase and install a sewage pump in lieu of a gravity flow system for those existing occupied residential structures which the city manager may determine cannot be served by a gravity flow system, such determination to be made as of the date of award of the construction contract for the sewer main. If during the course of construction of the sewer main, it is determined that a gravity flow system is not reasonably possible for other sewer users, additional sewage pumps may be purchased and installed by the city after application to and approval by the city manager.

D. [IN ALL CASES] Except as provided in E of this section, the city shall only purchase and install the sewage pumps or pay the cost of a sewage pump determined to be adequate by the city. Any substitution, replacement, operation, maintenance or other cost associated with the sewage pump shall be the responsibility of the residential user.

E. In areas that must be served by a combination gravity flow and sewage pump system for connection to the main collection system, the city will purchase, install, maintain and operate the sewage pump. A service charge of five percent will be added to the monthly rate charged for service to offset the additional costs to the city.

F. Nothing in this section shall preclude a residential, commercial or industrial user who cannot install a gravity flow system, from designing, purchasing, installing, operating and maintaining a sewer system upon their own property if the system receives approval from the Alaska Department of Environmental Conservation. Any property owner that installs their own sewer system shall be responsible for all costs of design, purchase, installation, operation, and maintenance, replacement or other costs associated with the system.

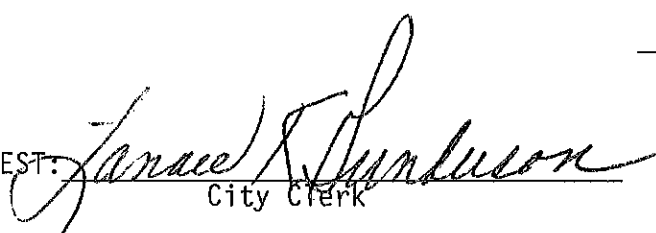
Sec. 6. Wrangell Municipal Code 15.08.240 Schedule of Rates and Charges is amended by adding a new subsection C, to read as follows:

C. Rates for service provided under 15.08.025(E) shall be computed at the monthly rate set forth in (A) or (B) of this section plus five percent surcharge.

PASSED IN FIRST READING: _____ APRIL 28 _____, 1987

PASSED IN SECOND READING: _____ MAY 12 _____, 1987

ATTEST:


City Clerk



Mayor

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 520

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 15, CHAPTER 4, WATER, SPECIFICALLY INCREASING WATER RATES BY TWENTY-FIVE PERCENT 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 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 (30) days after final passage. The rates herein shall first be charged on the July, 1987, utility statements.

Sec. 4. Providing for a Public Hearing. A public hearing shall be held with notice thereof fifteen days prior to said public hearing.

Sec. 5. Wrangell Municipal Code, Sec. 15.04.640, Monthly Water Rates, is amended to read as follows:

MONTHLY WATER RATES

Class A--Residential--Flat Rates

<u>Designation</u>	<u>Monthly Rate</u>
Inside city limits, per family unit	\$ [10.00] 12.50
Outside city limits, per family unit	[17.85] <u>22.30</u>

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 Rates</u>	
Bakeries	\$ [37.80]	<u>47.25</u>
Bars	[37.80]	<u>47.25</u>
Barbershops--one chair	[9.45]	<u>11.80</u>
per each additional chair	[7.55]	<u>9.45</u>
Beautyshops--one basin	[9.45]	<u>11.80</u>
per each additional basin	[7.55]	<u>9.45</u>
Canneries:		
Shellfish canneries (hand pick)	[189.00]*	<u>236.25</u>
Fish processing	[201.60]*	<u>252.00</u>
Rinsing and packaging only	[37.80]*	<u>47.25</u>
Salt water process only	[37.80]*	<u>47.25</u>
Churches	[9.45]	<u>11.80</u>
Cleaners and cleaning plants	[18.90]	<u>23.60</u>
Clubs, lodges--without bar or restaurant facilities	[9.45]	<u>11.80</u>
Cold storage plants	[201.60]	<u>252.00</u>
Docks	[47.25]	<u>59.05</u>
Docks or marinas for small boats, including oil docks	[31.50]	<u>39.40</u>
Garages, service stations, car lots:		
Without washrack	[18.90]	<u>23.60</u>
With washrack	[28.35]	<u>35.45</u>
Grocery stores		
Without meat market	[14.15]	<u>17.70</u>
With meat market	[29.30]	<u>36.60</u>
Hospitals	[75.60]	<u>94.50</u>
Hydrants, fire, each	[6.00]	<u>7.50</u>
Hotels and motels:		
Ten rooms or less	[28.35]	<u>35.45</u>
Over ten rooms, per room	[2.20]	<u>2.75</u>
Laundromats, self service:		
Under thirty pound capacity, per machine	[10.00]	<u>12.50</u>
Thirty pounds or over capacity, per machine	[20.15]	<u>25.20</u>
Meat markets	[15.10]	<u>18.90</u>
Oceangoing freight and passenger vessels taking water:		
Fifteen tons or less	[18.90]	<u>23.60</u>
Each ton over fifteen tons	[.60]	<u>.75</u>
Office building, first office	[9.45]	<u>11.80</u>
Each additional plumbed office	[9.45]	<u>11.80</u>
Each additional unplumbed office	[2.20]	<u>2.75</u>
Offices, medical and dental:		
With laboratory and/or x-ray unit	[32.15]	<u>40.20</u>
Without laboratory and/or x-ray unit	[9.45]	<u>11.80</u>
Plane floats	[18.90]	<u>23.60</u>
Public showers:		
First two stalls	[10.10]	<u>12.65</u>
Per each additional stall	[2.50]	<u>3.10</u>

<u>Designation</u>	<u>Monthly Rates</u>	
Ranger District (Forest Service)	\$ [96.90]*	<u>121.10</u>
Restaurants, lunchcounters, etc.:		
Up to and including thirty seats	[28.35]	35.45
Over thirty seats	[37.80]	<u>47.25</u>
Fountain only	[9.45]	<u>11.80</u>
Sawmills	[630.00]	<u>787.50</u>
Schools, per classroom	[6.25]	7.80
Shops, miscellaneous	[9.45]	<u>11.80</u>
Stores--drygoods, gift, etc.	[10.10]	<u>12.65</u>
Swimming pool, public	[128.00]	<u>160.00</u>
Theaters, seating five hundred people or less	[18.90]	<u>23.60</u>

*Rates herein apply to the average monthly usage. No adjustments will be made for seasonal work.

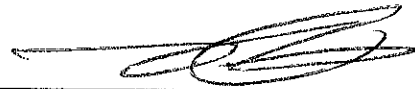
Note 1: A commercial enterprise consisting of more than one facility shall be charged the sum of the applicable rates for each facility.

Note 2: All commercial and industrial rates to customers outside the city limits shall be seventy-five percent 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.

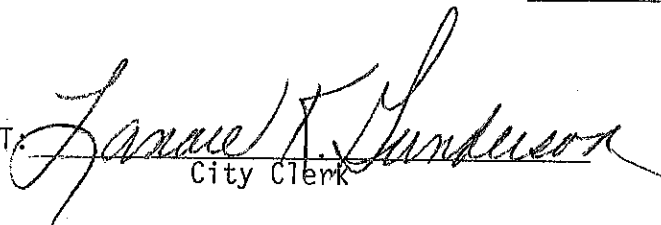
PASSED IN FIRST READING: APRIL 28, 1987

PASSED IN SECOND READING: MAY 12, 1987



Mayor

ATTEST:



City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 520

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 15, CHAPTER 4, WATER, SPECIFICALLY INCREASING WATER RATES BY TWENTY-FIVE PERCENT 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 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 (30) days after final passage. The rates herein shall first be charged on the July, 1987, utility statements.

Sec. 4. Providing for a Public Hearing. A public hearing shall be held with notice thereof fifteen days prior to said public hearing.

Sec. 5. Wrangell Municipal Code, Sec. 15.04.640, Monthly Water Rates, is amended to read as follows:

MONTHLY WATER RATES

Class A--Residential--Flat Rates

<u>Designation</u>	<u>Monthly Rate</u>
Inside city limits, per family unit	\$ [10.00] 12.50
Outside city limits, per family unit	[17.85] <u>22.30</u>

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 Rates</u>	
Bakeries	\$ [37.80]	<u>47.25</u>
Bars	[37.80]	<u>47.25</u>
Barbershops--one chair	[9.45]	<u>11.80</u>
per each additional chair	[7.55]	<u>9.45</u>
Beautyshops--one basin	[9.45]	<u>11.80</u>
per each additional basin	[7.55]	<u>9.45</u>
Canneries:		
Shellfish canneries (hand pick)	[189.00]*	<u>236.25</u>
Fish processing	[201.60]*	<u>252.00</u>
Rinsing and packaging only	[37.80]*	<u>47.25</u>
Salt water process only	[37.80]*	<u>47.25</u>
Churches	[9.45]	<u>11.80</u>
Cleaners and cleaning plants	[18.90]	<u>23.60</u>
Clubs, lodges--without bar or restaurant facilities	[9.45]	<u>11.80</u>
Cold storage plants	[201.60]	<u>252.00</u>
Docks	[47.25]	<u>59.05</u>
Docks or marinas for small boats, including oil docks	[31.50]	<u>39.40</u>
Garages, service stations, car lots:		
Without washrack	[18.90]	<u>23.60</u>
With washrack	[28.35]	<u>35.45</u>
Grocery stores		
Without meat market	[14.15]	<u>17.70</u>
With meat market	[29.30]	<u>36.60</u>
Hospitals	[75.60]	<u>94.50</u>
Hydrants, fire, each	[6.00]	<u>7.50</u>
Hotels and motels:		
Ten rooms or less	[28.35]	<u>35.45</u>
Over ten rooms, per room	[2.20]	<u>2.75</u>
Laundromats, self service:		
Under thirty pound capacity, per machine	[10.00]	<u>12.50</u>
Thirty pounds or over capacity, per machine	[20.15]	<u>25.20</u>
Meat markets	[15.10]	<u>18.90</u>
Oceangoing freight and passenger vessels taking water:		
Fifteen tons or less	[18.90]	<u>23.60</u>
Each ton over fifteen tons	[.60]	<u>.75</u>
Office building, first office	[9.45]	<u>11.80</u>
Each additional plumbed office	[9.45]	<u>11.80</u>
Each additional unplumbed office	[2.20]	<u>2.75</u>
Offices, medical and dental:		
With laboratory and/or x-ray unit	[32.15]	<u>40.20</u>
Without laboratory and/or x-ray unit	[9.45]	<u>11.80</u>
Plane floats	[18.90]	<u>23.60</u>
Public showers:		
First two stalls	[10.10]	<u>12.65</u>
Per each additional stall	[2.50]	<u>3.10</u>

<u>Designation</u>	<u>Monthly Rates</u>	
Ranger District (Forest Service)	\$ [96.90]*	<u>121.10</u>
Restaurants, lunchcounters, etc.:		
Up to and including thirty seats	[28.35]	<u>35.45</u>
Over thirty seats	[37.80]	<u>47.25</u>
Fountain only	[9.45]	<u>11.80</u>
Sawmills	[630.00]	<u>787.50</u>
Schools, per classroom	[6.25]	<u>7.80</u>
Shops, miscellaneous	[9.45]	<u>11.80</u>
Stores--drygoods, gift, etc.	[10.10]	<u>12.65</u>
Swimming pool, public	[128.00]	<u>160.00</u>
Theaters, seating five hundred people or less	[18.90]	<u>23.60</u>

*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 the city limits shall be seventy-five percent 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.

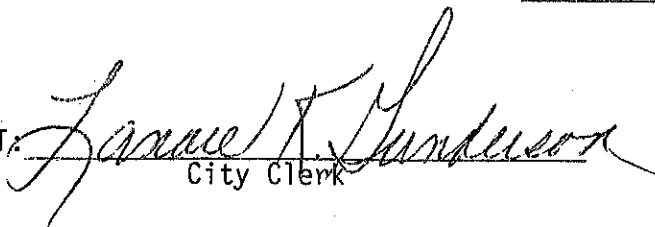
PASSED IN FIRST READING: APRIL 28, 1987

PASSED IN SECOND READING: MAY 12, 1987



Mayor

ATTEST:



City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 521

AN ORDINANCE OF THE CITY OF WRANGELL, ALASKA
AMENDING WRANGELL MUNICIPAL CODE TITLE 3,
CHAPTER 40, THOMAS BAY POWER COMMISSION
SPECIFICALLY PROVIDING AUTHORITY FOR EMERGENCY
EXPENDITURES.

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

Section 1. Classification. This ordinance is of a permanent nature and shall be codified in the Wrangell Municipal Code.

Section 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.

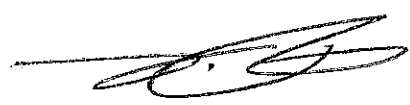
Section 3. Effective Date. This ordinance shall be published as provided in the Wrangell Municipal Code and shall be effective thirty (30) days after final passage.

Section 4. Wrangell Municipal Code, Sec. 3.40.060, Operation and Maintenance of Lake Tyee hydroelectric project, specific subsection "B" thereof, is amended to read as follows:

B. There shall be no costs incurred above the budget approved in subsection A of this Section without prior approval of the City Council and, when appropriate, the Project Management Committee. If, in the opinion of the General Manager, an emergency exists that threatens or endangers life or property, costs in excess of the approved budget may be obligated only insofar as is necessary to halt the emergency that exists, provided he notifies the City within six hours of commencement of the emergency.

PASSED IN FIRST READING: MAY 12, 1987

PASSED IN SECOND READING: MAY 26, 1987



Mayor

ATTEST: 
City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 522

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING WRANGELL MUNICIPAL CODE TITLE 13, CHAPTER 20, INDOOR FIREARMS RANGE, SPECIFICALLY AMENDING THE TIME REQUIRED ON RESERVATIONS FOR USE-PREFERENCE.

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

Section 1. Classification. This ordinance is of a permanent nature and shall be codified in the Wrangell Municipal Code.

Section 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.

Section 3. Effective Date. This ordinance shall be published as provided in the Wrangell Municipal Code and shall be effective thirty (30) days after final passage.


Section 4. Wrangell Municipal Code, Sec. 13.20.050, Reservations for Use-Preference, specifically subsection "A", is amended to read as follows:

13.20.050 Reservations for use-preference. A. Any rangemaster desiring to utilize the facility for the purpose of training and/or group participation shall submit to the chief of police or his designee for his approval the following information no less than [FIVE DAYS] twenty-four hours in advance of the intended use:

1. Name of rangemaster;
2. Name of organization;
3. Names of participants;
4. Type of firearms to be used;
5. Date and time desired.

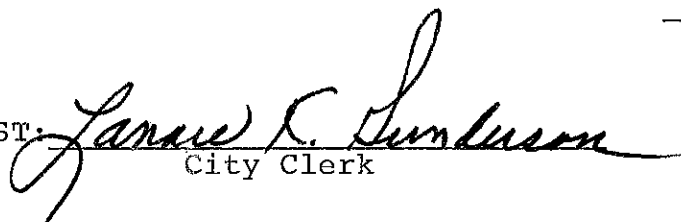
PASSED IN FIRST READING: MAY 12, 1987

PASSED IN SECOND READING: MAY 26, 1987



Mayor

ATTEST:



City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 523

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 5, REVENUE AND FINANCE, CHAPTER 5.04, PROPERTY TAX, AMENDING THE DELINQUENT DATE FOR PAYMENT OF TAXES TO CONFORM WITH STATE LAW.

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

Section 1. Classification. This ordinance is of a permanent nature and shall be codified in the Wrangell Municipal Code.

Section 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.

Section 3. Effective Date. This ordinance shall be published as provided in the Wrangell Municipal Code and shall be effective thirty (30) days after final passage.

Section 4. Wrangell Municipal Code, Sec. 5.04.350, Delinquent date for Payment of Taxes, is repealed and reenacted to read as follows:

5.04.350 Delinquent date for payment of taxes. All taxes levied in accordance with this chapter shall be due and payable on or before August 15th of the assessment year and shall become delinquent if not paid before 5:00 p.m. on said date, or, if payment is received through the mail after said date, when the mailed payment is postmarked after said date; provided, however, that the taxpayer shall have the right to pay such taxes in two equal installments. If the taxpayer pays the taxes in two installments, the first one-half installment shall be due and payable on or before August 15th, the second one-half installment shall be due and payable on or before December 15th of the same year and shall become delinquent if not paid before 5:00 p.m. on said date, or, if payment is received through the mail after said date, when the mailed payment is postmarked after said date. Penalty and interest on an unpaid installment shall accrue from the date the installment becomes due.

Section 5. Wrangell Municipal Code, Sec. 5.04.360, Penalty and interest for late paymnets, is amended to read as follows:

5.04.360 Penalty and interest for late payments. When the general tax provided for in this chapter is not paid on or before the due date, penalties and interest will accrue as follows:

A. If the first one-half installment is not paid when due, a penalty of [EIGHT] ten percent per year, together with interest at the rate of eight percent per year on the [WHOLE OF THE] unpaid [TAXES] installment, 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 installment, a total penalty of not to exceed ten percent shall be added to all delinquent taxes, and interest at the rate of eight percent per year shall accrue, as provided in this section, upon all unpaid taxes, not including the penalty, from due date until paid in full.

Section 6. Wrangell Municipal Code, Sec. 5.04.370 Enforcement of delinquent real property taxes, is amended to read as follows:

5.04.370 Enforcement of delinquent real property taxes.

The city shall enforce delinquent real property tax liens by annual foreclosure, unless the council elects not to proceed in any given year. When the council elects to proceed, any and all delinquent real property tax liens shall be enforced as provided in Alaska Statutes, Title 29 [CHAPTER 53, SECTIONS 200 THROUGH 390 AND AS SAID SECTIONS MAY FROM TIME TO TIME BE AMENDED OR MODIFIED].

Section 7. Wrangell Municipal Code, Sec. 5.04.380 Enforcement of delinquent personal property taxes, subsection A thereof, is amended to read as follows:

A. In accordance with Alaska Statutes, Title 29, [CHAPTER 53, SECTIONS 210 AND 220, AND AS SAID SECTIONS MAY FROM TIME TO TIME BE AMENDED OR MODIFIED,] the owner of personal property assessed is personally liable for the amount of taxes assessed against the property owned. The tax, together with penalty and interest, may be collected in a personal action brought in the name of the city, or in any other manner now or hereafter provided by law.

PASSED IN FIRST READING: MAY 26 , 1987

PASSED IN SECOND READING: JUNE 9 , 1987



MAYOR

ATTEST: *Lanue K. Duntson*
CITY CLERK

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 524

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING THE WRANGELL MUNICIPAL CODE TO CONFORM THE WRANGELL MUNICIPAL CODE TO THE OCTOBER 1986 ELECTORATE AMENDED CHARTER PROVISION CHANGING THE MINIMUM AGE REQUIREMENT FROM EIGHTEEN YEARS TO TWENTY-ONE YEARS FOR MAYORAL CANDIDATES.

RECITALS

Pursuant to legislative amendment, the Wrangell voters, amended Charter Section 2-1 in October 1986, to provide that the mayor, in order to be qualified for office, needs to be twenty-one years of age rather than eighteen.

It is the desire of the council to conform the Wrangell Municipal Code to the charter amendment.

NOW THEREFORE, 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 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 its application to other 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. Wrangell Municipal Code, Section 2.16.010 entitled "Declaration of mayoral candidacy" is amended by removing all references that the mayor is to be eighteen years of age, and substituting therefore, the requirement that the mayor shall be twenty-one years of age in order to hold the office of mayor for the City of Wrangell, and to correct a scrivener's error by changing the word "dedication" to declaration in the title of said section. Said section as amended to read as follows:

[DEDICATION] DECLARATION OF MAYORAL CANDIDACY

I, _____, declare that I reside at _____ (Address) _____, in the city of Wrangell, Alaska; that I am at least [18] 21 year of age; that I have been a resident of Wrangell, Alaska for at least three (3) years preceding the date of this election; and that I am qualified to vote in a Wrangell municipal election.

I declare myself a candidate for the office of Mayor for a term of two (2) 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 Wrangell, 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 or City Clerk)

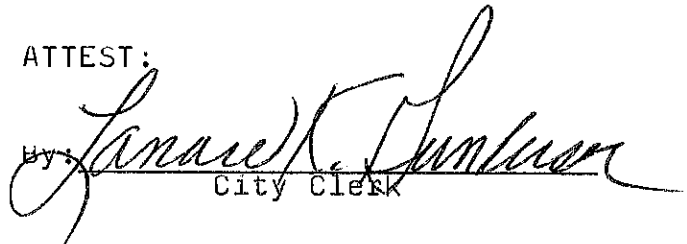
PASSED IN FIRST READING JUNE 9, 1987

PASSED IN SECOND READING JUNE 23, 1987



Mayor

ATTEST:

By: 
City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 525

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, RECOGNIZING THE EXTENSION OF THE DEADLINE DATE FOR COMPLETION OF CERTAIN CONSTRUCTION REQUIREMENTS FOR INDUSTRIAL PROPERTY SOLD BY THE CITY, WHICH EXTENSION MAY BE CONTRARY TO THE PRESENT PROVISIONS OF THE WRANGELL MUNICIPAL CODE, CHAPTER 16.12, AND FURTHER RECOGNIZING THE SUBSEQUENT ACCOMPLISHMENT OF THOSE REQUIREMENTS.

RECITALS

The purpose of this ordinance is to recognize the City Council's extension of the deadline date for completion of certain construction requirements which were established as a condition of the sale of real property by the City of Wrangell to Gary Rathke and John Emde, as well as recognizing the subsequent accomplishment of those requirements.

On February 24, 1987, the City Council approved the development plan for Lot 1 and 2, Block 59A, owned by Gary Rathke and John Emde, with a deadline of May 1, 1987, to complete sewer and building improvements and begin to fill in portions of Lot 2. Previous development plans had been submitted but were either rejected or superseded by the plan considered on February 24, 1987.

The present provisions of Wrangell Municipal Code Chapter 16.12, entitled "Disposition of Public Lands", govern sale of city property with construction as a condition of sale. The council desires not to apply the applicable provisions, if any, to Lots 1 and 2 of Block 59A. The council, by its action on February 24, 1987, extended the time for completion of the construction requirements as a condition of sale. As of May 1, 1987, Gary Rathke and John Emde have completed their obligations under the development plan approved by the City Council at their meeting held February 24, 1987.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA.

Sec. 1. Classification. This ordinance is not of a general or permanent 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. All construction requirements for Lots 1 and 2 of Block 59A, owned by Gary Rathke and John Emde, were completed on or before May 1, 1987, as required by the City Council under the development plan approved at their meeting held on February 24, 1987.

PASSED IN FIRST READING: JULY 14, 1987

PASSED IN SECOND READING: JULY 28, 1987

Kenneth C. Mason
ACTING Mayor

Attest:
By: Ernest J. Henderson
City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 526

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, SUBMITTING A PROPOSAL TO THE VOTERS OF THE CITY OF WRANGELL, ALASKA AT THE GENERAL ELECTION TO BE HELD OCTOBER 6, 1987, SAID PROPOSAL SEEKING AUTHORIZATION FOR THE CITY COUNCIL TO LEASE THE CITY'S 169,000 GALLON DIESEL FUEL STORAGE TANK.

WHEREAS, City of Wrangell, Charter Section 5-17 requires that the lease of any City property the value of which is more than \$25,000.00, shall be made only by authority of an ordinance enacted or ratified at any election by an affirmative vote of the majority of the qualified voters of the City who vote upon the question of approval or enacting the ordinance; and

WHEREAS, it is no longer necessary to maintain a large inventory of diesel fuel as the City's diesel generators are only used as backup to the Tye Hydro Electric Project; and

WHEREAS, the leasing of the City's 169,000 gallon diesel fuel storage tank would (1) reduce the ratepayers cash investment in inventory and (2) alleviate the costs of treating large amounts of fuel stored for long periods of time; and

WHEREAS, the Council of the City of Wrangell deems it appropriate to lease the City's 169,000 gallon diesel fuel storage tank.

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

Section 1. The council shall be authorized to lease the City's 169,000 gallon diesel fuel storage tank to the highest most responsible bidder under terms and conditions that the City Council deems most favorable to the City, subject to voter ratification of the ordinance.

Section 2. The City Clerk is ordered to take all the necessary steps to place on the general election ballot to the qualified voters of the City of Wrangell on October 6, 1987, the following Ordinance proposal:

PROPOSITION

SHALL THE COUNCIL OF THE CITY OF WRANGELL LEASE THE CITY'S 169,000 GALLON DIESEL FUEL STORAGE TANK TO THE HIGHEST MOST RESPONSIBLE BIDDER UNDER TERMS AND CONDITIONS THAT THE CITY COUNCIL DEEMS MOST FAVORABLE TO THE CITY?

_____ YES

_____ NO

Section 3. That for the purpose of the election of 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.

Section 4. 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 6, 1987.

Section 5. That the qualifications for voters on the aforementioned proposition shall be the same as for voters at municipal elections generally.

Section 6. That notice, publication and posting shall be given by the City Clerk in accordance with the provisions of the Wrangell Municipal Code and Charter.

Section 7. This ordinance shall become effective upon approval of the majority of the qualified voters who vote on the question after its passage and approval by the Council.

PASSED IN FIRST READING: _____ JULY 14 _____, 1987

PASSED AND APPROVED this 28th day of JULY, 1987.

Kenneth C. Mason
ACTING Mayor

ATTEST:

By: Lanore K. Gunderson
City Clerk

PROPOSITION # 3

YES: 797

NO : 159

-2-

I, Lanore K. Gunderson, City Clerk, City of Wrangell, Alaska hereby certify that the foregoing is a true and correct copy of the results of the General Election held October 6, 1987.

Lanore K. Gunderson
Lanore K. Gunderson, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 527

AN ORDINANCE OF THE CITY OF WRANGELL, EXEMPTING REAL AND PERSONAL PROPERTY ACQUIRED, USED AND/OR INSTALLED AFTER JANUARY 1, 1985, AND USED IN PROCESSING TIMBER, SAID EXEMPTION NOT TO EXCEED FIVE YEARS AND SUBJECT TO THE APPROVAL AND RATIFICATION OF THE VOTERS IN THE OCTOBER 1987 ELECTION, WITH AN EXEMPTION EFFECTIVE DATE OF JANUARY 1, 1988.

WHEREAS, pursuant to the request of the City of Wrangell, and the timber industry, the State Legislature has made it possible for an exemption of real and personal property used in processing timber to occur at a local level, subject to voter approval; and

WHEREAS, the timber industry is depressed, such that the Wrangell economy loses jobs; however, the timber industry has pledged to continue its efforts to market its product and to continue to provide and increase available jobs in Wrangell; and

WHEREAS, it is the opinion of the council of the City of Wrangell, that providing an exemption as permitted under recently enacted law, will foster, encourage, promote and increase available jobs in the City of Wrangell, Alaska; and

WHEREAS, the council has determined that it is in the best interest of the citizens of Wrangell to exempt real and personal property acquired, installed and used in processing timber; and

WHEREAS, the council desires to place the question of the exemption before the voters in the October 6, 1987 election, such that the exemption will be available January 1, 1988.

NOW THEREFORE, 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 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 its application to other circumstances shall not be affected thereby.

Sec. 3. This ordinance shall not become effective until after it has been actually approved by a majority of the qualified voters who vote on the question at the said general election October 6, 1987, with the additional proviso, that the exemption granted herein, if approved by the voters, shall not become effective until January 1, 1988.

Sec. 4. Wrangell Municipal Code, Chapter 5.04, Property Tax, is amended by adding a new section thereto, designated 5.04.036, entitled "Exemption-Timber processing", said section as enacted to read as follows:

5.04.036 Exemption-Timber processing.

A. Real and personal property used in processing timber, shall be exempt for seventy-five percent of the rate of taxes levied on other real and personal property in that differential tax zone in which the real and personal property is located. The real and personal property shall have been acquired, installed and/or constructed, and actually used for processing timber which has been delivered to the processing site in the previous calendar year for which the exemption is requested. The timber processor must be processing timber with 40 full time employees 9 months of the previous calendar year.

B. The duration of this exemption shall not exceed five years, and this ordinance granting this exemption if approved by the voters, shall expire by lapse of time on December 31, 1992, and shall not be effective thereafter, unless after December 31, 1992, a new ordinance is passed and approved by the voters.

C. Only seventy-five percent of the real and personal property which has been actually acquired, constructed, or placed in use after January 1, 1985, may qualify for an exemption.

D. Any taxpayer claiming a timber exemption shall on or before January 15 of any year, make application for the exemption to the assessor. The taxpayer shall specifically identify the real or personal property for which the exemption is requested, giving a description sufficient to conclusively identify said real or personal property, including the date of acquisition, the cost of acquisition, the date of any construction, including the construction cost and the date of placing said real or personal property in use for processing timber and affirmatively represent that the real and personal property has actually been used to process timber in the previous calendar year for which the exemption is requested. There shall be no waivers of a failure to meet the deadline for filing the application for the exemption. Unless the property, both real and personal is listed on the exemption application, and proof submitted, as required, to the assessor, by January 15, for the previous calendar year, the exemption shall not be available.

Sec. 5. The purpose of this ordinance is to grant an exemption to real and personal property used in processing timber, and to place the question to the voters of the City of Wrangell at the general election to be held October 6, 1987, as to whether or not this exemption should be granted. This ordinance is therefore subject to voter approval at said general election.

Sec. 6. The City Clerk is ordered to take all necessary steps to place on the regular municipal election ballot to the qualified voters in the City of Wrangell on October 6, 1987, the following question:

PROPOSITION

EXEMPTION FOR REAL AND PERSONAL
PROPERTY USED IN PROCESSING TIMBER.

SHALL THE CITY OF WRANGELL EXEMPT REAL AND PERSONAL PROPERTY USED IN PROCESSING TIMBER AFTER IT HAS BEEN ACQUIRED, CONSTRUCTED AND ACTUALLY PLACED IN SERVICE AFTER JANUARY 1, 1985, SAID EXEMPTION TO BE AT THE RATE OF SEVENTY-FIVE PERCENT OF THE RATE OF TAXES LEVIED ON OTHER PROPERTY IN THAT TAX ZONE, AND IN THE AMOUNT OF SEVENTY-FIVE PERCENT OF THE ASSESSED VALUE AS OF ANY GIVEN TAX YEAR. THE EXEMPTION SHALL BE AVAILABLE JANUARY 1, 1988. THE TIMBER PROCESSOR MUST BE PROCESSING TIMBER WITH 40 FULL TIME EMPLOYEES 9 MONTHS OF THE PREVIOUS CALENDAR YEAR TO QUALIFY FOR THE EXEMPTION. THIS EXEMPTION IF APPROVED BY THE VOTERS, WILL AUTOMATICALLY EXPIRE DECEMBER 31, 1992.

_____ YES

_____ NO

Sec. 7. That for the purpose of the election on the foregoing proposition to be submitted at said regular municipal 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. 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 the date of said municipal election.

Sec. 9. That the qualifications for voters on the aforementioned proposition shall be the same as for the voters at municipal elections generally.

Sec. 10. That notice, publication and posting shall be given by the City Clerk in accordance with the provisions of the Wrangell Municipal Code, the Charter, Statutes, and law.

PASSED AND APPROVED: _____, 1987
AUGUST 11

PASSED AND APPROVED: _____, 1987
AUGUST 25

ATTEST:


CITY CLERK

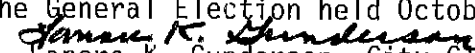

MAYOR

PROPOSITION # 4

YES: 535

NO: 414

I, Lanore K. Gunderson, City Clerk, City of Wrangell, Alaska hereby certify that the foregoing is a true and correct copy of the results of the General Election held October 6, 1987.


Lanore K. Gunderson, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 528

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA ADDING CHAPTER 5.06, ENTITLED TRANSIENT OCCUPANCY TAX, TO TITLE 5 OF THE WRANGELL MUNICIPAL CODE.

NOW THEREFORE, 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 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 its application to other circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided by law and shall be effective October 1, 1987.

Sec. 4. Wrangell Municipal Code, Title 5 is amended by adding the following chapter:

Chapter 5.06
TRANSIENT OCCUPANCY TAX

5.06.010. Definitions. For purposes of this chapter, the following definitions shall apply, unless the context clearly indicates otherwise:

A. "Transient" means a person who occupies or has available for occupancy a suite, room, or rooms in a hotel for not more than thirty (30) consecutive days. Portions of days shall be counted as full days. The day a transient checks out shall not be included in determining the thirty (30) day period if the transient is not charged rent for the day.

B. "Hotel" means a structure or portion of a structure which is occupied or intended and designed for occupancy by transients for dwelling, lodging or sleeping purposes and includes any hotel, motel, inn, or bed and breakfast.

C. "Guest or Person" means an individual, corporation, partnership or association paying monetary or other consideration for the use of a sleeping room or rooms in a hotel.

D. "Occupancy" means the use or possession, or the right to the use or possession of any room or rooms or portion thereof, in any hotel.

E. "Operator" means the person who is proprietor of the hotel, whether in the capacity of owner, lessee, sublessee, mortgagee in possession, licensee, or any other similar proprietary capacity.

5.06.020. Imposition of transient occupancy tax.

A. There is hereby enacted a tax on hotel room rentals to transients computed at a flat rate of \$3.00 per day, or portion thereof, per room, regardless of the number of occupants of such room. This tax shall be applicable to all room rentals to transients, unless the rental is specifically exempted from taxation by constitution or other valid law.

B. Municipal, state and federal governments are exempt from this tax through purchase order or other device obligating the government to pay for the room. Government employees are not exempt from this tax if the room is rented to them individually or they have the ultimate obligation to pay for the room.

C. This tax shall be in addition to the general sales tax of the City. General sales tax shall not be levied on this transient occupancy tax. Both taxes shall be computed individually on the room rent.

5.06.030. Operator's duties.

A. Every operator renting rooms subject to taxation under this chapter shall collect the taxes imposed by this chapter from the transient guest and shall transmit the same to the City.

B. This tax accrues each day of occupancy and shall be paid by the operator to the City at the time a tax return covering such date is due, irrespective of when the guests actually pay their bill to the hotel.

C. An operator may not advertise or state to the public or to any guest, directly or indirectly, that the tax or any part of it will be assumed or absorbed by the operator, or that the tax will not be added to the rental or that it will be refunded, nor may an operator absorb or fail to add the tax or any part of it or refund any tax or fail to separately state the tax to the guest.

D. The tax imposed shall be shown on the billing to the guest as a separate and distinct item. Each operator shall account separately and maintain separate monthly summary totals, for both taxable and nontaxable rents and for taxes collected.

5.06.040. Tax to be paid quarterly.

A. The tax levied under this Chapter shall be due and payable quarterly.

Every operator shall make and file with the Director of Finance, on forms prescribed and furnished by the Director of Finance, a return setting forth the amount of all rents charged, whether exempt or not, and the amount of tax collected for transient occupancy and such other information as the Director of Finance may require on such forms. The completed and executed return, together with remittance in full for the total amount of tax due, shall be transmitted to the Director of Finance on or before the last day of the calendar month following the close of each calendar quarter.

B. Every operator shall file a return even though no tax may be due. This return shall show why no tax is allegedly due, or, if the business has been sold or otherwise transferred, to whom it was transferred, the date it was transferred, and the address and telephone number of the person to whom it was transferred.

C. Every operator, upon cessation of business, shall, on or before the same day of the next month following cessation of business, or on the last day of the month if no corresponding day exists, make a return to the Director of Finance, on forms provided by him, of the total rents charged and the amount of tax collected or due for transient occupancies, and shall, upon request, make his books and records available for audit. At the time the return is filed, the full amount of the tax collected or due shall be remitted to the Director of Finance. Returns filed and taxes remitted and actually received by the Director of Finance on or before the same day of the next month following the cessation of business, or on the last day of the next month if no corresponding day exists, shall be deemed timely filed and remitted; otherwise, the taxes are delinquent and subject to penalties.

D. Proof of Exemption. Returns shall be accompanied by proof, satisfactory to the Director of Finance, as to claimed exemption, or exceptions from the tax herein imposed. The burden of establishing any tax exemption is upon the claimant. In the absence of such proof, the rentals or occupancies shall be deemed to have been taxable.

5.06.050. Penalty, interest and collection
procedures. A. Any operator who fails to file a return when due and remit any tax imposed by this chapter within the time required, shall pay penalty and interest in the amounts prescribed for sales tax in Section 5.08.100.

B. Any tax required to be paid under the provisions of this chapter shall be deemed a debt owed jointly and severally by the transient and the operator and recoverable by the City in an action brought against the transient, or the operator, or against the transient and operator jointly. Any taxes collected by an operator pursuant to this chapter which have not been paid to the City, shall be deemed to be funds held in trust for the account of the City. Collection of unpaid taxes

shall be in the manner prescribed for collection of sales tax in Chapter 5.08.

5.06.060. Limitations of use of tax proceeds. A. The proceeds of the tax levied under this chapter shall be used only to develop and implement a visitor industry program.

B. The proceeds of the tax levied under this chapter shall be accounted for separately from the general fund and shall be budgeted for in accordance with Charter Section 5-2. In preparing the annual budget for anticipated revenues and estimated expenditures, the City Manager will accept recommendation for the use of proceeds in the ensuing year from any committee, or any subcommittee, appointed by the Council for that purpose, if such recommendations are submitted in a timely manner.

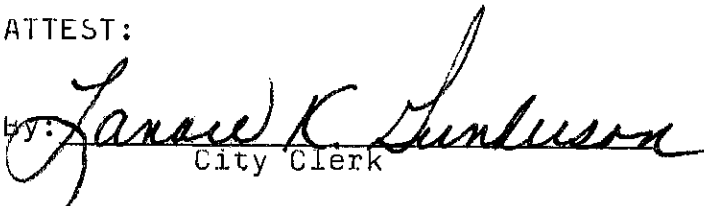
PASSED IN FIRST READING AUGUST 11, , 1987

PASSED IN SECOND READING AUGUST 25 , 1987



Mayor

ATTEST:

by: 

City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 529

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, ESTABLISHING A METHOD WHEREBY TRANSIENT, AND SEASONAL VESSELS, MAY USE ELECTRICITY AT WRANGELL HARBORS, AND PAY A PER DAY CHARGE THEREFORE IN ORDER TO MORE CLOSELY MEET THE GOALS OF IMPROVED SERVICE TO TRANSIENT AND SEASONAL VESSELS, ESTABLISHING A RATE FOR THE DAILY USE OF ELECTRICAL ENERGY, AND PROVIDING FOR A PUBLIC HEARING.

Recitals

The Port Commission desires that the Harbor Department be permitted to provide electrical energy from meters at the Wrangell harbors such that transient, and seasonal vessels may use electricity on a temporary basis.

The council concurs that it is desirable to allow vessels to connect temporarily to electric service, both in the transient or seasonable moorage areas, and in permanent moorage, where the stall holder has given prior approval to allow a transient boat to use electrical energy from a meter registered in the stall holder's name.

NOW THEREFORE, 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 law and shall be effective thirty (30) days after final passage.

Sec. 4. Providing for a Public Hearing. A public hearing shall be held with notice thereof prior to said public hearing, as required by law.

Sec. 5. Wrangell Municipal Code, Title 14, Boat Harbors, specifically Section 14.20.030, is amended by adding a new subsection "C" thereof as follows:

14.20.030 Small boat harbors--Seasonal and transient moorage fees. C. Vessels moored in designated transient or seasonal space may connect to designated harbor electrical service on a temporary, interruptible basis not to exceed 21 days. Requests for this service must be made to the harbormaster and a fee of three dollars per day, or any portion of a day, shall be paid to the harbor before the service may be connected. Any fees collected for use of electrical service by transients or seasonal vessels that have been connected to a meter in an assigned stall, with the prior approval of the stall holder, shall be credited to that party's electrical service account. The harbormaster or electrical department may disconnect any vessel that is causing disruptions to the electrical system or that does not have adequate equipment for service connections or that has not paid for service in advance. For purposes of this subsection, a day is defined as that twenty-four hour period beginning at 8:00 A.M. each day. This section does not constitute resale of electric energy, as set forth in 15.12.080.

PASSED AND APPROVED IN FIRST READING OCTOBER 13, 1987.

PASSED AND APPROVED IN SECOND READING OCTOBER 27, 1987.

Fern Neimeyer
Mayor

ATTEST:

Lanaw K. Anderson
City Clerk

CITY OF WRANGELL, ALASKA

Ordinance No. 546

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 3, CHAPTER 56, PERSONNEL.

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 law and shall be effective thirty (30) days after final passage.

Sec. 4. Wrangell Municipal Code, Section 3.56.020, the introductory paragraph is amended to read:

3.56.020 Definitions. For the purpose of the rules and regulations set forth in this chapter, the words and phrases defined in this section shall have the meanings ascribed to them, unless it is apparent from the content that a different meaning is [ATTENDED] intended.

Sec. 5. Wrangell Municipal Code, Section 3.56.020, sub-part N is amended to read:

N. "Probationary period" means a working test period of not less than thirty days nor more than [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.

Sec. 6. * Wrangell Municipal Code, Section 3.56.030, sub-parts F and I are amended to read:

F. 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, and 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.

I. Personnel Records. The [CITY CLERK] finance director 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.

Sec. 7. Wrangell Municipal Code, Section 3.56.040, sub-parts B and C are amended to read:

B. Each job announcement shall specify the class title, the nature of the work to be performed, the pay rate or range for the class, the minimum and/or desirable qualifications and the place and manner of filing an application. The city may add other information as may be deemed advisable.

C. 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] fingerprinting 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. 8. Wrangell Municipal Code, Section 3.56.050 is amended to read:

3.56.050 Selection of personnel. 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 person 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 [.] , race, national origin or gender.

A. 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 of the applicant.

B. 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.

C. 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.

D. 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.

E. Physical Tests. A physical test may be given, and may consist of competitive exercises or events designed to measure agility, strength, coordination or fitness.

F. Experience and Training. A [COMPETITIVE] comparative 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.

G. 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. 9. Wrangell Municipal Code, Section 3.56.070, sub-part D is amended to read:

D. 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 reinstated 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 prepromotional or pretransfer department, the employee shall be placed on the reemployment list.

Sec. 10. Wrangell Municipal Code, Section 3.56.080, sub-parts A, C, D and E are amended to read:

A. 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 political or religious opinion or affiliation, race, national origin, [CREED, SEX] or gender [OR POLITICAL BELIEFS]:

1. 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;
2. Using profane [OR BLASPHEMOUS] language;
3. Displaying bad or ungovernable temper;

4. Lack of promptness in execution of duties;
5. Neglect of duty or absence from port or place of duty without proper authorization;
6. Uncivil or discourteous attitude toward citizens or superiors;
7. Lounging or idling while on duty;
8. Habitual tardiness;
9. Lack of neatness in person or dress reasonably compatible with position held;
- [10. LACK OF PROMPTNESS IN MEETING FINANCIAL OR OTHER OBLIGATIONS;]
- [11.] 10. Violation of city ordinances or other obligations;
- [12.] 11. Untruthfulness or dishonesty;
- [13.] 12. Failure to observe applicable administrative rules and regulations;
- [14.] 13. Unauthorized use or misuse of city property or equipment;
- [15.] 14. 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;
- [16.] 15. For receiving or accepting money or anything of value for special favors to persons or firms in connection with official duties;
- [17.] 16. Wilful disobedience of orders of a superior or supervisor;
- [18.] 17. Any other misconduct, inefficiency or dereliction of duty reflecting adversely upon the city.

C. 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 in this section, subject to an appeal [OR] as 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 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.

D. Suspension. An employee may be suspended without pay for a period [OF] not to exceed thirty days pending the investigation or trial of 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. The first suspension for disciplinary action shall be five days, without pay. In the event that suspension without pay falls upon a paid holiday, the employee shall forfeit that paid holiday.

E. 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.]

Sec. 11. Wrangell Municipal Code, Section 3.56.090, sub-parts A and B are amended to read:

3.56.090 Grievance procedures. 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. This section does not apply to dismissals.

A. 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 WORKING] seven calendar days of the incident file a protest in writing with his department head. The protest shall set forth the employee's grounds for feeling that the action was unjustified, also stating the action referred to. Within a period of [TWO] four days from the date the employee has filed his written protest, the department head shall reply in writing to the aggrieved employee.

B. Step II. Within five [WORKING] calendar 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 WORKING] seven calendar 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.

Sec. 12. Wrangell Municipal Code, Section 3.56.100, sub-parts A and B are amended to read:

3.56.100 Layoffs. A. 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 or probationary 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 reemployment list. Persons on the reemployment 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.

B. The layoff 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.]

Sec. 13. Wrangell Municipal Code, Section 3.56.110 is repealed and reenacted as follows:

3.56.110 Dismissal. A. Dismissals are discharges or separations for misconduct, inefficiency, failure to observe 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, for just cause, provided that the employee shall have the right to notice and a pre-termination hearing as provided in sub-parts B and C of this section.

B. A city employee has a right to a pre-termination hearing to determine whether there is just cause for discharge. The head of the department of the offending employee shall serve notice on the offending employee, by certified mail or through personal service, of the proposed discharge. The notice shall provide an explanation of the evidence supporting the proposed discharge and shall notify the offending employee of his or her right to request a pre-termination hearing by filing a written request to the city manager within three calendar days from the date notice was received. Further, notice shall be given that failure to timely request a pre-termination hearing shall result in immediate discharge at the expiration of the time period allowed to request such a hearing.

C. A pre-termination hearing shall be held within five calendar days of the date the request is received. The hearing shall be conducted before three impartial hearing officers. The hearing officers for the hearing shall be selected from those persons presently employed by the city. The city manager shall select the hearing officers. The person requesting the hearing shall be given two preemptory challenges of the hearing officers. A hearing officer may be disqualified for cause, with the decision thereon to be made by the city manager. The hearing shall be held within five calendar days of receipt of the written request from the person asking for the hearing, unless such person waives the right to a speedy hearing. Failure of the offending employee to request or attend a pre-termination hearing shall be deemed a waiver of the right to such hearing. If the offending employee fails to attend the pre-termination hearing, the hearing officers shall uphold the dismissal without holding the hearing. The sole issue before the hearing officers shall be whether there is just cause to

discharge the employee. The hearing officers shall conduct the hearing in an informal manner and shall not be bound by technical rules of evidence. The city shall carry the burden of establishing that there is just cause to discharge the employee. The employee must be allowed to present a defense by testimonial or other evidence. At the conclusion of the hearing, the hearing officers shall prepare a written decision. A copy of such decision and the reasons therefore shall be provided to the person demanding the hearing and the department head. The hearing officers' decision shall in no way affect any criminal proceeding in connection with the proposed discharge, and any criminal charges involved in such proceeding may only be challenged in the appropriate court. If the employee or department head is dissatisfied with the action taken by the hearing officers, an appeal to the city council shall be made within five working days after receiving the hearing officers decision. The city council shall, within fifteen calendar days, meet as a board of review. All available information, written and verbal, shall be reviewed. Council shall, after review of all information, make their decision by a majority vote of all members. Such decision to sustain or revoke the action of the hearing officers shall be made directly to the employee and department head, in writing, signed by the mayor. The decision by the city council is final and subject to no further administrative appeals. In the event the employee, department head or majority of the council are absent from the city during the time they are to file their reports as stated in this section, the specified times will be extended to allow filing. The appeal to the city council shall be held in executive session except if waived by the employee.

Sec. 14. Wrangell Municipal Code, Section 3.56.150, sub-parts A and B are amended to read:

3.56.150 Working week. A. The working week for non-supervisory personnel in the classified service, as defined in the wage and salary resolution, shall be as follows:

1. City hall staff, Monday through Friday;
2. Library, as scheduled by the librarian;
- [3. SENIOR CITIZENS' CENTER, AS SCHEDULED BY THE DIRECTOR;]

- [4]3. Shift work, as assigned by the heads of the departments;

- [5]4. All other personnel, Monday through Friday.

B. Due to unusual circumstances, department heads may establish different hours and/or days of work within their departments, to increase efficiency, subject to city manager approval.

Sec. 15. Wrangell Municipal Code, Section 3.56.160 is amended to read:

3.56.160 Overtime. A. 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 NONSUPERVISORY EMPLOYEES, WORKING SUPERVISORS (AS DEFINED BY THE FAIR LABOR STANDARDS ACT OF 1984), 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.] All employees, including supervisory employees not exempt from the Fair Labor Standards Act, will be entitled to overtime pay. Employees entitled to overtime pay may enter into a plan for compensated time off in lieu of overtime pay in accordance with the Fair Labor Standards Act. Any plan for compensated time off in lieu of overtime pay must be approved by the council.

B. Pay for overtime shall be earned for all time worked in excess of forty 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 or a compensated day off in lieu of overtime as made applicable by the Fair Labor Standards Act 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.

C. 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.

D. An employee shall receive a minimum of two hours overtime when called back to work. This provision does not apply to scheduled overtime, scheduled meetings, or overtime worked as a continuance of the normal work day. Overtime or a meeting is considered "scheduled" if the employee has been notified of such no later than the end of the normal work day in which the overtime or meeting is scheduled. As an example, an employee would only be entitled to one half hour overtime if the completion of a task required an employee to work an additional one half hour immediately following the end of the normal work day. The overtime rate of pay, as provided in sub-part B of this section, shall only apply to those hours worked in excess of forty hours per week.

Sec. 16. Wrangell Municipal Code, Section 3.56.170 is amended to read:

3.56.170 Breaks. All employees shall be entitled to a fifteen-minute break in the first half of their workday and a fifteen-minute break in the second half of their workday. The specified time of the workday 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 COFFEESHOP, 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 COFFEESHOP.]

Sec. 17. Wrangell Municipal Code, Section 3.56.190 is amended to read:

3.56.190 Vacations. Regular employees in the classified service are entitled to two weeks of vacation pay after having completed one 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 years of service the entitlement shall be three weeks of pay and three weeks of vacation, after five years of service the entitlement shall be four weeks of pay and four weeks of vacation, and after ten years of service the entitlement shall be five weeks of pay and five 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 coming eligible for vacation pay and vacation. An employee may accumulate up to forty days vacation. Any time accumulated in excess of forty days shall be forfeited on each anniversary date of the respective employee.

Sec. 18. Wrangell Municipal Code, Section 3.56.200 is amended to read:

3.56.200 [MATERNITY] Childbirth leave. [MATERNITY] Childbirth leave may be granted [A FEMALE] any employee in the classified service of the city. [MATERNITY] Childbirth leave will be without pay. Leave for [MATERNITY] childbirth purposes 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] Childbirth 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] childbirth 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. Only an expectant parent of the child to be delivered, or parent of the recently delivered child, may receive childbirth leave.

Sec. 19. Wrangell Municipal Code, Section 3.56.210 is amended to read:

3.56.210 Jury duty leave. 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. Employees are only eligible for compensation for the first twenty working days they are absent from work. The employee must provide proof of payment from the court system prior to receiving payment from the city.

Sec. 20. Wrangell Municipal Code, Section 3.56.240 is amended to read:

3.56.240 Fringe benefits. The following fringe benefits are provided by the city for all permanent employees in the classified service of the city:

A. Group Medical [& LIFE] Insurance. The city pays the entire cost for the employee and covered dependents. [THE COST FOR FAMILY MEMBER IS BORNE BY THE EMPLOYEE BY MEANS OF PAYROLL DEDUCTION AND IS AN OPTIONAL BENEFIT.]

B. Workmen's Compensation. The entire cost for each employee is borne by the city. [AND IS CALCULATED AS A PERCENTAGE OF THE TOTAL PAYROLL.]

C. FICA. (Otherwise known as Social Security.) The city contributes according to law. [AN AMOUNT EQUAL TO THE PORTION PAID BY EACH EMPLOYEE.]

D. 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.

E. Group employee's life insurance. The city shall pay 100% of the cost of the group employee's life insurance premium on specified limits of coverage of \$30,000.00 for all department heads and \$20,000.00 for all other employees. Additional limits of life insurance for the employee or dependent(s) may be available as an option and 100% of the cost of the additional limits of life insurance shall be paid by the employee.

Sec. 21. Wrangell Municipal Code Section 3.56.250 is repealed:

[3.56.250 CREDIT OBLIGATIONS. 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.]

Sec. 22. Wrangell Municipal Code, Section 3.56.270 is amended to read:

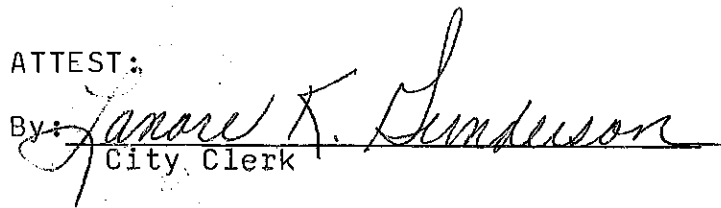
3.56.270 Training courses. The city encourages employees to seek increased knowledge which contributes to bettering their performance of duties. Consequently, consistent with the availability of funds, the city will reimburse an employee for the cost of training, or courses which have been successfully completed and which enhance the employee's knowledge of his job responsibilities. The employee shall, however, [CLEAR] obtain prior approval for such training [WITH] from 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.

PASSED IN FIRST READING: OCTOBER 25 , 1988

PASSED IN SECOND READING: DECEMBER 13 , 1988


Mayor

ATTEST:

By: 
City Clerk

BEH/mh
#31-022-283
D1330rd

CITY OF WRANGELL, ALASKA

Ordinance No. 545

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING CHAPTER 15.16 ENTITLED CEMETERY, SPECIFICALLY AMENDING SECTION 15.16.090 BY ADDING A CLARIFICATION PERMITTING MULTIPLE BURIALS IN A GRAVE SITE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL AS FOLLOWS:

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 law and shall be effective thirty (30) days after final passage.

Sec. 4. Wrangell Municipal Code, Section 15.16.090, entitled Price of graves--Perpetual care required, specifically subsection A thereof is amended to read as follows:

A. The sale price of graves, including the perpetual care of same shall be seventy-five dollars for a single grave. There may be reserved certain areas, or fractional graves, for the burial of infants under six years of age at a cost of forty dollars per grave, including perpetual care. Effective October 1, 1988, where physically possible, and notification is given to the City prior to the first burial, more than one but not more than two burials may occur in one grave site plot, at no additional cost. Cremated remains may be buried in the same grave site as long as space is available and consent of the owner is given.

PASSED IN FIRST READING: October 11, 1988

PASSED IN SECOND READING: October 25,, 1988

Fern Heimeyer
Mayor

ATTEST:

By: Bonnette Vincent
City Clerk (Acting)

EAS/mh
#31-022-283
Doc47

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 544

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING WRANGELL MUNICIPAL CODE, CHAPTER 7.08 ENTITLED DOGS, SPECIFICALLY INCREASING THE FEE FOR LICENSING OF INTACT MALE DOGS.

NOW, THEREFORE, 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 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 its application to other circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided by law and the fees shall be effective January 1, 1989.

Sec. 4. Wrangell Municipal Code, Section 7.08.010, entitled "Licensing", Subsection A, is amended to read as follows:

A. Every person who owns or keeps a dog within the city shall report to the city clerk, not later than the first day of February of each year, 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 for each neutered male or spayed female dog and fifteen dollars for each intact [UNSPAYED FEMALE] dog so owned or kept. Upon payment of the 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.

PASSED IN FIRST READING SEPTEMBER 27, 1988

PASSED IN SECOND READING OCTOBER 11, 1988


MAYOR

ATTEST:


CITY CLERK

PUBLISHED: October 20, 1988

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 543

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING THE ELECTRICITY CODE BY INCREASING THE FEES CHARGED FOR UTILITY POLE USE AND PROVIDING FOR A PUBLIC HEARING.

NOW THEREFORE, 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 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 its application to other 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. A public hearing shall be held with notice thereof prior to said hearing.

Sec. 5. WMC Section 15.12.240, entitled "Use of Poles", is repealed and reenacted to read as follows:

15.12.240 Use of Poles. A. This section applies to all utility poles owned by the city which may be used by anyone other than the city.

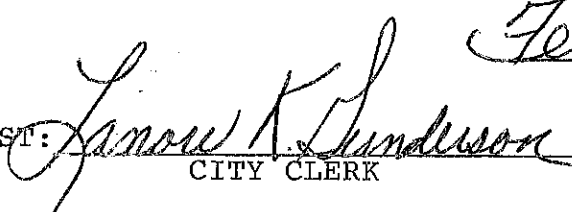
B. The annual rate for each attachment to any pole by any user, the rate to include right-of-way maintenance by the city at the base of the pole only, shall be as follows:

1. Six dollars per attachment effective January 1, 1989.
2. Eight dollars per attachment effective January 1, 1990.
3. Nine dollars per attachment effective January 1, 1991.

PASSED IN FIRST READING SEPTEMBER 13, 1988

PASSED IN SECOND READING SEPTEMBER 27, 1988

ATTEST:


CITY CLERK


MAYOR

PUBLISHED: october 6, 1988

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 542

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, SUBMITTING A PROPOSAL TO THE VOTERS OF THE CITY OF WRANGELL, ALASKA, AT THE GENERAL ELECTION TO BE HELD OCTOBER 4, 1988, SAID PROPOSAL SEEKING AUTHORIZATION FOR THE CITY COUNCIL TO LEASE LOT 17 AND PORTION OF LOT 18, BLOCK 3, COMMONLY KNOWN AS THE CIVIC CLUB, AND IMPROVEMENTS THEREON UPON TERMS AND CONDITIONS AS THE COUNCIL MAY DETERMINE AFTER SAID ELECTION BUT WITHOUT PAYMENT OF RENT FOR THE SENIOR CITIZEN SERVICE PROGRAM.

WHEREAS, City of Wrangell Charter Section 5-17 requires that the sale or lease of any city property, the value of which is more than \$25,000, shall be made only by authority of an ordinance enacted or ratified at an election by an affirmative vote of a majority of the qualified voters of the City who vote upon the question of approval or enacting the ordinance; and

WHEREAS, the Senior Citizen Services program has been conducted in property owned by the City of Wrangell for several years, specifically located at Lot 17 and Portion of Lot 18, Block 3, commonly known as the Civic Club; and

WHEREAS, the Council of the City of Wrangell deems it a public use and in the best interests of the citizens of Wrangell to continue use of the property valued at more than \$25,000 for the senior services; and

WHEREAS, the Council deems it appropriate to enter into a lease for said property without payment of rent, as an in-kind contribution to the senior services program.

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

Section 1. The Council hereby determines that it is in the best interest of the City and for a public purpose to lease Lot 17 and Portion of Lot 18, Block 3, commonly known as the Civic Club, together with the improvements thereon, upon such terms and conditions as the Council may decide after said election, it being the intent of the Council to lease the property without payment of rent to the agency administering the Senior Citizen Services program as an in-kind contribution to the program, subject to voter ratification of the Ordinance.

Section 2. The City Clerk is ordered to take all the necessary steps to place on the general election ballot to the qualified voters of the City of Wrangell on October 4, 1988, the following Ordinance proposal:

PUBLISHED: Sept. 1, 1988

PROPOSITION

SHALL THE COUNCIL OF THE CITY OF WRANGELL LEASE LOT 17 AND PORTION OF LOT 18, BLOCK 3, COMMONLY KNOWN AS THE CIVIC CLUB, TOGETHER WITH IMPROVEMENTS THEREON UPON SUCH TERMS AND CONDITIONS AS THE COUNCIL MAY DECIDE AFTER SAID VOTER APPROVAL, IT BEING THE INTENT OF THE COUNCIL TO LEASE THE PROPERTY WITHOUT PAYMENT OF RENT TO THE AGENCY ADMINISTERING THE SENIOR CITIZEN PROGRAM?

BY VOTING YES ON THIS PROPOSITION YOU GIVE THE CITY COUNCIL THE ABILITY TO DECIDE THE TERMS AND CONDITIONS OF A LONG TERM LEASE INCLUDING A NO RENT PROVISION AS AN IN-KIND CONTRIBUTION TO THE SENIOR CITIZEN PROGRAM.

[] YES [] NO

Section 3. That for the purpose of the election of 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.

Section 4. 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 4, 1988.

Section 5. That the qualifications for voters on the aforementioned proposition shall be the same as for voters at municipal elections generally.

Section 6. That notice, publication and posting shall be given by the City Clerk in accordance with the provisions of the Wrangell Municipal Code and Charter.

Section 7. This ordinance shall become effective upon approval of the majority of the qualified voters who vote on the question after its passage and approval by the Council.

PASSED IN FIRST READING: AUGUST 9, 1988

PASSED IN SECOND READING: AUGUST 23, 1988

ATTEST: *Lanore K. Sanderson*
CITY CLERK *Fern Neimayer*
MAYOR

PROPOSITION NO. 1, Election October 4, 1988
YES: 819 NO: 61

I Certify the foregoing is a true and correct result of the election held October 4, 1988

Lanore K. Sanderson
City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 541

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING WRANGELL MUNICIPAL CODE, CHAPTER 14.12. ENTITLED ADMINISTRATION, SPECIFICALLY AMENDING THE TIME THAT DECLARATION OF CANDIDACY FOR THE OFFICE OF PORT COMMISSION SHALL BE FILED 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. Emergency Declared. An emergency is declared to exist affecting the public peace, health or safety, of its residents. A declaration of candidacy for all elective offices must be filed not more than eight weeks and at least four weeks prior to the election to assure ballots will be printed in a timely manner to be available to absentee voters prior to the election. The current filing period for Port Commission members ends fourteen (14) days prior to the election, and if followed will not permit absentee voting or proper preparation of ballots.

Sec. 4. Effective Date. This ordinance shall be effective immediately upon adoption.

Sec. 5. Wrangell Municipal Code, Section 14.12.010, entitled "Commission established --Membership--Terms", is amended to read as follows:

There is established the Wrangell port commission which shall consist of five members who shall each hold office for a period of three 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 of port commission members shall apply prospectively only, commencing with the respective terms of members elected after the effective date of the ordinance codified in this section. Members of the commission shall have the same qualifications as councilmen, except that port commission members shall be twenty-one years of age, and they shall serve without pay. Members shall continue to serve staggered terms, with the minimum of one member elected annually, except in those years when more than one term expires, when more

members may be elected. Filing shall be by declaration of candidacy filed with the city clerk [NOT MORE THAN THIRTY DAYS AND AT LEAST FOURTEEN DAYS PRIOR TO THE ELECTION] within the time periods as prescribed for councilpersons[;]. 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.

PASSED IN FIRST READING AUGUST 9, 1988

PASSED IN SECOND READING AUGUST 9, 1988


MAYOR

ATTEST:


City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 540

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF WRANGELL BY CONTRACT ZONING.

WHEREAS, a petition for contract zoning and a corresponding request for a conditional use permit for certain real property described below, have been filed by C. & E. Bradley, Inc., and processed in accordance with Chapter 20.77 and Chapter 20.68 of the Wrangell Municipal Code; and

WHEREAS, the procedures set forth in Chapter 20.77 and Chapter 20.68 of the Wrangell Municipal Code have been followed; and

WHEREAS, the Planning and Zoning Commission has granted the request for the conditional use permit to permit the operation of a self-serve service station on the subject property, subject to the Council approving the proposed contract zoning; and

WHEREAS, the Council finds that it is in the public's best interest to approve the proposed contract zoning;

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

Sec. 1. Classification. This ordinance is not 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 its application to other 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. Contact Zone. The property hereinafter described is contract zoned as set out in the Contract Zoning Agreement attached hereto and incorporated herein by reference. Said property shall be subject to the Contract Zoning Agreement herein incorporated and in addition shall be subject to all requirements of law. The property governed by this ordinance is described as follows:

Lot 1 and Lot 2, Block 27, Bradley, Subdivision, Plat 83-18 recorded November 21, 1983, Wrangell Townsite.

PUBLISHED: August 4, 1988

The official zoning map of the City of Wrangell is amended to conform with said Contract Zoning Agreement.

Sec. 5. Authority For Contract Zoning Agreement. The mayor is hereby authorized to execute the Contract Zoning Agreement which is attached hereto and incorporated herein by reference.

PASSED IN FIRST READING July 12, 1988

PASSED IN SECOND READING July 26, 1988

Gerrit Weimeyer
Mayor

ATTEST:

James K. Dundas
City Clerk

BEH/mh
#31-022-165
Doc8

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 539

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING THE SALES TAX CHAPTER §5.08.160 ENTITLED SEVERABILITY.

Whereas, the last sentence of Wrangell Municipal Code (WMC) §5.08.160 entitled Severability was enacted by the council in 1970. The addition was intended to deal with a possible challenge of an increase in the sales tax from three to four percent, for the reason that the statutes did not identify which sections were specifically applicable to home rule.

Whereas, the Alaska Legislature in September 1972, revised Title 29 of Alaska Statutes and identified which sections were applicable to home rule cities.

Whereas, it is the desire of the present council to amend §5.08.160 for the reason that the concerns existing eighteen years ago when the sales tax was increased from the then rate of three percent were resolved by the Alaska Legislature in 1972.

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 provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and its application to other 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.

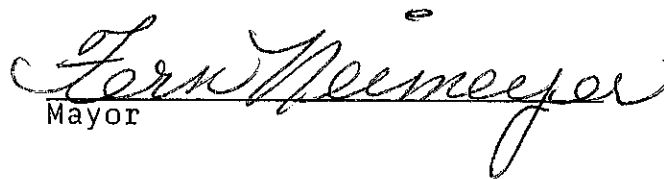
Sec. 4. Wrangell Municipal Code, Section 5.08.160, is amended, said section as amended to read as follows:

5.08.160 Severability. It is the intention of the council that each separate provision of this chapter shall be deemed independent of all other provisions of this chapter and


it is the further intention of the council that if any provision of this chapter is declared invalid, all other provisions thereof shall remain valid and enforceable. [IN THE EVENT SECTION 5.08.020 IS DECLARED INVALID, THE CITY SHALL AUTOMATICALLY REVERT, BOTH PROSPECTIVELY AND FOR THE PERIOD OF INVALIDITY, TO SECTION 60.10.020 OF ORDINANCE NO. 248 WHICH IMPOSES A THREE PERCENT CONSUMERS' SALES TAX.]

PASSED IN FIRST READING JUNE 14 , 1988.

PASSED IN SECOND READING JUNE 28 , 1988.


Mayor

ATTEST:

By: 
City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 538

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, AMENDING WRANGELL MUNICIPAL CODE, SECTION 14.20.070 J, SPECIFICALLY DECREASING THE CHARGE FOR SAND OR GRAVEL TYPE USAGE OF THE WRANGELL WHARF PREMISES AND FACILITIES.

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 law and shall be effective thirty (30) days after final passage.

Sec. 4. Wrangell Municipal Code, Section 14.20.070 J, is amended to read as follows:

14.20.070 Wrangell Wharf--Wharfage.

J. Sand or gravel:

- 1. [LESS THAN 500 TONS]. . . . \$1.00 per ton of 2000 lbs.
500 tons or less
- 2. [OVER 500 TONS] [0.75] per ton of 2000 lbs.
501 tons to 1500 tons . . \$500.00 plus \$0.20 per ton
of 2000 lbs.
- 3. 1501 tons and over. . . . \$800.00 plus \$0.05 per ton
of 2000 lbs.

PASSED IN FIRST READING APRIL 12, 1988

PASSED IN SECOND READING APRIL 26, 1988

Fern Neimeyer
Fern Neimeyer, Mayor

ATTEST: *Lanette K. Anderson*
City Clerk

MAY 5, 1988

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 537

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, AMENDING WRANGELL MUNICIPAL CODE, CHAPTER 15.16, ENTITLED CEMETERIES, ESTABLISHING A CHARGE AND A PROCEDURE FOR DISINTERMENT.

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 law and shall be effective thirty (30) days after final passage.

Sec. 4. Wrangell Municipal Code, Section 15.16.070, entitled "Opening and closing graves", is amended to read as follows:

15.16.070 Opening and closing graves. A. No person shall be permitted to open and close graves within a city cemetery, except upon application to the city clerk[,]. [p]Permission may be given for a person to bury cremated remains under supervision of the city. Except for disinterment, [T]the city shall open and close all graves. [AND] A [CHARGE] fee shall be collected from the persons requesting the opening and closing[.] of all graves, including burial and disinterment. The city shall have no obligation to perform the disinterment, and may contract said service to private enterprise. All disinterments shall be done under the supervision of the city.

B. The fee for each opening and closing of a burial grave shall be one hundred fifty dollars, except the fee for the burial [GRAVE] of a child six years of age or younger shall be seventy-five dollars. If the opening and closing of a burial grave is done on a holiday, Saturday or Sunday, the charge shall be two hundred twenty-five dollars or one hundred twelve dollars for the grave of a child six years of age or younger. Cremated remains will be buried by the city for a charge of twenty-five dollars. A fee shall be paid to the city of Three Hundred dollars for all disinterments.

APRIL 21, 1988

C. The funeral director, or person in charge, shall notify the city when a burial grave is to be opened, and shall give the date and time graveside services will be conducted, which notice shall be given no less than forty-eight hours in advance of any service.

PASSED IN FIRST READING March 22, 1988

PASSED IN SECOND READING April 12, 1988

Fern Neimeyer
Fern Neimeyer, Mayor

ATTEST: *Franette Vincent*
Franette Vincent, Acting City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 536

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL AMENDING ORDINANCE NO. 532 TO CORRECT A TYPOGRAPHICAL ERROR.

Whereas, Section 6 of Ordinance 532 contains a typographical error in that a section was erroneously referred to as Section 7.08.020, and should have read 7.08.030 to be consistent with the intent of the Council and background memorandums recommending a Mail-in Bail procedure for certain animal code violations.

NOW THEREFORE, 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 law and shall be effective thirty (30) days after final passage.

Sec. 4. Wrangell Municipal Code, Chapter 7.08 is amended to correct a typographical error in Section 7.08.160 by changing the reference in line 2 of said section to read 7.08.030 rather than as it read in Ordinance No. 532 as Section 7.08.020, said section as amended to read as follows:

7.08.160 Mail-in Bail. Commission of the offenses described in Sections 7.08.010 or [7.08.020] 7.08.030 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 either in person or by mail the fine specified on the citation to the Wrangell Police Department, said payment to be made prior to the court appearance date indicated on the citation. Acceptance and payment of the prescribed fine is complete satisfaction for the offense.

PASSED IN FIRST READING _____ March 22, _____, 1988.

PASSED IN SECOND READING _____ April 12, _____, 1988.

Fern Neimeyer

Fern Neimeyer, Mayor

ATTEST:

By: *Franette Vincent*

Lanore Gunderson Franette Vincent
City Clerk Acting City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 535

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, AMENDING CHAPTER 5.10, ENTITLED "PURCHASES AND SALES", SPECIFICALLY DESIGNATING AN ALTERNATE PURCHASING AUTHORITY IN THE EVENT OF A FINANCIAL INTEREST OF THE PURCHASING AUTHORITY IN A VENDOR.

Whereas, the Charter of the City of Wrangell, section 5-16, presently provides that the city manager subject to any regulations which the council may prescribe shall issue purchase authorizations for all supplies, materials and equipment for any city office, department or agency of the city government.

Whereas, city ordinances do not provide an alternate procedure when the purchasing authority has any or an appearance of a financial interest in a vendor.

Whereas, the council desires to amend the city ordinances to provide an alternate procedure in such instance.

NOW THEREFORE, 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 law and shall be effective thirty (30) days after final passage.

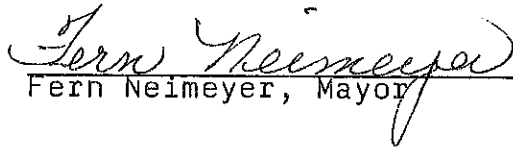
Sec. 4. Wrangell Municipal Code, Section 5.10.020, entitled "City manager or authorized personnel to make purchases", is amended to read as follows:

5.10.020 City manager or authorized personnel to make purchases. All purchases of supplies, materials, equipment, and contractual services for the offices, departments, and agencies of the city government, shall be made by the city manager or by other city personnel in accordance with purchase authorization issued by the city manager. In the event any

purchasing authority has any financial interest in a vendor,
then the purchase order shall be issued by the city clerk.

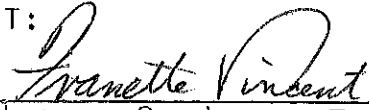
PASSED IN FIRST READING March 8, 1988.

PASSED IN SECOND READING March 22, 1988.



Fern Neimeyer, Mayor

ATTEST:

By: 

Lanore Gunderson Franette Vincent
City Clerk Acting City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 534

AN ORDINANCE AMENDING THE WRANGELL MUNICIPAL CODE, CHAPTER 14.20, ENTITLED "FEES AND PAYMENTS", SPECIFICALLY DECREASING THE CHARGES FOR THE LOADING AND UNLOADING OF FREIGHT, CARGO OR COMMODITIES TO AND FROM THE WRANGELL WHARF AND INCREASING THE CHARGE TO USE THE BARGE RAMP FACILITY AFTER SIX HOURS AND AMENDING CHAPTER 14.12 BY REMOVING THE REQUIREMENT FOR A COUNCILMAN TO BE PRESENT AT HEARINGS.

Whereas, the Wrangell Port Commission desires to encourage the use of the Wrangell Wharf and port facility for the transshipment of cargo to other nearby communities, thus, facilitating the service to other communities, and to encourage revenue, which the Wrangell Port would not otherwise receive.

Whereas, the decreased fees are to be available only to those vessels and/or barges providing regular and frequent service which call at Wrangell at least twice each month, with the elimination of the wharfage fee to apply only to that freight which is unloaded and reloaded for transshipment.

NOW THEREFORE, 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 law and shall be effective thirty (30) days after final passage.

Sec. 4. Wrangell Municipal Code, Section 14.20.070, is amended by adding language to the introductory language of said section, and adding a new subsection "K", such that the amended section and new subsection will read as follows:

14.20.070 Wrangell Wharf--Wharfage. Wharfage fees, which shall be the charge made for cargo or commodities going into or out of the Wrangell wharf, at the Wrangell Harbor are established as follows:

K. For vessels discharging freight for the expressed purpose of reloading onto the same vessel or another vessel owned by or under agreement by the same company, said reloading to occur within 8 hours of completion of the discharge operation, a wharfage charge will be assessed on that freight for unloading only. In the event the reloading does not begin within 8 hours of completion of the discharge operation, and if the barge ramp loading facility has been available for use, wharfage charges will be assessed for the discharge operation and again for the loading operation. Completion of reloading must occur within 8 hours of completion of the discharge operation.

To qualify for the one time freight loading and unloading charge, arrangements must be made with the Harbormaster by the freight operator no less than seven (7) days in advance of the freight discharge operation. Arrangements for the one time charge must include a written request from the freight company for the one time charge as per this section and will be granted only to the same freight continuing on under the original unaltered bill of lading. Freight cargo or commodities originating in Wrangell shall be charged the regular rate.

This subsection K shall only apply to vessels or barges providing regular and frequent service calling at Wrangell at least twice each month.

Sec. 5. Wrangell Municipal Code, Section 14.20.090 A, specifically the introductory language to said section, is amended by adding a phrase, said introductory language in said subsection A as amended to read as follows:

14.20.090 Wrangell Wharf--Dockage. A. The following charges shall be assessed upon gross registered tonnage of vessels as follows (the rate shall be for each twenty-four-hour period except that vessels using the barge ramp facility will be assessed an additional charge of \$50.00 per hour after 6 hours):

Sec. 6. Wrangell Municipal Code, Section 14.12.110 B is amended to read as follows:

B. Such rates, charges and classifications shall be just and reasonable and shall be established and modified at the 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 days before the hearing.

PASSED IN FIRST READING March 8, 1988.

PASSED IN SECOND READING March 22, 1988.

Fern Neimeyer

Fern Neimeyer, Mayor

ATTEST:

By: *Franette Vincent*

Lanore Gunderson Franette Vincent
City Clerk Acting City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 533

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, AMENDING CHAPTER 3.52, ENTITLED "PARKS, RECREATION AND YOUTH BOARD", SPECIFICALLY ENLARGING BOARD MEMBERSHIP FROM SIX TO SEVEN MEMBERS, PRESCRIBING A QUORUM, AND ESTABLISHING MEMBERSHIP TERMINATION DUE TO FAILURE TO ATTEND.

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 law and shall be effective thirty (30) days after final passage.

Sec. 4. Wrangell Municipal Code, Section 3.52.010 A (only subsection A is amended, therefore the rest of the section is not set out below), is amended to read as follows:

3.52.010 Established--Membership--Organization.

A. There shall be created a parks, recreation and youth board, which shall consist of [SIX] seven members appointed by the mayor with the approval of the council for overlapping three year terms. All members of the board shall be residents of the city. The terms of the members shall begin on October 1st, [AND] with [TWO] three members [SHALL] to be appointed [EACH YEAR] in the first year, and two members in each of two successive years and in like manner thereafter. A member may be removed by the mayor with approval of the council for the good of the service. Vacancies shall be filled for the unexpired terms. Members shall serve without compensation. A quorum shall consist of four members.

Sec. 5. Wrangell Municipal Code, Chapter 3.52, is amended by adding a new section, said section as added to read as follows:

3.52.050 Absence from meetings. If an appointed member is absent for more than one-half of all of the meetings of the board, regular and special, held within any period of four consecutive calendar months, he shall thereupon cease to hold office.

PASSED IN FIRST READING FEBRUARY 23, 1988.

PASSED IN SECOND READING MARCH 8, 1988.

Fern Neimeyer
Fern Neimeyer, Mayor

ATTEST:

By:

Lanore Gunderson
Lanore Gunderson
City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 532

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, AMENDING TITLE 7 OF THE WRANGELL MUNICIPAL CODE, PROVIDING THAT CERTAIN ANIMAL CODE VIOLATIONS MAY BE SATISFIED WITHOUT A MANDATORY APPEARANCE BY UTILIZING A MAIL-IN BAIL SYSTEM, AND AMENDING THE PENALTY PROVISIONS FOR ANIMAL CODE VIOLATIONS.

Whereas, citizens have expressed their displeasure with the inconvenience and lost work time regarding a mandatory court appearance for animal code violations.

Whereas, it is the desire of the council to regulate animal matters, however, the council does not feel it necessary that such an inconvenience be imposed for certain regulatory offenses.

NOW THEREFORE, 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 law and shall be effective thirty (30) days after final passage.

Sec. 4. Wrangell Municipal Code, Section 7.04.030, entitled "Penalty for Violations" is repealed in its entirety.

Sec. 5. Wrangell Municipal Code, Section 7.08.150, is amended, said section as amended to read as follows:

7.08.150 Penalty for violation. A. Except as set forth in subsection B, any person convicted of violating any of the provisions of this [CHAPTER] Title shall be punished by a fine not to exceed three hundred dollars.

B. A violation of Section 7.08.01D and Section 7.08.030 shall be a regulatory offense for which a maximum fine of twenty-five dollars shall be imposed upon conviction. The

execution of sentence may not be suspended nor may imposition of sentence be suspended, except under the condition that the defendant pay the fine as provided in this section, nor may the punishment provided for in this section be reduced.

Sec. 6. Wrangell Municipal Code, Chapter 7.08, is amended by adding a new section, (Section 7.08.160, Mail-in Bail), said section to read as follows:

7.08.160 Mail-in Bail. Commission of the offenses described in Sections 7.08.010 or 7.08.020 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 either in person or by mail the fine specified on the citation to the Wrangell Police Department, said payment to be made prior to the court appearance date indicated on the citation. Acceptance and payment of the prescribed fine is complete satisfaction for the offense.

PASSED IN FIRST READING FEBRUARY 9, 1988.

PASSED IN SECOND READING FEBRUARY 23, 1988.

Fern Neimeyer
Fern Neimeyer, Mayor

ATTEST:
By: Lanore K. Gunderson
Lanore Gunderson
City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 530

AN ORDINANCE OF THE CITY OF WRANGELL AMENDING THE WRANGELL MUNICIPAL CODE, CHAPTER 15.12 ENTITLED "ELECTRICITY", PROVIDING THAT REVISIONS IN THE WHOLESALE POWER RATE SHALL AUTOMATICALLY CHANGE THE ELECTRICAL RATE CHARGE TO CUSTOMERS, PROVIDING FOR A DECREASE IN THE ELECTRICAL RATE CHARGE TO CUSTOMERS AS A RESULT OF A DECREASE IN THE WHOLESALE POWER RATE GREATER THAN ANTICIPATED SALES OF ELECTRICITY AND PROVIDING FOR A PUBLIC HEARING.

Recitals

Whereas, historically, the wholesale power rate charged per kilowatt hour for the purchase of electrical energy generated by the Lake Tye Hydroelectric Project was 5.82 cents, per kilowatt hour (hereafter kwh), with a debt service inclusive in said amount of 2.6 cents per kwh. As of July 1, 1986, the wholesale power rate decreased to 5.8 cents per kwh, with a debt service increase to 2.8 cents per kwh. As of July 1, 1987, the wholesale power rate further decreased to 5.6 cents per kwh, with the debt service cost increase to 3.2.

Whereas, the Council desires to pass on any change in the wholesale power rate to the consumers in a shorter time period than that now permitted by the passage of an ordinance, and therefore, desires to amend the Wrangell Municipal Code to provide for automatic adjustments to the consumer charge for electrical energy within 30 days after the rate change in the wholesale power rate.

Whereas, in addition to the above wholesale power rate decrease sales of electrical energy by the City utilities have exceeded expectations resulting in additional justification for a rate decrease.

Whereas, the Council desires for the above reasons to decrease the electrical rate charged to its customers.

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

Sec. 1. Classification. This ordinance is of 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 its application to other persons or circumstances shall not be affected thereby.

Sec. 3. Effective Date. This ordinance shall be published as provided by law. If passed prior to October 27, 1987, and published, then this ordinance shall be effective for the billing to customers after December 1, 1987. If this ordinance is passed after October 27, 1987, and published, then this ordinance shall become effective on the first day of any month after final passage, publication, and after occurrence of the thirty (30) day time period after passage.

Sec. 4. Providing for a Public Hearing. A Public hearing shall be held with notice thereof prior to said public hearing, as required by law.

Sec. 5. Wrangell Municipal Code, Chapter 15.12, entitled "Electricity" is amended to add a new section thereto, said new section to read as follows:

15.12.192 Hydroelectrical wholesale power rate adjustment. A. Applicability. An adjustment shall be made to each billing for kilowatt hours rendered under Schedule A, Schedule B, Schedule C, and Shore service for boats to reflect increases or decreases in the wholesale power rate charged per kilowatt hour for the purchase of energy generated by the Lake Tye Hydroelectric Project. The adjustment will be effective the first billing period following the date the wholesale power rate is set as provided in the Long Term Power Sales Agreement between the City and Alaska Power Authority, et al.. The base wholesale power rate used to determine the adjustment is 5.6 cents per kilowatt hour, which rate was effective July 1, 1987.

b. Method of calculation. The adjustment shall be calculated as follows:

The actual energy charge per kilowatt hour will be adjusted to the nearest tenth of a cent to reflect changes in the base wholesale power rate.

Sec. 6. Wrangell Municipal Code, Section 15.12.200, concerning meter rates for residential is amended to read as follows:

15.12.200 Meter rates--Residential service (Schedule A). A. Availability. Residential service under this schedule shall be limited to single phase, two or three wire service and served at secondary distribution 115/230 voltage level. All installations shall be subject to the approval of the city.

B. Rate.	<u>SCHEDULE A</u>
Customer charge	\$8.00 per month
Energy charge	
0--300 kwh	[10.0]9.0¢ per kwh
Over 300 kwh	[8.0]7.20¢ per kwh

Sec. 7. Wrangell Municipal Code, Section 15.12.210, concerning meter rates for small commercial service is amended to read as follows:

15.12.210 Meter rates--Small commercial service (Schedule B). A. Classification. Small commercial service includes lighting, cooking, appliances, and motors in professional, mercantile, commercial, and other establishments not classed in Schedule A. This rate shall be for commercial users that use less than an average of 30,000 kwh per month, based upon the previous twelve-month average consumption, and are served at secondary distribution voltage level.

B. Availability. Small commercial service under this schedule shall be limited to single phase 115 and/or 230 volt service. All installations shall be subject to the approval of the city.

C. Rate.	<u>SCHEDULE B</u>
Customer charge	\$9.00 per month
Energy	all kwh at [9.2] 8.3 kwh

Sec. 8. Wrangell Municipal Code, Section 15.12.215, concerning meter rates for large commercial services is amended to read as follows:

15.12.215 Meter rates--Large commercial service (Schedule C). A. Classification. Large commercial service includes lighting, cooking, appliances, and motors in professional, mercantile, commercial, and other establishments not classed in Schedule A. This rate shall be for commercial users that use an average of 30,000 kwh per month, or more, based upon the previous twelve-month average consumption, and are served at secondary distribution level.

B. Availability. Large commercial service under this schedule shall be limited to single- or three-phase 115 and/or 230 volt service. All installations shall be subject to the approval of the city.

C. Demand Charge. The rate in this section does not include a demand charge. The city reserves the right to adopt

a demand charge after installation of kw demand meters and adoption of rates as required by law.

D. Rate. SCHEDULE C

Customer charge	\$13.50 per month
Energy charge	
0--70,000 kwh	[7.9]7.5¢ per kwh
Over 70,000 kwh	[7.6]7.2¢ per kwh

Sec. 9. Wrangell Municipal Code, Section 15.12.230, concerning the flat rate for shore service for boats is amended to read as follows:

15.12.230 Shore service for boats. A. This section applies to any and all vessels, irrespective of size, that are not serviced under Sections [5.12.200]15.12.200 or [5.12.210]15.12.210.

B. This service is available to all locations where shore service facilities are provided by the city. This is a combination rate for lighting and hea[R]ting only.

C. 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 twenty ampere fuse as follows:

20-amp fuse \$[28.59]27.16 per month

D. Contracts shall be for not less than a monthly charge, payable in advance at the monthly rate.

PASSED IN FIRST READING OCTOBER 13, 1987

PASSED IN SECOND READING OCTOBER 27, 1987

Fern D. Neemayer
Mayor

ATTEST:

By: Jane K. Anderson
City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 531

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ESTABLISHING THE OFFICE, JURISDICTION, PROCEDURES, TERMS AND ANNUAL REPORT FOR THE OFFICE OF OMBUDSMAN, AND ESTABLISHING CRIMINAL LIABILITY FOR ANY PERSON WHO HINDERS THE LAWFUL ACTIONS OF THE OMBUDSMAN OR HIS STAFF, OR REFUSES TO COMPLY WITH LAWFUL DEMANDS OR ORDERS OF THE OMBUDSMAN.

Whereas, the Charter sections 2-4 and 3-4 provide that the council may create or abolish offices of city government.

Whereas, the council finds it in the best interests of the public, its safety, health and welfare, that the office of ombudsman be created to investigate administrative acts of departments, offices, boards, commissions or committees of the municipality.

NOW THEREFORE, 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 law and shall be effective thirty (30) days after final passage.

Sec. 4. Wrangell Municipal Code is amended by adding a new chapter 3.60 "Ombudsman", as follows:

Chapter 3.60

OMBUDSMAN

3.60.010 Ombudsman. A. Established. There is established the office of ombudsman as a part of the legislative branch of the municipality.

B. Appointment. Pursuant to the provisions of AS 24.55.320, the municipality elects to become subject to the jurisdiction of the Alaska State Ombudsman who shall be appointed as municipal ombudsman effective upon the notification provided for in subsection E.

C. Jurisdiction. The ombudsman shall have jurisdiction to investigate the administrative acts of all departments, offices, boards, commissions or committees of the municipality, but shall have no such jurisdiction over the council, the school district, Wrangell General Hospital And Long Term Care Facility, or any grievance matter of an employee covered by the ordinances or personnel rules of the city.

D. Procedures. Investigations shall be initiated and conducted by the ombudsman according to the procedures, with the powers, and subject to the duties established by the Alaska Ombudsman Act and the Alaska Administrative Code enacted pursuant to law.

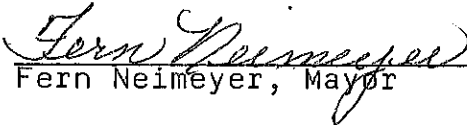
E. Term. The manager is authorized to negotiate with the office of the state ombudsman for a contract incorporating the requirements of the ordinance codified in this chapter and such other terms and conditions as the manager may find in the public interest. The council shall approve the contract by motion, whereupon the manager shall execute the contract and give notice to the ombudsman pursuant to AS 24.55.320 that the municipality has elected to become subject to the jurisdiction of the ombudsman. The contract shall have a term coincident with the fiscal year, shall be renewed annually upon the appropriation of funds therefor, shall terminate on June 30th of any year during which the council fails to appropriate sufficient funds for the contract during the following fiscal year and may be amended or terminated by the manager at any other time in accordance with its terms and upon approval by the council by motion. The municipality may also remove the municipality from the jurisdiction of the ombudsman by ordinance.

F. Annual Report. The ombudsman shall submit to the council and the public an annual report of activities under this section.

G. Criminal Liability. Any person who willfully hinders the lawful actions of the ombudsman or the ombudsman's staff, or willfully refuses to comply with their lawful demands, is guilty of a misdemeanor.


PASSED IN FIRST READING _____ FEBRUARY 9 _____, 1988.

PASSED IN SECOND READING _____ FEBRUARY 23 _____, 1988.



Fern Neimeyer, Mayor

ATTEST:

BY: 

Lanore Gunderson
City Clerk

CITY OF WRANGELL, ALASKA

GENERAL OBLIGATION REFUNDING BONDS, 1989

ORDINANCE NO. 547

AN ORDINANCE of the City Council of the City of Wrangell, Alaska, providing for the issuance of its general obligation bonds, in the aggregate principal amount of \$458,000, to refund the city's General Obligation Bond, dated September 22, 1978 and issued in the principal amount of \$750,000; creating a Bond Redemption Account; fixing the date, form, terms, maturities and covenants of said refunding bonds; providing for the payment of principal of and interest thereon; providing for the sale thereof; and declaring an emergency.

PASSED: April 14, 1989

PREPARED BY

PRESTON, THORGRIMSON, ELLIS & HOLMAN

PUBLISHED: April 27, 1989

CITY OF WRANGELL, ALASKA

ORDINANCE NO. _____

TABLE OF CONTENTS*

	<u>Page</u>
Recitals	1
Section 1. Definitions	2
Section 2. Authorization of Refunding Bonds	3
Section 3. Redemption of Refunding Bonds	6
Section 4. Form of Refunding Bonds	9
Section 5. Execution of Refunding Bonds	13
Section 6. Bond Registrar	14
Section 7. Bond Redemption Account	15
Section 8. Pledge of Taxes	15
Section 9. Distribution of Proceeds	16
Section 10. Defeasance	17
Section 11. Tax Covenants	18
Section 12. Special Designation	18
Section 13. Findings	19
Section 14. Sale of Refunding Bonds	19
Section 15. Severability	20
Section 16. Temporary Bonds	20
Section 18. Emergency	21
Section 19. Effective Date	21
Exhibit A Purchase Offer	

* This Table of Contents is not a part of the following ordinance and is included only for convenience of reference of the reader.

ORDINANCE NO. _____

AN ORDINANCE of the City Council of the City of Wrangell, Alaska, providing for the issuance of its general obligation bonds, in the aggregate principal amount of \$458,000, to refund the City's General Obligation Bond, dated September 22, 1978 and issued in the principal amount of \$750,000; creating a Bond Redemption Account; fixing the date, form, terms, maturities and covenants of said refunding bonds; providing for the payment of principal of and interest thereon; providing for the sale thereof; and declaring an emergency.

WHEREAS, the City of Wrangell, Alaska (the "City"), by Ordinance No. 373, authorized the issuance and sale of its General Obligation Bond, dated September 22, 1978, in the principal amount of \$750,000 (the "Refunded Bond"), to the Farmers Homes Administration of the United States Department of Agriculture (the "Farmers Home Administration"), the issuance of which Refunded Bond was approved at an election held in the City on October 3, 1972; and

WHEREAS, the principal amount of the Refunded Bond now outstanding is \$670,000; and

WHEREAS, pursuant to Ordinance No. 373 the City may call the Refunded Bond for redemption; and

WHEREAS, the Farmers Home Administration has consented to the redemption of the Refunded Bond at a redemption price of \$443,901 plus accrued interest thereon; and

WHEREAS, after due consideration it appears to this Council that a substantial savings to the City will be effected by the

issuance and sale of its general obligation refunding bonds of the City for the purpose of paying and redeeming the Refunded Bond; and

WHEREAS, the City Council has received the offer of Security Pacific Securities, Inc., Seattle, Washington (the "Purchaser"), to purchase the general obligation refunding bonds to be issued pursuant to this ordinance under the terms and conditions set forth herein; and

WHEREAS, it is deemed necessary and advisable that the City now issue and sell its general obligation refunding bonds to redeem and refund its Refunded Bond;

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:

"Bond Redemption Account" means the "1989 General Obligation Refunding Bond Redemption Account" created by Section 7 of this Ordinance as a special account in the heretofore created Debt Service Fund of the City, to pay the principal of and interest on the Refunding Bonds.

"Bond Register" means the books or records maintained by the Bond Registrar for the purpose of registration of the Refunding Bonds.

"Bond Registrar" means Security Pacific Bank Washington, N.A., Seattle, Washington or its successor, for the purposes of registering and authenticating the Refunding Bonds, maintaining the

Bond Register, effecting transfer of ownership of the Refunding Bonds and paying interest on and principal of the Refunding Bonds.

"City" means the City of Wrangell, Alaska, a municipal corporation duly organized and existing under and by virtue of the laws of the State of Alaska.

"Government Obligations" means obligations of or obligations, insured or guaranteed by, the United States of America or its agencies or instrumentalities.

"Ordinance" means this ordinance.

"Purchaser" means Security Pacific Securities, Inc., Seattle, Washington.

"Refunded Bond" means the General Obligation Bond, dated September 22, 1978, in the principal amount of \$750,000 and issued pursuant to Ordinance No. 373.

"Refunding Bonds" means the General Obligation Refunding Bonds, 1989, of the City authorized and issued pursuant to this Ordinance in the aggregate principal amount of not to exceed \$458,000 for the purposes herein provided.

Section 2. Authorization of Refunding Bonds. For the purpose of refunding the Refunded Bond and thereby effecting a substantial savings to the City and its taxpayers, the City shall issue its General Obligation Refunding Bonds, 1989 (the "Refunding Bonds") in the aggregate principal amount of not to exceed \$458,000.

The Refunding Bonds shall be dated May 1, 1989, shall be fully registered as to both principal and interest, shall be in the denomination of \$5,000 each, or any integral multiple thereof, provided that one Refunding Bond shall be in the denomination of \$3,000. The Refunding Bonds shall be numbered separately in such manner and with any additional designation as the Bond Registrar deems necessary for purposes of identification. The Refunding Bonds shall bear interest payable on November 1, 1989 and semiannually thereafter on the first days of each succeeding May and November, computed on the basis of a 360-day year composed of twelve 30-day months, and at the rates set forth in the purchase offer of the Purchaser, attached hereto as Exhibit A and incorporated by this reference herein.

The Refunding Bonds shall mature on May 1, 1990 through May 1, 2009, inclusive, in the principal amounts as follows:

<u>Maturity Year</u> <u>(May 1)</u>	<u>Principal</u> <u>Amount</u>
1990	\$ 8,000
1991	10,000
1992	10,000
1993	15,000
1994	15,000
1995	15,000
1996	15,000
1997	15,000
1998	20,000
1999	20,000
2000	20,000
2001	25,000
2002	25,000
2003	30,000
2004	30,000
2005	30,000
2006	35,000
2007	35,000

2008	40,000
2009	45,000

The Bond Registrar shall maintain the Bond Register. Such Bond Register shall contain the name and mailing address of the owner of each Refunding Bond or nominee of such owner and the principal amount and number of Refunding Bonds held by each owner or nominee.

Upon surrender thereof to the Bond Registrar, the Refunding Bonds are interchangeable for Refunding Bonds in any authorized denomination of an equal aggregate principal amount and of the same interest rate and maturity. Bonds may be transferred only if endorsed in the manner provided thereon and surrendered to the Bond Registrar. Such exchange or transfer shall be without cost to the owner or transferee.

Both principal of and interest on the Refunding Bonds shall be payable in lawful money of the United States of America. Interest on the Refunding Bonds shall be paid by check or draft mailed (on the date such interest is due) to the registered owners or registered nominees of such owners at the addresses appearing on the Bond Register as of the 15th day of the month preceding the interest payment date. Principal of the Refunding Bonds shall be payable upon presentation and surrender of the Refunding Bonds by the registered owners or registered nominees at the principal office of the Bond Registrar in Seattle, Washington.

Section 3. Redemption of Refunding Bonds.

(a) Redemption. The Refunding Bonds maturing in the years 1990 through 1999, inclusive, are not subject to redemption prior to their stated maturities. The City hereby reserves the right to redeem the Refunding Bonds maturing on and after May 1, 2000, in whole or in part (maturities to be selected by the City and by lot within a maturity), on May 1, 1999, or on any interest payment date thereafter at par plus accrued interest to the date fixed for redemption.

Portions of the principal amount of any Refunding Bond, in installments of \$5,000 or any integral multiple of \$5,000, may be redeemed. If less than all of the principal amount of any Refunding Bond is redeemed, upon surrender of such Refunding Bond at the principal office of the Bond Registrar there shall be issued to the registered owner, without charge therefor, for the then unredeemed balance of the principal amount thereof, a new Refunding Bond or Bonds, at the option of the registered owner, of like maturity and interest rate in any denomination authorized by this Ordinance.

(b) Notice of Redemption. Written notice of any redemption of Refunding Bonds shall be given by the City to the registered owner of any Refunding Bond, by first class mail, postage prepaid, which notice shall specify the title, series, maturities, letters and numbers or other distinguishing marks of the Refunding Bonds to be redeemed, the redemption date and the place or places where the amount due upon such redemption will be payable and, in

the case of Refunding Bonds to be redeemed in part only, such notice shall also specify the respective portions of the principal amount thereof to be redeemed. Such notice shall further state that upon the date fixed for redemption there shall become due and payable upon each Refunding Bond to be redeemed the principal amount thereof plus the premium, if any, due thereon upon the said redemption date, together with interest accrued to the redemption date, and that from and after the redemption date interest thereon, or on the portion of any Refunding Bond to be redeemed in part (unless the City shall default in the payment of the Refunding Bonds, or of the portion of any Refunding Bond so to be redeemed in part) shall cease to accrue and become payable. Such notice shall be mailed by first class mail, postage prepaid, not less than thirty (30) days nor more than sixty (60) days before the redemption date to the registered owners of Refunding Bonds which are to be redeemed in whole or in part at their last addresses, if any, appearing upon the Bond Register. Whenever notice of redemption has been duly given as herein provided, the City shall transfer to the Registrar, for the Refunding Bonds so to be redeemed, amounts in cash which, in addition to other moneys, if any, held by such Registrar for such purpose, will be sufficient to redeem, on the redemption date, all the Refunding Bonds so to be redeemed.

In addition to the foregoing notice, further notice shall be given by the City as set out below, but no defect in any notice nor any failure to give all or any portion of such further notice shall

in any manner defeat the effectiveness of a call for redemption if notice thereof is given as above prescribed. Any defect in notice to one owner of Refunding Bonds shall not invalidate the redemption of any other owner's Refunding Bonds.

(i) Each further notice of redemption given hereunder shall contain the information required above for an official notice of redemption plus (i) the CUSIP numbers of all Refunding Bonds being redeemed; (ii) the date of issue of the Refunding Bonds as originally issued; (iii) the rate of interest borne by each Refunding Bond being redeemed; (iv) the maturity date of each Refunding Bond being redeemed; and (v) any other descriptive information needed to identify accurately the Refunding Bonds being redeemed.

(ii) Each further notice of redemption may be sent at least thirty (30) days before the redemption date by registered or certified mail or overnight delivery service to all registered securities depositories then in the business of holding substantial amounts of obligations of types comprising the Refunding Bonds and shall be sent to one or more national information services that disseminate notices of redemption of obligations such as the Refunding Bonds and to Moody's Investors Service, Inc. and Standard and Poor's Corporation or their successors.

(iii) Each such further notice may be published one time in the Bond Buyer of New York, New York or, if such publication is impractical or unlikely to reach a substantial number of the owners of the Refunding Bonds, in some other financial newspaper or journal which regularly carries notices of redemption of other obligations similar to the Refunding Bonds, such publication to be made at least thirty (30) days prior to the date fixed for redemption.

(iv) Upon the payment of the redemption price of Refunding Bonds being redeemed, each check or other transfer of funds issued for such purpose shall bear the CUSIP number identifying, by issue and maturity, the Refunding Bonds being redeemed with the proceeds of such check or other transfer.

The requirements of this subsection shall be deemed to be complied with when notice is mailed as herein provided, regardless of whether or not it is actually received. Interest on the Refunding

Bonds so called for redemption shall cease to accrue on the date fixed for redemption unless such Refunding Bonds so called are not redeemed upon presentation made pursuant to such call.

Section 4. Form of Refunding Bonds. The Refunding Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA

NO. _____

\$ _____

STATE OF ALASKA

CITY OF WRANGELL

GENERAL OBLIGATION REFUNDING BOND, 1989

INTEREST RATE:

MATURITY DATE:

CUSIP NO.:

SEE REVERSE SIDE FOR
CERTAIN ABBREVIATIONS

Registered Owner:

Principal Amount:

The City of Wrangell, Alaska (the "City"), hereby acknowledges itself to owe and for value received promises to pay to the Registered Owner identified above, or registered nominee, on the Maturity Date identified above, the Principal Amount identified above and to pay interest thereon from May 1, 1989, or the most recent date to which interest has been paid or duly provided for until payment of this bond at the Interest Rate set forth above, payable on November 1, 1989, and semiannually thereafter on the first days of each May and November. Both principal of and interest on this bond are payable in lawful money of the United States of America. Principal shall be paid to the Registered Owner or registered nominee upon presentation and surrender of this bond at the principal office of Security Pacific Bank Washington, N.A., in Seattle, Washington (the "Bond Registrar"). Interest shall be paid by mailing a check or draft (on the date such interest is due) to the Registered Owner identified above or registered nominee, at the address shown on the registration books of the Bond Registrar (the "Bond Register") as of the 15th day of the month prior to the interest payment date.

Reference is hereby made to additional provisions of this bond set forth on the reverse side hereof and such additional provisions

shall for all purposes have the same effect as if set forth in this space.

This bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under Ordinance No. _____ of the City (the "Bond Ordinance") until the Certificate of Authentication hereon shall have been manually signed by the Bond Registrar.

It is hereby certified that all acts, conditions and things required to exist, have happened, been done and been performed precedent to and in the issuance of this bond have happened, been done and performed and that the issuance of this bond and the bonds of this series does not violate any constitutional, statutory or other limitation upon the amount of bonded indebtedness that the City may incur.

IN WITNESS WHEREOF, the City has caused this bond to be executed by the facsimile signature of its Mayor and attested by the facsimile signature of its Clerk, and the seal of the City to be imprinted or impressed hereon, all as of the first day of May, 1989.

CITY OF WRANGELL, ALASKA

By /s/ facsimile signature
Mayor

ATTEST:

 /s/ facsimile signature
Clerk

[Seal]

ADDITIONAL PROVISIONS

This bond is one of an authorized issue of bonds of like date and tenor, except as to number, amount, rate of interest and date of maturity, in the aggregate principal amount of \$458,000, and is issued for the purpose of providing funds to pay part of the cost of refunding certain outstanding general obligation bonds of the City.

The bonds of this issue are issued under and in accordance with the provisions of the Constitution and applicable statutes of the State of Alaska, and the charter of and ordinances duly adopted by the City.

The bonds of this issue have been designated as "qualified tax-exempt obligations" for purposes of Section 265(b) of the Internal Revenue Code of 1986, as amended.

The bonds of this issue maturing on or before May 1, 1999, are not subject to redemption prior to their stated maturity. The City has reserved the right to redeem any or all of the outstanding bonds of this issue maturing on and after May 1, 2000, in whole or in part on any interest payment date (maturities to be selected by the City and by lot within a maturity), on May 1, 1999, or on any interest payment date thereafter, at a price of par plus accrued interest to the date of redemption.

Notice of any such intended redemption shall be given not less than 30 nor more than 60 days prior to the redemption date by first class mail, postage prepaid, to the registered owner of any bond to be redeemed, at the address appearing on the Bond Register. The requirements of the Bond Ordinance shall be deemed to be complied with when notice is mailed as herein provided, regardless of whether or not it is actually received by the owner of any bond. Interest on all of such bonds so called for redemption shall cease to accrue on the date fixed for redemption unless such bond or bonds so called for redemption are not redeemed upon presentation made pursuant to such call.

Portions of the principal sum of this bond in installments of \$5,000 or any integral multiple thereof may also be redeemed in accordance with the schedule set forth above, and if less than all of the principal sum hereof is to be redeemed, upon the surrender of this bond at the principal office of the Bond Registrar there shall be issued to the registered owner, without charge therefor, for the then unredeemed balance of the principal sum hereof, at the option of the owner, a bond or bonds of like maturity and interest rate in any of the denominations authorized by the Bond Ordinance.

Bonds are interchangeable for bonds of any authorized denomination of equal aggregate principal amount and of the same interest rate and maturity upon presentation and surrender to the Bond Registrar.

The City hereby irrevocably covenants that it will 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 other moneys legally available therefor, to pay the principal of and interest on 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 annual levy and collection of such taxes and the prompt payment of such principal and interest. The pledge of tax levies may be discharged prior to

PLEASE INSERT SOCIAL SECURITY OR TAXPAYER IDENTIFICATION NUMBER OF TRANSFEREE / _____/

(Please print or typewrite name and address, including zip code of Transferee)

the within bond and does hereby irrevocably constitute and appoint _____ of _____, or its successor, as Bond Registrar to transfer said bond on the books kept for registration thereof with full power of substitution in the premises.

DATED: _____, 19__.

NOTE: The signature on this Assignment must correspond with the name of the registered owner as it appears upon the face of the within bond in every particular, without alteration or enlargement or any change whatever.

SIGNATURE GUARANTEED:

Section 5. Execution of Refunding Bonds. The Refunding Bonds shall be executed on behalf of the City with the facsimile signatures of the Mayor and City Clerk, and shall have the seal of the City imprinted thereon.

Only such Refunding Bonds as shall bear thereon a Certificate of Authentication in the form hereinbefore recited, manually executed by the Bond Registrar, shall be valid or obligatory for any purpose or entitled to the benefits of this Ordinance. Such Certificate of Authentication shall be conclusive evidence that the Refunding Bonds so authenticated have been duly executed,

authenticated and delivered hereunder and are entitled to the benefits of this Ordinance.

In case either of the officers who shall have executed the Refunding Bonds shall cease to be an officer or officers of the City before the Refunding Bonds so signed shall have been authenticated or delivered by the Bond Registrar, or issued by the City, such Refunding Bonds may nevertheless be authenticated, delivered and issued and upon such authentication, delivery and issuance, shall be as binding upon the City as though those who signed the same had continued to be such officers of the City. Any Refunding Bond may also be signed and attested on behalf of the City by such persons as at the actual date of execution of such Refunding Bond shall be the proper officers of the City, although at the original date of such Refunding Bond any such person shall not have been such officer of the City.

Section 6. Bond Registrar. The City hereby appoints Security Pacific Bank Washington, N.A., as Bond Registrar. The Bond Registrar shall keep, or cause to be kept, at its principal corporate trust office, sufficient books for the registration and transfer of the Refunding Bonds which shall at all times be open to inspection by the City. The Bond Registrar is authorized, on behalf of the City, to authenticate and deliver the Refunding Bonds transferred or exchanged in accordance with the provisions of such Refunding Bonds and this Ordinance and to carry out all of the Bond Registrar's powers and duties under this Ordinance.

The Bond Registrar shall be responsible for its representations contained in the Certificate of Authentication on the Refunding Bonds. The Bond Registrar may become the owner of Refunding Bonds with the same rights it would have if it were not the Bond Registrar, and to the extent permitted by law, may act as depositary for and permit any of its officers or directors to act as a member of, or in any other capacity with respect to, any committee formed to protect the rights of owners of the Refunding Bonds.

Section 7. Bond Redemption Account. There has heretofore been created a special fund of the City known as the Debt Service Fund. There is hereby created in said Fund a special account to be known as the 1989 General Obligation Refunding Bond Redemption Account (the "Bond Redemption Account"), which Account shall be drawn upon for the sole purpose of paying the principal of and interest on the Refunding Bonds. The accrued interest received from the sale of the Refunding Bonds shall be deposited in such Account.

Section 8. Pledge of Taxes. The City hereby irrevocably covenants that for as long as any of the Refunding Bonds are outstanding it will make annual levies of ad valorem taxes without limitation as to rate or amount upon all the property within the City subject to taxation which, with other moneys legally available therefor, will be sufficient in amount to pay the principal of and interest on the Refunding Bonds as the same shall become due. All

of such taxes and any of such other moneys so collected shall be paid into the Bond Redemption Account. Moneys in the Bond Redemption Account which are not needed to pay the interest or principal next coming due may be temporarily deposited in such institutions or invested in such obligations as may be lawful for the investment of City moneys. Any interest or profit from the investment of such moneys shall be deposited in the Bond Redemption Account or appropriate account therein. 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.

Section 9. Distribution of Proceeds. The net proceeds of sale of the Refunding Bonds shall be distributed as follows:

(a) the amount necessary to pay and discharge the Refunded Bond (\$443,901 plus accrued interest to the date of redemption), less \$33,500 already on deposit with the Farmers Home Administration, shall be deposited in the heretofore created Farmers Home Administration General Obligation Sewer Bond Redemption Fund, and shall be used, together with as much of said \$33,500 as is necessary, immediately upon receipt thereof to pay and redeem the Refunded Bond on the date of closing and delivery of the Refunding Bonds;

(b) the accrued interest on the Refunding Bonds shall be deposited in the Bond Redemption Account and used for the next upcoming payment of interest on the Refunding Bonds;

(c) the balance of proceeds shall be deposited in a special account hereby created in the General Fund of the City and designated the "1989 Refunding Bond Cost of Issuance Account," and shall be used to pay the costs incidental to the redemption of the Refunded Bond and issuance of the Refunding Bonds; and

(d) the remaining proceeds shall be deposited in the General Fund as reimbursement for a portion of the moneys previously withdrawn from said Fund and deposited with the Farmers Home Administration to pay part of the costs of redemption of the Refunded Bond.

Section 10. 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 (together with such money, if necessary) sufficient to redeem and retire the Refunding Bonds in accordance with their terms, are set aside in the Bond Redemption Account of the City to effect such redemption and retirement, and such moneys 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 Bond Redemption Account for the payment of the principal of and interest on the Refunding Bonds, the Refunding Bonds shall cease to be entitled to any lien, benefit or security of this Ordinance except the right to receive the moneys so set aside and pledged, and the Refunding Bonds shall be deemed not to be outstanding hereunder.

Section 11. Tax Covenants. The City shall comply with the provisions of this section unless, in the written opinion of nationally-recognized bond counsel to the City, such compliance is not required in order to maintain the exemption of the interest on the Refunding Bonds from federal income taxation.

The City hereby covenants that it will not make any use of the proceeds of sale of the Refunding Bonds or any other funds of the City which may be deemed to be proceeds of such Refunding Bonds pursuant to Section 148(a) of the federal Internal Revenue Code of 1986, as amended (the "Code"), and the applicable Regulations thereunder which would cause the Refunding Bonds to be "arbitrage bonds" within the meaning of said section and said Regulations. The City will comply with the requirements of Section 148(a) of the Code (or any successor provision thereof applicable to the Refunding Bonds) and the applicable regulations thereunder throughout the term of the Refunding Bonds.

The City further covenants that it will not take any action or permit any action to be taken that would cause the Refunding Bonds to constitute "private activity bonds" under Section 141 of the Code.

Section 12. Special Designation. The City hereby designates the Refunding Bonds as "qualified tax-exempt obligations" under Section 265(b) of the Code for investment by financial institutions. The City does not expect to issue tax-exempt

obligations in an aggregate principal amount in excess of \$10,000,000 in calendar year 1989.

Section 13. Findings. This Council hereby finds and determines that the regulations of the Farmers Home Administration require the City to redeem its Refunded Bond on or before May 9, 1989 in order to realize substantial savings, and that it will be financially advantageous to the City and its taxpayers to so redeem the Refunded Bond with the proceeds of the issuance and sale of the Refunding Bonds. In making such findings and determinations, this Council has given consideration to the interest on and the maturities of the Refunding Bonds and the Refunded Bond, to the costs of issuance of the Refunding Bonds and to the redemption price of the Refunded Bond.

Section 14. Sale of Refunding Bonds. The purchase offer prepared by the Purchaser, dated April 14, 1989, to purchase the Refunding Bonds at the price specified therein, plus accrued interest, if any, and under the terms and conditions thereof as provided in said offer and in this Ordinance is hereby in all respects accepted and approved. Said purchase offer is attached hereto as Exhibit A and incorporated by reference herein as if fully set forth in this Ordinance.

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

Section 15. Severability. If any one or more of the covenants or agreements provided in this Ordinance to be performed on the part of the City shall be declared by any court of competent jurisdiction to be contrary to law, then such covenant or covenants, agreement or agreements, shall be null and void and shall be deemed separable from the remaining covenants and agreements of this Ordinance and shall in no way affect the validity of the other provisions of this Ordinance or of the Refunding Bonds.

Section 16. Temporary Bonds. The Refunding Bonds may be initially issued in temporary form exchangeable for definitive Refunding Bonds when ready for delivery. The temporary Refunding Bonds may be printed, lithographed or typewritten, shall be of such denominations as may be determined by the City, and may contain such reference to any of the provisions of this Ordinance as may be appropriate. Every temporary Refunding Bond shall be executed by the City upon the same conditions and in substantially the same manner as the definitive Refunding Bonds. If the City issues temporary Refunding Bonds, it will execute and furnish definitive Refunding Bonds without delay, and thereupon the temporary Refunding Bonds may be surrendered for cancellation at the corporate trust office of the Bond Registrar, and the Bond Registrar shall deliver in exchange for such temporary Refunding Bonds so surrendered an equal aggregate principal amount of definitive Refunding Bonds of like principal amount and in authorized denominations of the same series, maturity or maturities, interest rate

or rates. Until so exchanged, the temporary Refunding Bonds shall be entitled to the same benefits under this Ordinance as definitive Refunding Bonds delivered under this Ordinance.

Section 17. Redemption of Refunded Bond. The City Council hereby calls for the redemption of the Refunded Bond on the date of issuance and delivery of the Refunding Bonds. The appropriate officials of the City are hereby directed to deliver notice of this call for redemption of the Farmers Home Administration and arrange with the Farmers Home Administration for the surrender of the Refunded Bond for payment and cancellation on the date of issuance and delivery of the Refunding Bonds.

Section 18. Emergency. This Council hereby finds and declares an emergency to exist requiring the City to redeem the Refunded Bond with the proceeds of the Refunding Bonds on or before May 9, 1989, in order to improve the City's financial ability to provide for the health and safety of its citizens.

Section 19. Effective Date. This Ordinance shall become effective immediately upon passage.

PASSED by the Council of the City of Wrangell, Alaska, at a regular meeting of said Council held this 14th day of April, 1989.

CITY OF WRANGELL, ALASKA

By *Tom McManis*
Mayor

ATTEST:

By *Janet K. Anderson*
City Clerk

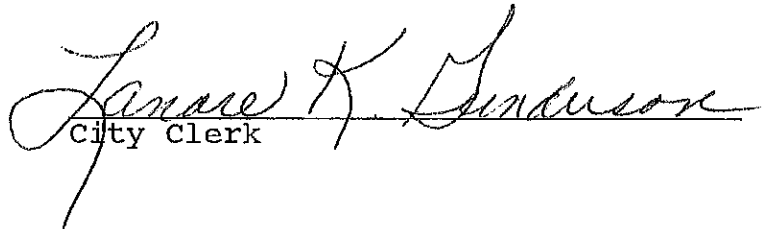
CERTIFICATE

I, the undersigned, Clerk of the City of Wrangell, Alaska (the "City") and keeper of the records of the City Council (herein called the "Council"), DO HEREBY CERTIFY:

1. That the attached Ordinance is a true and correct copy of Ordinance No. 547 of the City Council (herein called the "Ordinance"), duly adopted at a regular meeting thereof held on the 14th day of April, 1989.

2. That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such meeting was given; that a legal quorum was present throughout the meeting and a legally sufficient number of members of the Council voted in the proper manner for the adoption of said Ordinance; that all other requirements and proceedings incident to the proper adoption of said Ordinance have been duly fulfilled, carried out and otherwise observed; and that I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand this 14th day of APRIL, 1989.


City Clerk

CITY OF WRANGELL, ALASKA

Ordinance No. 548

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, MAKING IT UNLAWFUL TO USE BOWS, CROSSBOWS, LONG BOWS, CARRIAGE BOWS OR OTHER SIMILAR BOW AND ARROW HUNTING DEVICES WITHIN THE CITY ROAD SYSTEM, SPECIFICALLY AMENDING CHAPTER 10.36 OF THE WRANGELL MUNICIPAL CODE BY ADDING LANGUAGE TO PROHIBIT BOW AND ARROW HUNTING WITHIN ONE (1) MILE OF ANY PUBLIC ROAD SYSTEM MAINTAINED FOR PUBLIC USE, AND ADDING AN EXCEPTION THAT WOULD PERMIT DISCHARGE OF BOWS, CROSSBOWS OR SIMILAR DEVICES ON PRIVATE PROPERTY FOR TARGET PRACTICE OR ENJOYMENT, AS LONG AS IT IS DONE SAFELY.

Whereas, it has been determined that in order to promote and protect the health, safety and welfare of the public, it is necessary to regulate the use and discharge of arrows or other projectiles from bows, crossbows, long bows, carriage bows or similar devices or weapons within the City road system; and

Whereas, the Council of Wrangell has found and determined that the easy and convenient availability of bears for bow and arrow hunting at the City dump has increased the potential of death and injuries to Wrangell citizens; and

Whereas, bow and arrow hunting has been conducted and encouraged because of a black bear population at the City dump, with the potential probability, that a wounded animal may run into a populated neighborhood and cause injury or death to a Wrangell citizen; and

Whereas, it is customary in bow and arrow hunting to have a stand-by person with a firearm or for the bow hunter to have a hand gun or other weapon immediately available in an attempt to control such a danger to the hunter or other inhabitants; and

Whereas, it is unlawful to carry a loaded firearm or discharge a firearm within one mile of any public street, road or highway, within the city which is maintained for public use.

NOW THEREFORE, 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 law and shall be effective thirty (30) days after final passage.

Sec. 4. The Council hereby incorporates the foregoing whereas clauses into this ordinance, thereby making the findings as hereinabove set forth.

Sec. 5. Wrangell Municipal Code, Chapter 10.36, entitled "Discharge of Firearms" is amended to read:

DISCHARGE OF FIREARMS AND OTHER WEAPONS

Sec. 6. Wrangell Municipal Code, Section 10.36.010, in Chapter 10.36, be and it is hereby amended to read as follows:

10.36.010 Prohibited within certain areas. It is unlawful for any person excepting a peace officer on duty to discharge any bows, crossbows, long bows, carriage bows or similar devices, pistol, gun, rifle or any other type of firearm within one mile of any public street, road or highway within the city which is maintained for public use.

Sec. 7. Wrangell Municipal Code, Section 10.36.020, entitled "Exceptions" is amended by adding a new subsection B. to read as follows:

10.36.020 Exceptions.

B. It is not unlawful to discharge a bow, crossbow, long bow, carriage bow or other similar device on private property provided that the discharge is solely for target practice or enjoyment or improving skills, and provided that the area is safe for such purpose and safely conducted.

PASSED IN FIRST READING: April 14, 1989.

PASSED IN SECOND READING: May 9, 1989.



Mayor

ATTEST:

BY: 

City Clerk

Ord3

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 549

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING THE WRANGELL MUNICIPAL CODE, SPECIFICALLY TITLE 5, CHAPTER 8, SALES TAX, PROVIDING FOR A DECREASE IN THE RATE OF TAX FROM SIX PERCENT (6%) TO FIVE PERCENT (5%).

NOW, THEREFORE, 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 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 its application to other 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. The effective date of the Sales Tax decrease from six percent (6%) to five percent (5%) shall be October 1, 1989.

Sec. 4. WMC Section 5.08.020 entitled "Rate of Tax", is hereby repealed and reenacted to read as follows:

5.08.020 Rate of Tax . The consumer sales tax is levied in the amount of six percent of the sales 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
\$0.12 to .29	\$0.01
.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. 5. WMC Section 5.08.070 entitled "Limitations of use of Tax Proceeds" is hereby repealed and reenacted to read as follows:

5.08.070 Limitations of use of tax proceeds . The proceeds of the tax levied under this chapter 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:

A. Forty percent of the total amount of tax collected shall be used only for any of the following purposes:

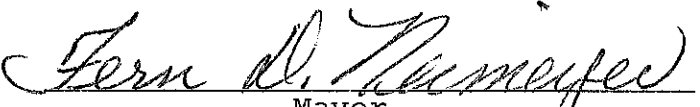
1. To operate and maintain school facilities;
2. To construct and maintain sewers within the city and other purposes relating to the health and sanitation of the city.

B. Twenty percent of the total amount of tax collected shall be used only to plan, design and construct street and sidewalk improvements.

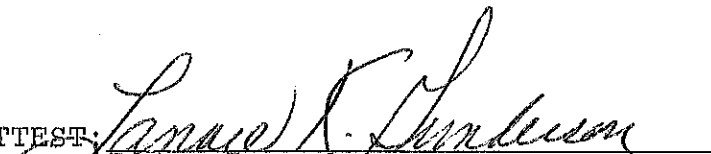
C. Forty percent of the total amount of tax collected shall be used only for any general fund purposes for which moneys of the city may be disbursed.

PASSED IN FIRST READING: JULY 11, 1989.

PASSED IN SECOND READING: JULY 25, 1989.



Mayor

ATTEST: 

City Clerk

CITY OF WRANGELL, ALASKA

Ordinance No. 550

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, ESTABLISHING AN INVESTMENT POLICY AND AUTHORIZING INVESTMENT OF CITY FUNDS IN SECURITIES IN ADDITION TO THOSE AUTHORIZED IN THE CITY CHARTER.

WHEREAS, Section 5-15 of the Wrangell Charter provides that the Council may regulate the deposit and investment of City funds, and may determine that funds of the City may be invested in certain specified securities and such other securities as may be authorized by law; and,

WHEREAS, the Council desires to authorize investment of City funds in certain other and additional securities than those specifically provided for in the Charter; and,

WHEREAS, the Council desires to formalize its investment policies and procedures by ordinance.

NOW, THEREFORE, 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 law and shall be effective thirty (30) days after final passage.

Sec. 4. Repeal. Resolution No. 09-88-302 is hereby repealed.

Sec. 5. Codification. Wrangell Municipal Code, Title 5, Revenue and Finance, is hereby amended by adding a new chapter as follows:

Chapter 5.02

Investment of City Funds

5.02.010 General Investment Policy: Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of public funds, not for speculation, but for investment, considering the probable safety of capital, and the yield to be derived. Of primary importance is safety of capital, with yield being a secondary consideration. Each investment transaction shall seek to avoid capital losses from securities defaults or erosion of market value.

5.02.020 Authority: The Finance Director or his designee in his absence, is the city official responsible for investments. The Council may, by resolution, establish additional criteria including, but not limited to, financial solvency ratios for depository banks, limitations on securities, and collateralization requirements not inconsistent with the Charter or city ordinances to govern the investment of city funds.

5.02.030 Hold Harmless: The City will hold the City's Finance Director and his designee harmless with regard to losses on investment transactions undertaken in accordance with the City Charter, City ordinances and other investment policies authorized by the Council by resolution.

5.02.040 Eligible Monies: Subject to any restrictions that may exist as to the derivation of the funds, all monies in all city funds are eligible for investment.

5.02.050 Investments: Investments shall be restricted to the following:

- A. Treasury bonds, bills, notes, or other general obligation evidences of indebtedness of the United States or an agency or instrumentality of the United States, or of the State of Alaska, or of other states of the United States, or of this city, of other cities of the state of Alaska, and of boroughs of this State.
- B. Fully insured certificates of deposit, savings deposits, and other interest bearing deposit accounts in member banks insured by the Federal Deposit Insurance Corporation (FDIC) or the Federal Savings and Loan Insurance Corporation (FSLIC) with offices in Alaska whose operations

for the two (2) most recent fiscal years have resulted in a profit.

- C. Fully collateralized certificates of deposits, savings deposits, or other interest bearing deposit accounts of member banks insured by the Federal Deposit Insurance Corporation (FDIC) or the Federal Savings and Loan Insurance Corporations (FSLIC) with offices in Alaska whose operations for the two (2) most recent fiscal years have resulted in a profit. Such deposits shall be fully collateralized for any amount of the deposit in excess of the FDIC or FSLIC insurance limits then in force.

5.02.060 Collateralization: All deposits that require collateralization shall be in accordance with the following requirements:

- A. The market value of collateral must be maintained during the life of the investment at a level equal to or greater than the deposit.
- B. All collateral securities must be delivered to and held by a third-party trustee bank under a written trust agreement.
- C. An undivided interest in the securities pledged as collateral must be granted to the City.
- D. The trust agreement shall provide that upon trustee's receipt of written notice that the depository is in default of repayment of any deposit of city funds or any part thereof, the trustee shall deliver to the designated official of the City upon his order, all or such part of the collateral securities held by the trustee as directed.
- E. Securities which may be used as collateral are limited to negotiable treasury bills, notes and other general obligation evidences of the indebtedness of the United States or any agency of the United States or of the state of Alaska or a municipality of the state of Alaska.

5.02.070 Investments Placed. Investments may be placed with or through the following financial institutions:

- A. Member banks insured by the FDIC or FSLIC; and/or,
- B. Broker dealers that are members of the New York Stock Exchange (NYSE), members of the Securities Investor Protection Corporation (SIPC) and registered broker dealers in Alaska.

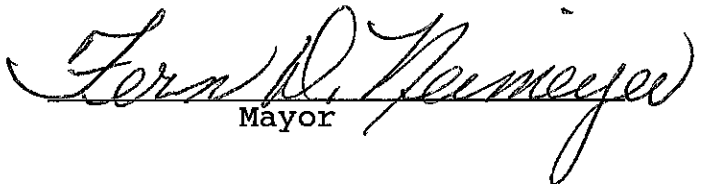
To the maximum extent possible, investments shall be placed with or through financial institutions with offices in Alaska.

5.02.080 Maturities. All investments shall have maturities measured from the date of purchase which do not exceed two (2) years, except for investments that shall be put to specific uses (such as defeasance of debt or establishment of a linking fund) where the matching of maturity to the use is most important.

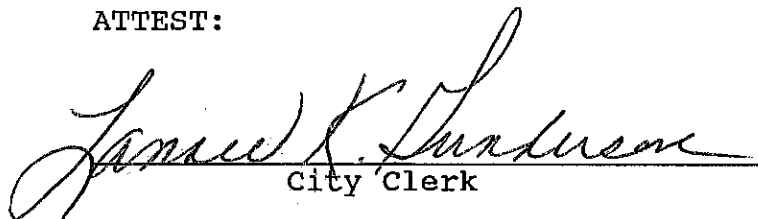
5.02.090 Reports. The Finance Director shall prepare and submit to the city council, at least once each quarter and otherwise upon request, a status report on all city investments.

PASSED IN FIRST READING: JULY 11, 1989.

PASSED IN SECOND READING: JULY 25, 1989.


Mayor

ATTEST:


City Clerk

CWC:beh
1577-1\010B

CITY OF WRANGELL, ALASKA

ORDINANCE NO: 551

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING CHAPTER 3.40 ENTITLED THOMAS BAY POWER COMMISSION SPECIFICALLY AMENDING SECTION 3.40.010 BY INCREASING THE SIZE OF THE THOMAS BAY POWER COMMISSION FROM FIVE TO SEVEN MEMBERS BY DESIGNATING SUPERINTENDENTS OF THE WRANGELL AND PETERSBURG ELECTRIC UTILITIES AS MEMBERS OF THE COMMISSION

WHEREAS, the Thomas Bay Power Commission (hereinafter, the "Commission") was created by identical ordinances of Wrangell and Petersburg pursuant to authority provided in the Charters of each municipality for the purpose of constructing and operating a hydro-electric power generating utility to be managed jointly by representatives from the municipalities; and

WHEREAS, the Commission is presently operating the Tyee Hydroelectric Project for the Alaska Energy Authority on behalf of Wrangell and Petersburg; and

WHEREAS, it is necessary to supplement the technical expertise of the Commission in managing the operation and maintenance functions for the Tyee hydroelectric Project and to coordinate its operations with the electrical distribution systems in Wrangell and Petersburg; and

WHEREAS, the purpose of this ordinance is to increase the size of the Thomas Bay Power Commission from five to seven members by designating superintendents of the Wrangell and Petersburg Electric Utilities as members of the Commission.

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

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 law and shall be effective thirty (30) days after final passage and upon enactment of an ordinance substantially identical in form by the council of the city of Petersburg.

Sec. 4. Wrangell Municipal Code, Section 3.40.010 Created--Membership--Officers. is hereby amended to read as follows:

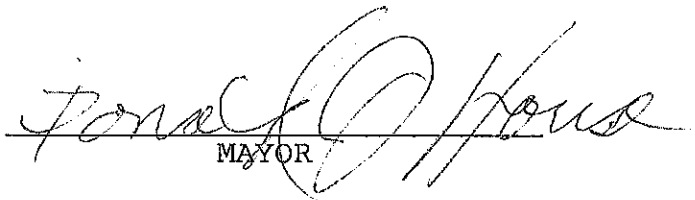
3.40.010 Created--Membership--Officers.


A. There is created by the ordinance codified in this chapter, substantially identical to an ordinance introduced by the council of the city of Petersburg, Alaska, a Thomas Bay Power Commission which shall consist of [FIVE] seven members.

B. [TWO] Three of the members shall be appointed by the council of the city of Petersburg , [TWO] three of the members shall be appointed by the council of the city of Wrangell, and one member shall be appointed by the [FOUR] six members, heretofore designated. One of the appointments from each of the municipalities shall be the superintendents of the Wrangell and Petersburg Electric utilities.

PASSED IN FIRST READING: OCTOBER 10, 1989

PASSED IN SECOND READING: OCTOBER 24, 1989


MAYOR

ATTEST: 
CITY CLERK

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 552

AN ORDINANCE OF THE CITY OF WRANGELL,
ALASKA, TO AMEND WRANGELL MUNICIPAL
CODE 7.08.030 - .160 REGARDING
PROCEDURES FOR THE IMPOUNDMENT AND
DISPOSAL OF DOGS

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

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

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

Section 3. Effective date. This ordinance shall be
published as provided by law and shall be effective thirty (30)
days after final passage.

Section 4. WMC Sections 7.08.030 - .90 are hereby repealed,
and re-enacted to read as follows:

Section 7.08.030 Running at Large - Prohibited - Nuisance
Declared.

- A. It is unlawful for any owner or keeper of a 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 city limits.
- B. A dog will be deemed to be running at large unless confined
upon private property with consent of the owner thereof, or
led or securely tied upon a leash in hands of some
responsible person.
- C. All dogs running at large within the city limits are declared
a public nuisance and are subject to immediate impoundment
without prior notice.

7.08.040 Impoundment.

- A. Any dog found running at large shall be impounded by the
Chief of Police or his designee or contractor.

- B. The Chief of Police or his designee or contractor shall promptly prepare an impoundment report, which shall include a description of the dog, the name, address and telephone number of the owner or keeper if known, the location where the dog was found running at large and impounded, and the date after which the dog will be disposed of pursuant to WMC 7.08.080, and the procedure (including any charges to be paid) for reclaiming the dog.
- C. During the period of impoundment until reclamation or disposal, the Chief of Police or his designee or contractor shall keep the dog in a suitable kennel facility.

7.08.050 Notice of Impoundment.

- A. Within twenty-four (24) hours after impoundment, the Chief of Police, his designee or contractor shall give notice of impoundment as follows:
 - 1. In all cases, whether the owner is known or not known, a copy of the impoundment report shall be posted in conspicuous places at the post office and city hall and, if possible, broadcast on radio and/or television.
 - 2. If the legal owner of the dog is known through licensing, the owner shall, in addition to the above, be given verbal notice or notice by certified mail, return receipt requested, to the owner or keeper of the dog at that person's last known address.

7.08.060 Hearing.

- A. The owner or keeper of an impounded dog may request a hearing within five (5) days of mailing, verbal notice or first publication of the notice of impoundment, whichever occurs first. If there is no request for a hearing within the time specified, the right to a hearing will be waived.
- B. A hearing, if requested, shall be conducted by the City Manager or his designee. The hearing shall be conducted informally.
- C. At the conclusion of the hearing, the City Manager shall state his decision, the reasons therefore, and indicate what evidence was relied upon.
- D. If the decision sustains the impoundment, or if no hearing is requested and the right is waived, then the City Manager or his designee shall order the Chief of Police, his designee or contractor to proceed with disposal pursuant to WMC 7.08.080.

- E. If the decision overrules the impoundment, the dog shall be promptly returned to its owner or keeper without charge, or if the dog has previously been reclaimed, all charges paid shall be promptly refunded to the payor.
- F. A person aggrieved by the decision of the City Manager may appeal his decision to the City Council.
- G. No dog shall be disposed of until the hearings, if any, are completed.

7.08.070 Reclamation -- Impoundment Costs.

- A. A person who presents satisfactory proof of ownership or right to possession to the Chief of Police, his designee or contractor may reclaim an impounded dog any time before the dog has been finally disposed of pursuant to WMC 7.08.080, by payment of all costs specified in WMC 7.08.070(C), and payment of any current but unpaid license fees pursuant to WMC 7.08.101.
- B. Impoundment costs are as follows:
 - 1. Impoundment fee \$ 25.00
 - 2. Kennel Fee 15.00/day
 - 3. Actual cost of postage and publication of notice of impoundment Variable
 - 4. Actual cost of any emergency veterinarian care, medication or extraordinary expenses Variable

7.08.0809 Disposal.

- A. Title to a dog impounded and not reclaimed nor subject to a hearing shall finally vest in the city on the sixth day following verbal notice, notice by mail or first publication of the notice of impoundment pursuant to WMC 7.08.050.
- B. After title in the dog has vested in the city, the dog may be disposed of in any economical and efficient manner the Chief of Police, his designee or contractor deems appropriate, including euthanasia.


Section 5. WMC Sections 7.08.100 - .160 are re-numbered as WMC 7.08.090 - .150, respectively.

PASSED IN FIRST READING: December 12, 1989.

PASSED IN SECOND READING: January 9, 1990, 1989.


MAYOR

ATTEST:


CITY CLERK (Acting)

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 553

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 2, CHAPTER 28 OF THE WRANGELL MUNICIPAL CODE REGARDING ELECTIONS, SPECIFICALLY PROVIDING FOR THE CUSTODY AND DESTRUCTION OF ABSENTEE BALLOTS.

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 by law and shall be effective 30 days after final passage.

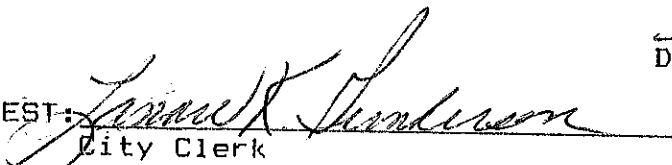
Sec. 4. Wrangell Municipal Code, section No. 2.28.100, entitled Custody and destruction of ballots, is amended to read as follows:

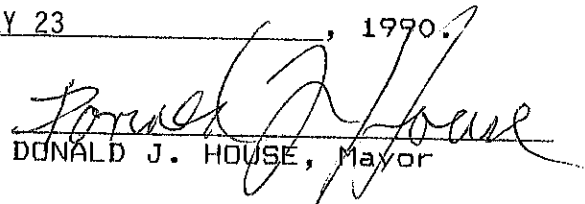
After the ballots of every election have been canvassed, including all absentee ballots, they shall be kept in the custody of the city clerk unopened, except for use as evidence in the event of an election contest, for six months and then [to be] destroyed.

PASSED IN FIRST READING: JANUARY 9, 1990.

PASSED IN SECOND READING: JANUARY 23, 1990.

ATTEST:


City Clerk


DONALD J. HOUSE, Mayor

PUBLISHED: Feb. 1, 1990

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 554

AN ORDINANCE OF THE CITY OF WRANGELL, ALASKA, SUBSTANTIALLY AMENDING AND RECODIFYING TITLE 14, ENTITLED "BOAT HARBORS" AND ALL CHAPTERS THEREIN INCLUDING, BUT NOT LIMITED TO, GENERAL PROVISIONS, DEFINITIONS, ADMINISTRATION, HARBOR REGULATIONS, PARKING LOT REGULATIONS, FEES AND PAYMENTS, ENFORCEMENT AND ELECTRICAL SERVICE TO VESSELS-CONDUCTOR SPECIFICATIONS.

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

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

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

Section 3. Effective date. This ordinance shall be published as provided by law and shall be effective thirty (30) days after final passage.

Section 4. Wrangell Municipal Code, title 14 is hereby repealed, amended, re-adopted and recodified as follows:

Title 14

PORT OF WRANGELL

Chapters:

- 14.04 General Provisions
- 14.08 Administration
- 14.12 Port Facility Regulations
- 14.16 Enforcement

Chapter 14.04

GENERAL PROVISIONS

Sections:

- 14.04.010 Purpose.
- 14.04.020 Policy.
- 14.04.030 Financial responsibility.
- 14.04.040 Use of Port of Wrangell - Implied agreement.
- 14.04.050 Definitions.

14.04.010 Purpose.

The purposes of this title are to provide for the orderly management, development, and control of the Port of Wrangell; to protect and preserve the lives, health, safety and well-being of persons who use, work or maintain property in the port; to protect public and private property; to prevent and abate nuisances, and fire or health hazards; to assess reasonable fees for the use of port facilities; and, to promote the widest possible public use of the Port of Wrangell.

14.04.020 Policy.

The Port of Wrangell is for the use of vessels engaged in commercial fishing or other trade and commerce, pleasure vessels, government vessels, float planes and sea planes, and the general public. The policy of this title is to maximize the safe and efficient use of port facilities, and prevent and discourage the use of port facilities by vessels which have been abandoned, or allowed to become derelicts or nuisances.

14.04.030 Financial Responsibility:

The City does not assume responsibility or liability for loss or damage to property, or injury to persons within or upon its port facilities. All persons visiting or using port facilities do so at their own risk. Port facilities shall be operated to the maximum extent possible to be financially self-sufficient. The City may issue revenue bonds or general obligation bonds to finance port facility improvements.

14.04.040 Use of Port of Wrangell - Implied agreement.

The mooring or use or presence of a vessel within the Port of Wrangell shall constitute an agreement by the owner, operator, master or managing agent to conform to the provisions of this title and any rule, regulation or order made pursuant thereto.

14.04.050 Definitions.

Whenever the following words, terms, phrases and their derivations are used in Title 14, they shall have the meaning ascribed to them in this section. When not inconsistent with the context, words used in the present tense include the future tense, words used in a plural number include the singular number, words used in the singular number include the plural number, and pronouns of any gender shall include the other genders.

A. Anchor.

To secure a vessel to the bed of a body of water by dropping an anchor or anchors or by using a buoy or other ground tackle.

B. Daily rental period.

A daily rental period shall begin at 8:00 a.m. on a calendar day and continue until 8:00 a.m. of the next calendar day.

C. Derelict.

Any vessel which is forsaken, abandoned, deserted or cast away, or which by appearance gives evidence of being forsaken, abandoned, deserted or cast away, or which in the opinion of the harbor master is unsound, unseaworthy, and unfit for its trade or occupation.

E. Emergency.

A state of imminent or proximate danger to life or property in which time is of the essence.

F. Facilities.

Any and all facilities of a port or maritime nature either publicly or privately owned that are primarily used by or for the service of vessels, including docks, floats, pilings, ramps, hoists, parking areas, leased water areas, concessions and/or service facilities located within the area defined as the Port of Wrangell.

G. Float.

Any floating structure normally used as a point of transfer for passengers and goods or for mooring purposes, including

all floating or stationary walkways and structures appurtenant thereto to which vessels may be moored, which are owned or maintained by the City of Wrangell or the State of Alaska.

H. Gridiron.

All facilities maintained, leased or owned by the City of Wrangell for use while repairing, maintaining, bottom scraping, painting vessels or by allowing said vessels to go dry on low tides, that are located with the Port of Wrangell.

I. Harbormaster

An officer of the City who administers all port facilities and enforces regulations respecting the use of such facilities. The term harbormaster shall include the assistant harbormaster or other person designated by the harbormaster to act in his place or stead.

J. Moor.

To secure a vessel other than by anchoring.

K. Mooring.

A place where buoyant vessels are secured; the equipment used to secure a vessel and the process of securing a vessel other than by anchoring.

L. Nuisance.

A derelict, unfit or unseaworthy vessel, a vessel which is not kept and regularly pumped free of excess water inside its hull, or is submerged, or which creates a fire, health, or navigation hazard or which in the opinion of the harbormaster constitutes a fire, health, safety or navigation hazard. A vessel shall be deemed to "constitute a nuisance" if left unattended for a continuous period of twenty-four (24) hours and if:

1. The vessel is sunk or in immediate danger of sinking, or is obstructing a waterway, or is endangering life or property; or
2. The vessel has been moored or otherwise left in the Port of Wrangell and;
 - a. The vessel's state registration number or marine document has expired and the registered owner no longer resides at the address listed in the vessel registration or marine document records of the

United States Coast Guard, the State of Alaska or the Port of Wrangell; or,

- b. The last registered owner of record disclaims ownership and the current owner's name or address cannot be determined, or the vessel identification number or other means of identification have been obliterated or removed in a manner that nullifies or precludes efforts to locate or identify the owners; or
- c. Vessel registration records of the United States Coast Guard, State of Alaska, or the Port of Wrangell contain no record of the vessel ever having been registered or documented, and the owners name cannot be determined.

M. Person.

Person means any natural person, partnership or corporation or other legal entity recognized under the laws of the State of Alaska.

N. Port of Wrangell.

All waters, tidal areas, and adjacent upland areas more particularly described as follows: (See Appendix D for legal descriptions)

1. Wrangell Inner Harbor
2. Wrangell Outer Harbor
3. Wrangell Dock and Barge Ramp Facility
4. Shoemaker Bay Harbor

O. Qualifying interest.

A person has a qualifying interest in a vessel if that person owns the vessel or under the provisions of written charter or lease, has exclusive control over the operation and navigation of the vessel. The person who transfers title to a vessel or enters into a charter or lease of the vessel and thereby relinquishes his exclusive control over the use and operation of the vessel, ceases to have a qualifying interest in the vessel.

P. Seaplane float.

A separate float set apart for the exclusive use of seaplanes and float planes.

Q. Ton.

A ton is equal to 2,000 pounds.

R. Vessel.

All ships, boats, skiffs, barges, crafts of every kind and description, pleasure and commercial, other than seaplanes, on the water, which are capable of being used as a means of transportation on or through the water.

S. Wharf.

Embraces every structure to which a vessel may make fast or on which merchandise is discharged or from which it is loaded.

T. Wharfage.

The fee made against cargo and commodities passed over port facilities.

U. Work float.

A separate float set apart for the exclusive use of vessels while working on the vessel or gear.

Chapter 14.08

ADMINISTRATION

Sections:

- 14.08.010 Commission established - Membership - Terms.
- 14.08.020 Absence from meetings.
- 14.08.030 Election of chairperson.
- 14.08.040 Quorum, voting.
- 14.08.050 Regular meetings.
- 14.08.060 Special meetings.
- 14.08.070 Executive session.
- 14.08.080 Authority.
- 14.08.090 Harbormaster and employees.
- 14.08.100 Harbormasters's powers and duties.

14.08.010 Commission established - Membership - Terms.

There is established the Wrangell Port Commission which shall consist of five members who shall each hold office for a period of three years ending on the first Monday following the annual municipal general election, or until their successors have been appointed and have qualified. Commissioners shall have the same qualifications as councilpersons, except that Commissioners shall be twenty-one years of age, and they shall serve without pay. Commissioners shall serve staggered terms, with the minimum of one Commissioner elected annually. Filing shall be by declaration of candidacy filed with the city clerk within the time periods as prescribed for councilpersons. 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.

14.08.020 Absence from meetings.

If any Commissioner is absent from more than one-half of all meetings, regular and special, held within any period of four consecutive months, the commissioner shall thereupon cease to hold office.

14.08.030 Election of chairperson.

The Commission, at its first meeting following the municipal annual election, shall elect from its own members, a chairperson who shall serve for one year to preside over meetings.

14.08.040 Quorum, voting.

Three Commissioners shall constitute a quorum. Any number less than a quorum may adjourn to a latter date. An affirmative vote of a majority of the Commission is required for a subject matter's passage or enactment.

14.08.050 Regular meetings.

Regular meetings of the Commission shall be held on the first Thursday of each month at 7:30 p.m., City Hall, Wrangell. If any such Thursday falls on a legal holiday as defined by the laws of the state, the meeting scheduled for that day shall be held at the same hour on the next succeeding day which is not a holiday.

14.08.060 Special meetings.

Special meetings of the commission may be called by the chairperson, any two Commissioners, or the harbormaster. Notice of special meetings shall be given in the same manner as special council meetings.

14.08.070 Executive session.

The Commission may, after its agenda is otherwise completed, recess for the purpose of discussing, in a closed or executive session, only those subjects permitted by law pursuant to AS 44.62.310 to be discussed in executive session. In all cases, the meeting must first be convened as a public meeting and the question of holding an executive session 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 subject. No action may be taken at the executive session.

14.08.080 Authority.

The Commission shall advise the Harbormaster and the Council on all matters regarding supervision and control of the Port of Wrangell, and all port facilities. The Commission shall recommend regulations and rates and charges for the use of all port facilities to the Council. The council may adopt the commission's proposed regulations, rates and charges by ordinance.

14.08.090 Harbormaster and employees.

A. The city manager shall appoint and discharge the harbormaster 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 Commission.

B. The harbormaster's salary shall be established by the Commission subject to council approval. Positions and salaries of other technical and administrative employees shall be established in accordance with the position classification and pay plan of the city.

14.08.100 Harbormaster's powers and duties.

The harbormaster shall be the director of the Port of Wrangell. He shall exercise such powers and perform such duties as may be imposed upon harbormasters, port directors, and administrative heads of harbors and ports by federal, state or local law. The harbormaster shall be authorized to enforce Title 14 of the Wrangell Municipal Code. The harbormaster may, in his discretion, refuse moorage to any vessel which is a fire hazard, a nuisance or a threat to the safety or welfare of other vessels or persons who use port facilities. When port facilities are overcrowded, the harbormaster may refuse moorage to any vessel.

Chapter 14.12

PORT FACILITY REGULATIONS

Sections:

- 14.12.010 Registration.
- 14.12.020 Reserved moorage.
- 14.12.030 Customer Service Moorage.
- 14.12.040 Transient moorage.
- 14.12.050 Wrangell dock and barge ramp facilities.
- 14.12.060 Gridiron.
- 14.12.070 Launch ramps.
- 14.12.080 Parking.
- 14.12.090 Storage.
- 14.12.100 Other services.
- 14.12.110 Miscellaneous regulations.
- 14.12.120 Violations.

14.12.010 Registration.

Every owner, master or managing agent of a vessel using the Port of Wrangell is required to register his name, address and telephone number, and the vessel's name, home port, official number or state registration number, color, length, breadth and draft, and such other information as the harbormaster may require, with the harbormaster within two (2) hours after such vessel first enters the Port of Wrangell. Said owner, master or managing agent shall promptly notify the harbormaster of any changes in registration information.

14.12.020 Reserved moorage.

A. Availability.

Reserved moorage exists in the Wrangell Harbor and in the Shoemaker Bay harbor areas of the Port of Wrangell.

B. Application.

Any individual, business or government agency may apply for reserved moorage by completing an application on a form provided by the harbormaster. The applicant must agree to make timely payment of all fees and assent to be bound by all federal, state and local laws and regulations governing the Port of Wrangell.

C. Wait list.

The harbormaster shall establish and maintain a reserved moorage wait list as follows:

1. Information

The wait list information provided by the applicant shall include: the sign-up date; the name, address and telephone contact number(s) of the applicant; the vessel's name, home port, official number or state registration number, color, overall length, breadth and draft, or if the applicant does not currently own a vessel, the proposed dimensions of the vessel to be acquired and any location preferences.

2. Placement

Applicants will be placed on the wait list on a first-come, first-served basis only upon receipt of all required information and payment in full of the wait list deposit for each stall space requested. To be placed or remain on the wait list, an applicant's fees and fines must be paid to date.

3. Changes

An applicant must immediately notify the harbormaster in writing of any change of address or telephone number(s). The harbormaster will, without cost to the applicant, insure appropriate and timely update of the wait list. Any change in overall length, breadth or draft of a vessel previously placed on the wait list may require reapplication on the wait list if such changes require a different stall size than that which the applicant previously requested. However, no additional deposit will be required.

4. Deposit

To be placed on the wait list, an applicant must pay a non-refundable, non-interest bearing fifty dollar (\$50.00) deposit. The deposit shall be applied against the applicant's reserved moorage fees following assignment of reserved moorage space.

5. Transfer

Wait list priority may not be transferred except between husband and wife or to an applicant's heir upon death.

6. Retention of Wait list priority

If an applicant chooses not to accept a reserved moorage space when offered or does not respond to the notice by the harbormaster the applicant does not forfeit any priority on the wait list for subsequent space; however, if an applicant refuses to accept a reserved moorage space when offered on two (2) separate occasions, or fails to respond on two (2) separate occasions, it shall be presumed that the applicant has voluntarily withdrawn his

application. The applicant will be removed from the wait list and his deposit forfeited.

D. Assignment of reserved moorage.

Reserved moorage space shall be assigned by the harbormaster to insure the maximum use of space available. The harbormaster will establish minimum and maximum vessel sizes for each space or class of spaces available.

1. Method

Reserved moorage space shall be assigned in the order of the date and time of original sign-up on the wait list. When space becomes available, the harbormaster shall notify the applicant who first applied for reserved moorage for a vessel of the size for which space is available. Notice shall be by certified mail, effective upon mailing. An applicant shall have thirty (30) days to respond. If the applicant declines the offered space, or if no response is received within the period allowed, then the harbormaster will notify the next eligible applicant on the wait list and so on until the space is rented.

2. Restrictions

The following restrictions apply to the assignment by the harbormaster of reserved moorage space:

- a. Reserved moorage may only be assigned to an applicant with a qualified interest in a vessel who completes and signs a vessel mooring agreement and pays or agrees to pay when billed all appropriate moorage fees.
- b. Reserved moorage may only be assigned to an applicant who has no outstanding port fees, fines or delinquencies.
- c. No vessel may be assigned to more than one reserved moorage space.
- d. As long as there are applicants on the wait list awaiting assignment of reserved moorage space, no individual, business, partnership, corporation or government agency which is currently a holder of two (2) or more reserved moorage spaces may be assigned an additional reserved moorage space notwithstanding the number of vessels held with a qualifying interest by that applicant.

- e. Reserved moorage space, once assigned continues until the holder voluntarily or involuntarily forfeits the space.

E. Fees.

Reserved moorage space fees shall be computed and billed as follows:

1. Rental Period

The basic rental period is the fiscal year beginning July 1 and ending the following June 30.

2. Computation of fees

The fee for reserved moorage space shall be seven dollars and fifty cents (\$7.50) per foot per year based upon the overall length of the vessel or the length of the float, whichever is greater. All vessels assigned reserved moorage space at Dolphins shall be charged three dollars and seventy-five cents (\$3.75) per foot per year based on the overall length of the vessel.

3. Payment

Invoices for annual reserved moorage fees shall be mailed before July 15 and payment shall be due upon receipt, but in no event later than July 31; however, payment may be made in two installments, one-half on or before July 31 and the balance on or before December 31. Invoices for moorage will be mailed to the reserved moorage holder's address provided to the harbormaster for registration purposes pursuant to 14.12.010. It is the holder's obligation to notify the harbormaster in writing of any changes.

4. Refunds

Upon written request, the harbormaster shall refund to a holder who voluntarily relinquishes reserved moorage space an amount up to ten (10) months unused moorage fee computed from the end of the calendar month in which the written request is received. Upon written request, the harbormaster shall refund to a holder who involuntarily forfeits reserved moorage space an amount up to ten (10) months unused moorage fee computed from the end of the calendar month in which the written request is received, less any cost incurred by the harbormaster including legal and administrative costs of processing the involuntary forfeiture.

F. Conditions of reserved moorage.

The following conditions shall govern reserved moorage.

1. Basic rights of reserved moorage holder.

The reserved moorage holder receives the privilege of occupying assigned moorage space on a preferential basis only and is provided this reserved moorage privilege only as long as he or she has a qualifying interest in an appropriately sized vessel and pays all prescribed moorage fees. No property rights are created or intended to be created.

2. Use by assigned vessel only.

Reserved moorage space may only be used by the holder for the assigned vessel. If the holder of reserved moorage has a qualifying interest in another vessel, and that vessel is registered with the harbormaster pursuant to 14.12.010, then the holder may use the reserved moorage for that vessel without charge if the vessel is within the size limit for the moorage space.

3. One vessel per space.

Ordinarily only one vessel may be moored in any one moorage space; however, the harbormaster may, if circumstances permit, allow more than one vessel to occupy a single space. The harbormaster will obtain the permission of adjacent space holders before allowing a vessel to moor between two spaces. Any additional vessels must be registered pursuant to 14.12.010 and will be assessed appropriate moorage fees.

4. Temporary use by other vessels.

The harbormaster shall have full discretionary authority to allow other vessels to occupy an empty reserved moorage space any time the assigned vessel is absent for more than five (5) days without compensation to the reserved moorage holder. The reserved moorage holder may waive the five (5) day limit and notify the harbormaster that his stall may be used any time the assigned vessel is absent. Any such vessel temporarily assigned to a reserved moorage space by the harbormaster shall be assessed the appropriate transient moorage fee.

5. Subleasing.

The private loaning or subleasing of reserved moorage space is prohibited. Temporary moorage assignments for

visiting or transient vessels at reserved moorage space shall be made by the harbormaster only.

6. Authority of harbormaster to move vessel.

The harbormaster shall have authority to move any vessel to another location in the event of fire or other emergency requiring such action to preserve safety, or in the event a vessel temporarily assigned to reserved moorage space is displaced by the vessel of the holder of that reserved moorage space.

7. Retention when vessel is sold, lost, destroyed, or stolen

A reserved moorage holder must promptly notify the harbormaster if he ceases to have a qualifying interest in the vessel assigned to reserved moorage space. The holder may retain the reserved moorage space if he obtains a qualifying interest in another vessel of the appropriate size within six (6) months and register the new vessel with the harbormaster pursuant to 14.12.010. The harbormaster may, for cause, grant an extension not to exceed an additional six (6) months if the vessel was lost, destroyed or stolen. If the holder obtains a qualifying interest in another vessel that is smaller than the minimum vessel size established by the harbormaster for the assigned space, the holder may retain and use the reserved moorage for the smaller vessel until reserved moorage space of the correct size becomes available in the same harbor, unless another harbor is acceptable to the holder. If the holder obtains a qualifying interest in another vessel that is larger than the maximum vessel size established by the harbormaster for the assigned space, the holder will not be permitted to use the space for the larger vessel; however, if the holder intends to also obtain an appropriately sized vessel, he may continue to hold the assigned reserved moorage for the time periods noted above.

8. Change in ownership of vessel.

Reserved moorage may not be transferred with the sale or lease of the vessel assigned to such reserved moorage but in the case of the death of the vessel owner who holds reserved moorage, the reserved moorage may be transferred to the heir who obtains ownership of the vessel if a request is made to the harbormaster with appropriate documentation.

9. Relinquishment.

A reserved moorage space holder may voluntarily relinquish reserved moorage at any time by notifying the harbormaster in writing.

10. Involuntary forfeiture.

A reserved moorage holder's right to his assigned reserved moorage space shall be involuntarily forfeited and his right to use the assigned space terminated if:

- a. The holder supplies misleading or false information for vessel registration on the rental agreement form;
- b. The holder fails to pay all rental fees within sixty (60) days following due date without a prior written agreement to pay such fees on other terms acceptable to the Finance Director;
- c. The holder fails to maintain a qualified interest in the assigned vessel or substitute a qualified vessel within the period allowed.
- d. The holder fails to use the reserved moorage space for the assigned vessel at least two months each calendar year; or,
- e. The holder fails, upon request of the harbormaster, to provide proof of a qualifying interest in the vessel assigned to the reserved moorage.

14.12.030 Customer Service Moorage.

A. Availability.

Customer service moorage exists in the Wrangell Harbor and the Shoemaker Bay Harbor areas of the Port of Wrangell, limited to those areas designated by the harbormaster and approved by the Port Commission.

B. Application.

Any bona fide vessel maintenance business in Wrangell may apply for customer service moorage by completing an application on a form provided by the harbormaster. The applicant must agree to make timely payment of all fees and assent to be bound by all federal, state and local laws and regulations governing the Port of Wrangell.

C. Wait list.

The harbormaster shall establish and maintain a customer service moorage wait list as follows:

1. Information.

Wait list information provided by the applicant shall include the sign-up date; the applicant's name, address and telephone number(s); the business name, address, and telephone number and current Alaska business license number of the applicant; the proposed dimensions of the vessel(s) to be serviced at such moorage; and, any locational preference.

2. Placement.

Applicants will be placed on the wait list on a first come, first served basis only upon receipt of all required information and payment in full of a wait list deposit. To be placed or to remain on the wait list, the applicant's fees and fines must be paid to date.

3. Changes.

The applicant must immediately notify the harbormaster in writing of any change of address or of telephone numbers or in the type of customer service moorage requested. The harbormaster will, without cost to the applicant, insure appropriate and timely update of the wait list.

4. Deposit.

To be placed on the wait list, the applicant must pay a non-refundable, non-interest bearing \$50 deposit. The deposit shall be applied against the applicant's moorage fees following assignment of customer service moorage space.

5. Transfer.

Wait list priority for customer service moorage may not be transferred.

6. Retention of Wait List Priority.

If an applicant chooses not to accept a customer service moorage location when offered or does not respond to notice by the harbormaster, the applicant does not forfeit any priority on the wait list for subsequent moorage; however, if the applicant refuses to accept

customer service moorage space when offered on two separate occasions, or fails to respond on two separate occasions, it shall be presumed that the applicant has voluntarily withdrawn its application. The applicant will be removed from the wait list and its deposit forfeited.

D. Assignment of Customer Service Moorage.

Customer service moorage space shall be assigned by the harbormaster to insure the maximum use of space available. When space becomes available, the harbormaster shall notify the applicant on the wait list who first applied for customer service moorage. Notice shall be by certified mail, effective upon mailing. applicant shall have 30 days to respond. If the applicant declines the offered space, or if no response is received within the period allowed, then the harbormaster will notify the next eligible applicant on the wait list and so on until the space is rented.

E. Restrictions.

The following restrictions apply to the assignment by the harbormaster of customer service moorage.

1. Customer service moorage may only be assigned to an applicant with a bona fide vessel maintenance business, licensed and otherwise qualified to do business in the City of Wrangell.
2. The applicant must complete and sign a customer service moorage agreement and pay and/or agree to pay when billed all appropriate moorage fees.
3. Customer service moorage may not be assigned to an applicant who has outstanding moorage fees, fines or delinquencies.
4. As long as there are applicants on the wait list awaiting assignment of customer service moorage space, no individual, business, partnership, corporation or government agency which is currently the holder of another customer service moorage space may be assigned an additional customer service moorage space.
5. Customer service moorage space, once assigned, continues until the holder voluntarily or involuntarily forfeits the space.

F. Fees.

1. Rental period.

Basic rental period is the fiscal year beginning July 1 and ending the following June 30.

2. Basic Fee.

The fee for customer service moorage space shall be seven dollars and fifty cents (\$7.50) per foot per year based upon the maximum overall length of the vessel which is capable of and permitted to be located at such moorage space.

3. Payment.

Invoices for annual customer service moorage fees shall be mailed before July 15 and payment shall be due upon receipt, but in no event later than July 31; however, payment may be made in two installments, one-half on or before July 31 and the balance on or before December 31. Invoices for moorage will be mailed to the customer service moorage holder's address provided in the moorage agreement. It is the holder's obligation to notify the harbormaster in writing of any changes.

4. Refunds.

Upon written request, the harbormaster shall refund to a holder who voluntarily relinquishes customer service moorage space an amount up to ten (10) months unused moorage fee computed from the end of the calendar month in which the written request is received. Upon written request, the harbormaster shall refund to a holder who involuntarily forfeits customer service moorage space an amount up to ten (10) months unused moorage fee computed from the end of the calendar month in which the written request is received, less any cost incurred by the harbormaster including legal and administrative costs of processing the involuntary forfeiture.

G. Conditions of customer service moorage.

The following conditions shall govern customer service moorage.

1. Control of customer service moorage space by holder.

The customer service moorage holder receives the privilege to allow its customers to occupy the assigned moorage space on a preferential basis. Customers are

required to register pursuant to 14.12.010, and pay transient moorage fees pursuant to 14.12.040(D). No property right is created or intended to be created by the granting of customer service moorage.

2. Subleasing.

The private loaning or subleasing of customer service moorage space is prohibited except as provided herein. Moorage assignment at the holder's customer service moorage space shall be made by the holder. Proper registration by the customer and payment of ordinary transient moorage fees are required.

3. Relinquishment.

A customer service moorage holder may voluntarily relinquish moorage at any time by notifying the harbormaster in writing.

4. Involuntary forfeiture.

A customer service moorage holder's right to its assigned customer service moorage space shall be involuntarily forfeited and its right to direct the use of such space terminated if:

- a. The holder supplies misleading or false information for vessel registration by its customers, or fails to have customers promptly register and pay transient moorage fees as provided herein.
- b. The holder fails to remain a bona fide vessel maintenance business in Wrangell.
- c. The holder fails, upon request of the harbormaster, to provide proof that the holder is a bona fide vessel maintenance business in Wrangell.

14.12.040 Transient moorage.

A. Availability.

Transient moorage space is available within the Port of Wrangell at locations designated or assigned by the harbormaster.

B. Application.

Any individual business or government agency may apply for transient moorage by completing an application on a form provided by the harbormaster. The applicant must agree to

make timely payment of all fees and charges and assent to be bound by all federal, state and local ordinance and regulations governing the Port of Wrangell.

C. Assignment of transient moorage.

Vessels may moor in designated transient moorage space, or may be assigned to temporarily use reserved moorage space by the harbormaster.

D. Fees.

Transient moorage space fees shall be computed and billed as follows:

1. Rental periods.

The daily rental period is 8:00 a.m. on the first calendar day to 8:00 a.m. the next calendar day. The monthly rental period is any calendar month beginning on the first day of the month and ending on the last day of the month. A vessel accumulating greater than ten (10) days transient moorage in any calendar month will be charged on a monthly basis. Annual transient moorage must be requested in advance; however, annual transient moorage will not be granted unless and until the person requesting transient moorage has taken all required steps for placement on the wait list for reserved moorage. The annual rental period is the fiscal year beginning July 1 and ending the following June 30. A transient moorage holder requesting annual moorage after the start of the fiscal year will be charged a pro-rated annual fee.

2. Grace period.

Vessels may moor in designated transient moorage space without charge for any time during the first daily rental period; however, a vessel moored in any transient moorage space for any period of time during the next consecutive daily rental period shall be charged transient moorage fees beginning with the second daily rental period.

3. Rental fee.

The fee for transient moorage space shall be as follows:

- a. Daily rate is ten cents (\$0.10) per foot per day based on the overall vessel length, with a minimum of two dollars (\$2.00) per month.

- b. Monthly rate is ninety cents (\$0.90) per foot per month based on overall vessel length, with a minimum of ten dollars (\$10.00) per month.
- c. Annual rate is \$7.50 per foot per annum based on the overall vessel length.

4. Payment

Invoices for transient moorage shall be due upon receipt. Invoices may be delivered personally or mailed on a monthly basis to the transient moorage user's address provided to the harbormaster for registration purposes pursuant to 14.12.010. It is the user's obligation to notify the harbormaster in writing of any changes.

5. Refunds.

There shall be no refunds of unused daily or monthly transient moorage fees paid for or agreed to in advance. Upon written request, the harbormaster shall refund an amount up to ten (10) months transient moorage fees computed from the end of the calendar month in which a written request for a refund is received.

E. Conditions of transient moorage.

The following conditions shall govern transient moorage users:

1. Basic rights of transient moorage users.

The transient moorage user receives the privilege of occupying designated or assigned transient moorage on an as available basis. Users have no preferential right to moor in any particular location in transient moorage, nor the right to return to the same space if another vessel is occupying that space.

2. Rafting.

Rafting of vessels in transient moorage space shall be permitted at locations from time to time designated by the harbormaster. Vessels moored in such locations are subject to yet another vessel tethering aside. Each vessel must have at least one line to the float, alternating ends.

3. Authority of harbormaster to move vessel.

The harbormaster shall have authority to move a vessel in transient moorage space to another location in the

event of fire or other emergency or to better maximize the use of available space.

4. Restrictions.

Dinghies or skiffs or other auxiliary vessels may not be tied along side of vessels in transient moorage space.

14.12.050 Wrangell dock and barge ramp facilities.

A. Availability.

Moorage exists at the Wrangell dock and barge ramp facilities for ships, barges and other large vessels that desire to use the Port of Wrangell. Reservations may be made with the harbor master for vessels making regular calls, subject to change without notice as circumstances require.

B. Application.

An individual, business or government agency may apply for moorage privileges at the Wrangell dock or barge ramp facility by providing the harbor master with the following information prior to any cargo transferring operation:

1. The gross tonnage and overall length of the vessel;
2. The net weight of cargo to be transferred, if any; and,
3. The name of the person or entity, if other than the owner, master or managing agent of the vessel, to whom moorage, wharfage and storage fees are to be billed.

C. Dock face or barge ramp moorage.

The moorage fee for the dock face or barge ramp facility use are in addition to all other fees assessed in this Chapter, and shall be assessed against all vessels as follows:

<u>Vessel Gross Registered Tons</u>	<u>Rate</u>
Zero to 1,000 tons	\$25.00/day
1,001 to 1,500 tons	\$80.75/day
1,501 to 2,000 tons	\$87.50/day
2,001 to 2,500 tons	\$125.00/day
2,501 to 3,000 tons	\$162.50/day
3,001 to 7,000 tons	\$200.00/day
7,001 to 10,000 tons	\$300.00/day

Vessels over 10,000 gross registered tons shall be charged in addition to the fee for 10,000 gross registered tons,

\$25.00 for each additional 1,000 gross tons or fraction thereof. In addition to the daily fee, vessels using the barge ramp shall be charged fifty dollars (\$50.00) per hour for each hour of use over six (6) hours.

D. Shoreside of dock and approach trestle moorage.

1. The moorage fee for the use of the shoreside of the dock, including the approach trestle area are in addition to all other fees assessed in this Chapter, and shall be assessed against all vessels as follows:

Length	Rate
Zero to 40 feet	\$5.00/day
40 to 75 feet	\$10.00/day
75 to 100 feet	\$15.00/day
100 feet and over	\$20.00/day

2. The moorage fees otherwise chargeable pursuant to Section 14.12.050 D shall not be applied to vessels using the shoreside of the dock and/or approach trestle when such vessels are qualified to moor in Wrangell Harbor or Shoemaker Bay Harbor as defined by 14.04.050 N1 and N2, provided the harbormaster determines that there exists no moorage space available in the Wrangell Harbor or Shoemaker Harbor facilities, that mooring at the Port of Wrangell is in the best interest of the City, and that the appropriate moorage fees established by Sec. 14.12.040 are to be assessed.

E. Port staging area.

The fee for the use of the port staging area for the purpose of loading or unloading barges will be assessed as follows:

Vessel Gross Registered Tons	Rate
Zero to 1,000 tons	\$25.00/day
1,001 to 1,500 tons	\$40.38/day
1,501 to 2,000 tons	\$43.75/day
2,001 to 2,500 tons	\$62.50/day
2,501 to 3,000 tons	\$81.25/day
3,001 to 7,000 tons	\$100.00/day
7,001 to 10,000 tons	\$150.00/day

Vessels over 10,000 gross registered tons shall be charged, in addition to the fee for 10,000 gross registered tons, \$25.00 for each additional 1,000 gross tons or fraction thereof.

F. Net and gear work.

The owner, master or managing agent of a vessel may make advance arrangements with the harbormaster to use the dock as a work area for fishing net and gear repairs. The fee for use of the dock as a net and gear work area shall be assessed regardless of whether the net was delivered to and/or removed from the dock by a vessel. The following fees shall be charged:

Time Period	Fee
Any two (2) days or portion thereof	\$25.00
Each additional consecutive day or portion thereof	\$20.00

All nets must be removed at the request of the harbormaster at least four (4) hours prior to the scheduled landing of a vessel at the dock. In the event the person fails to remove a net, the harbormaster may remove the net and bill the person responsible for all costs incurred to remove the net in a timely fashion.

G. Wharfage.

1. Wharfage fees.

Wharfage fees shall be charged for all cargo and commodities coming into or going out of the Port of Wrangell at the Wrangell Dock and Barge facility or any areas adjacent thereto as follows:

Description of Cargo/Commodity	Rate
General Cargo Commodities and Equipment (net weight)	\$2.50/ton
Vehicles on own wheels or treads or with separate wheels or treads	\$2.50/ton
Explosives, powder or hazardous substances (written permission of harbormaster required)	\$6.25/ton
Lumber and logs over the dock (1,000 board feet [mbf] = 2,240 pounds)	\$1.00/mbf
Containers, vans or LPG containers (empty)	\$3.75/each
Sand or gravel:	
Less than 500 tons	\$1.00/ton
Over 500 but less than 1,500 tons	\$500 plus \$0.20/ton
Over 1,500 tons	\$800 plus \$0.05/ton

2. Minimum charge.

The minimum wharfage fee shall be six dollars and twenty-five cents (\$6.25).

3. Payment.

Invoices for wharfage fees shall be due upon receipt. Invoices may be delivered personally or mailed on a monthly basis to the address provided to the harbormaster for registration purposes pursuant to 14.12.010 or to the cargo owner or responsible persons. In the absence of a clear designation of the responsible party, the vessel or persons placing the cargo or commodity onto the wharf or removing it therefrom shall be primarily responsible for wharfage fees.

14.12.060 Gridiron.

A. Availability.

The gridiron shall be available to any vessel on a first come, first served basis. Vessels are required to locate on the gridiron in such a manner as to allow maximum utilization of gridiron space by other vessels.

B. Fees.

The gridiron may be used by any vessel without charge for up to three (3) daily rental periods. Thereafter, a charge of ten dollars (\$10.00) for each additional consecutive daily rental period or any fraction thereof.

C. Conditions.

The following conditions shall govern use of the gridiron:

1. Occupation.

No vessel may occupy gridiron space except for such reasonable time as is required to accomplish bottom painting, repairs and other customary gridiron uses.

2. Vessel limits.

The gridiron may only be used by a vessel within the following limits:

- a. The vessel gross weight and keel configuration must be such that the vessel load on each bent (cross

timber) is less than 15,000 pounds. For example, if the keel of a vessel bears on three bents, the gross weight of the vessel may not exceed 45,000 pounds.

- b. The keel or other bearing surface of the vessel resting on the gridiron must not extend beyond the gridiron rails.
- c. The overall width of a flat bottom vessel or barge must not exceed fifteen (15) feet.

D. Surety.

The harbormaster may require a vessel to post a bond or other surety when, in the opinion of the harbormaster, the condition of the vessel or other circumstances make posting of such security necessary for protection of the Port of Wrangell.

14.12.070 Launch Ramps.

A. Availability.

Launch ramps at the Port of Wrangell are available on a first come, first served basis for the launch and recovery of vessels.

B. Conditions and restrictions of use.

The harbormaster may place reasonable restrictions and conditions of use on the use of any launch ramp operated by the Port of Wrangell by posting a notice of such restrictions or conditions of use on a sign at each launch ramp facility.

14.12.080 Parking.

The Council may establish by resolution, upon the recommendation of the Port Commission, designated off-street parking lots in the Port of Wrangell. Each parking lot shall be governed and parking enforced according to Sections 11.30.010 through 11.30.060 of the Wrangell Municipal Code.

14.12.090 Storage.

A. Availability.

Storage space is available at the Wrangell dock and barge ramp facilities, port staging area, and in Shoemaker Bay in such areas designated by the harbormaster for storage purposes.

B. Application.

An individual, business or government agency may apply to use storage space in the Port of Wrangell by completing an

application on a form provided by the harbormaster. The applicant must agree to make timely payment of all storage charges and fees and to be bound by all federal, state and local ordinances and regulations governing the Port of Wrangell.

The following information shall be supplied in the application for storage area use:

1. Name, address and telephone contact of the owner or the person responsible for payment of storage charges.
2. The name, address and telephone contact of the person responsible for placing items in a Port of Wrangell storage area.
3. The date of arrival or anticipated date of arrival of the items.
4. The date of removal or intended date of removal of the items.
5. A general description and the dimensions of the items to be stored.
6. A statement as to whether the items are inbound or outbound to the Port of Wrangell, if applicable.

C. Assignment of storage space.

Storage space shall be assigned based on the availability thereof by the harbormaster. The harbormaster may establish fixed size storage areas or lots at designated locations in the Port of Wrangell. An individual, business or government agency desiring to rent a particular storage area on a long term basis may negotiate an agreement with the harbormaster on terms acceptable to the Port of Wrangell. Areas designated by the harbormaster for storage are subject to change. The harbormaster shall cause to be erected or placed appropriate signs or pavement markings which give notice the area is designated for storage.

D. Fees.

1. Rental period.

The daily rental period is 8:00 a.m. on the first calendar day to 8:00 a.m. on the next calendar day. Storage shall be computed on a daily basis.

2. Grace period.

Items may be placed in Port of Wrangell storage areas for up to three (3) days without charge; however, all items left in such storage areas beyond that period will be charged for storage beginning on the fourth consecutive daily rental period.

3. Storage fees.

The fee for storage is computed at the rate of one-half of one cent (\$0.005) per square foot per day based on the overall square footage of surface area occupied by the items stored, with a minimum fee of \$6.25 per calendar month or any portion thereof.

4. Payment.

Invoices for storage fee shall be due upon receipt. Invoices may be delivered personally or mailed on a monthly basis to the storage user's address provided to the harbormaster in the user's application for storage area use provided for herein. It is the storage user's obligation to notify the harbormaster in writing of any changes.

E. Conditions of storage area use.

The harbormaster shall control and administer all areas designated for storage in the Port of Wrangell subject to the following limitations, regulations and restrictions:

1. Storage containers.

All property, except as otherwise authorized by the harbormaster, shall be stored in a container approved by the harbormaster which complies with the following requirements.

- a. Container must be completely enclosed with four walls (one of which is able to function as a door), a roof and a floor.
- b. The container must at all times be in good condition and repair.
- c. The container must be neat, safe and clean.
- d. The container shall not be attached or affixed permanently to any storage space, but must be able

to be moved by a reasonable means within twenty-four (24) hours of notice to move it.

2. Trailers.

Property may be stored in or on a trailer or any similar type of wheeled conveyance which is capable of being pulled or drawn from the storage area within twenty-four (24) hours after notice is given by the harbormaster; provided that the contents are completely covered so the stored property is not visible from the outside. Clear plastic materials are not acceptable as coverings. Boats and boat trailers may be stored in their manufactured state, provided they do not create a safety hazard to persons or property.

3. Vessels.

Vessels may be stored without trailers but must be blocked up and properly supported so as not to create a safety hazard.

4. Markings

Items placed in a storage area, including palletized goods, shall be clearly marked with the name of the owner or responsible person, mailing address, telephone number and a general description of the item.

5. Incoming and outgoing cargo and commodities.

Incoming and outgoing cargo and commodities of a size and type not suitable for containerized storage may be neatly stored in the open at the Wrangell dock and barge facility as long as such items are properly bound and marked as provided herein.

6. Prohibited Uses.

No person may stay overnight or use a storage container shelter or boat in storage as a habitation or dwelling. Hazardous or dangerous substances may not be placed in a storage area without the express written prior approval of the harbormaster.

F. Liability.

The user of storage space in the Port of Wrangell expressly acknowledges the City shall not be liable for items left in storage areas. Storage areas in the Port of Wrangell may not

be guarded nor fenced, and the user leaves items there strictly at his own risk.

14.12.100 Other Services

A. Services of harbormaster.

Harbormaster or his designee are granted power and authority, from time to time, but without any obligation or duty to do so and without liability therefore, to replace defective mooring lines to any vessel, or to move any vessel which has been improperly located by its owner, master or managing agent, or pump out a vessel in danger of sinking or take any other action necessary for the protection of persons or property in the Port of Wrangell. Whenever the harbormaster or his designee performs any act as above authorized the following fees shall be charged:

1. Replacing or securing with additional mooring lines.

Five dollars (\$5.00) plus cost of materials used.

2. Moving.

Fifty cents (\$0.50) per foot based on the overall length of the vessel with a minimum fee of five dollars (\$5.00) per occasion.

3. Pumping.

Ten dollars (\$10.00) plus the applicable hourly rate for all harbor employees and the use of necessary equipment.

B. Electricity.

Vessels using Port of Wrangell facilities may connect to designated electrical service on an interruptable temporary basis not to exceed twenty-one (21) days. A fee of three dollars (\$3.00) per daily rental period, or any portion of a daily rental period, shall be paid to the harbormaster before the service may be connected. Fees collected for the use of electrical service by vessels connected to a meter in reserved moorage space with prior approval of the holder shall be credited to the holders electrical service account. The harbormaster may disconnect any vessel causing disruption to the electrical system or using inadequate equipment for service connections or for which payment has not been received in advance. This section does not constitute resale of electrical energy pursuant to Section 15.12.080 of the Wrangell Municipal Code.

14.12.110 Miscellaneous Rules and Regulations.

Every owner, master, or managing agent of any vessel using Port of Wrangell shall comply with the following regulations:

A. Auxiliary vessels.

No row boats, skiffs, dinghies or other auxiliary vessels may be pulled up and left on any harbor float. All such auxiliary vessels shall be on board or moored in locations designated for that purpose, and may not be kept along side larger vessels.

B. Floats to be kept clear.

All floats and dock areas must be kept clear at all times, and clean and free of discarded debris.

C. Rafting.

In areas where rafting is permitted, no more than four (4) vessels may be rafted abreast without permission of the harbormaster.

D. Securing vessels.

Every vessel must have fit and proper lines and spring lines to keep the vessel from surging. All vessels shall supply and use adequate fenders to safeguard floats and other vessels from chafing and damage. No vessel may be moored so that it can touch another vessel fore and aft.

E. Proper location.

All vessels must be moored at locations designated for that purpose and vessel size. It is unlawful to anchor in the Port of Wrangell or to moor in a space assigned to another without first obtaining permission from the harbormaster. A reserved moorage holder, finding another vessel in his assigned space may undertake the following procedures:

1. Notify the harbormaster of the occurrence and request assistance as soon as reasonably practical;
2. Untie and move the vessel out of his space; and,
3. Use ordinary care in transferring the vessel to transient moorage space or a location designated by the harbormaster.

F. Attachments to floats.

No user or holder of reserved moorage space may make attachments to the float without prior approval of the harbormaster. For example, bumpers made of tires, ropes, old fire hose or similar material are prohibited. Pre-molded rubber or vinyl bumpers of commercial manufacture may be approved.

G. Safe condition of vessel.

1. To qualify or remain qualified for moorage, a vessel must be seaworthy, kept free of fire hazards of any type or nature, equipped in accordance with Section 14.12.110(H), and have sufficient motive power to permit the vessel to be maneuvered and controlled safely in and out of the Port of Wrangell under wind and water conditions which are not unusual and which do not constitute a hazard to small vessels.
2. Every vessel which does not clear the Port of Wrangell under its own power on at least three occasions each year may be presumed not qualified.
3. The harbormaster may refuse mooring space to any vessel which does not qualify. It shall be a condition of every moorage agreement that any vessel remain qualified as long as it remains moored in the Port of Wrangell. Upon failure of a vessel to qualify, the harbormaster may require, upon notice to the owner, operator, master or managing agent of such vessel, that the reserved moorage agreement be cancelled, that such vessel be removed from the Port of Wrangell within not less than seven (7) days. Any such vessel remaining after the time specified in the notice shall be subject to impoundment or removal as a nuisance.
4. Whenever the harbormaster has probable cause to believe that a vessel is not qualified under the conditions of this section, he may require, upon seventy-two (72) hours notice to the owner, operator, master, or managing agent of any such vessel, that such vessel demonstrate it is or remains qualified. An exception shall be made where repairs are being diligently pursued or where other extenuating circumstances prevent demonstration of qualification, but such exception shall be for only a reasonable time, considering the circumstances.

H. Required equipment.

All vessels shall carry the equipment required by any applicable United States laws or regulations as now or

hereafter amended, and shall be numbered or designated in accordance with any applicable United States laws or regulations as now or hereafter amended. In the absence of extenuating circumstances, failure of any vessel within the Port of Wrangell to comply with applicable United States laws or regulations shall be a violation of this title.

I. Payment of charges.

All fees and fines assessed and levied according to law upon or against the vessel or its owner, master or managing agent, and all fees for utilities requested or ordered by the vessel or its owner, master or managing agent shall be promptly paid when due.

J. Vessels constituting a nuisance.

Any vessel constituting a nuisance is subject to removal from the Port of Wrangell by the harbormaster without liability for any damage done by virtue of said removal. Vessels removed under the provisions of this section shall be disposed of as provided in Section 14.16.040. Any vessel which, in the opinion of the harbormaster, does not meet normal safety standards and because of its size or construction may constitute a nuisance will be denied use of Port of Wrangell facilities.

K. Electrical service to vessels.

1. Cords with current carrying capacity of less than fifteen amps shall not be used.
2. Flexible cords shall be used only in continuous lengths without splice or taps.
3. Cords, attachment plugs and connector bodies shall not be smaller than required for the rated current of the attached cord or connected equipment. Current-carrying capacity of flexible cords are as follows:

SIZE, AWG	AMPS
14	15
12	20
10	25
8	35
6	45
4	60

4. Attachment plugs shall be of the weatherproof type.
5. Infrared heating lamps may be used with porcelain-type sockets only.

6. Any heater capable of causing a fire if overturned must be equipped with a safety switch that will automatically disconnect electric current if overturned.
7. The following power cords are approved for use: SO, ST, STO, POW, K, S.
8. The following power cords are not approved and must not be used: SP3, SPT-3, TP, TPT, TS, TST, AFC, AFPO, AFPD, CFC, CFPO, CFPD, PO-1, PO-2, PO, SPT-1, SPT-2, SP-1, C, PD, P-1, P-2, P, PW-1, PW-2, SV, SVT, SJ, SJO, SJT, SJTO.
9. Any cord not listed must be inspected and approved by the harbormaster.

14.12.120 Violations.

It is unlawful for any owner, master or managing agent, or other person in charge of the operation of a vessel using the Port of Wrangell to commit any of the following prohibited acts:

A. Negligent operation.

Operate a vessel in a manner which creates an unjustifiable risk of harm to a person or property. An "unjustifiable risk" is a risk of such a nature and degree that a failure to avoid it constitutes a deviation from the standard of care that a reasonable person would observe in a situation.

B. Speeding.

Operate or caused to be operated a vessel within the limits of the Port of Wrangell in excess of three (3) miles per hour or in a manner which causes an excessive wake.

C. Failure to register.

Fail to register a vessel with the harbormaster within two (2) hours of entering the Port of Wrangell.

D. Improper location.

Moor a vessel in reserved moorage space assigned to another or in any area not designated for transient moorage such as a no parking zone or channel marker without permission of the harbor-master, or in an area not designated for that size vessel.

E. Improper use of Seaplane float.

Moor or land a vessel at the seaplane float.

F. Improper use by non-vessels.

Anchor or moor logs or items other than vessels in the Port of Wrangell.

G. Improper parking or loading.

Moor a vessel in a loading or unloading zone in excess of four (4) hours.

H. Improper storage.

Deposit, place, or leave any cargo, merchandise, supplies, freight, articles or thing(s) upon any dock, float, ramp, wharf, decline, walk, public hoist or other facility in the Port of Wrangell, except for a maximum of four (4) hours in such places designated as loading and unloading zones by the harbormaster.

I. Improper use of work float.

Use a work float for any purpose other than working on a vessel or gear associated with a vessel and in circumstances where such work may only be accomplished by use of the work float or a similar facility.

J. Littering.

Throw or otherwise cause to be deposited gasoline, oil, trash, garbage, or refuse or any similar substance on any float, dock, wharf, ramp, decline, walk, public hoist or other facility within the Port of Wrangell or into the water of the Port of Wrangell.

K. Improper care and control of animals.

Have or bring a dog or animal within the Port of Wrangell or any Port of Wrangell facility unless the dog or animal is on a leash, or fail to clean up and dispose of animal wastes.

L. Improper use of fire equipment.

Use fire fighting equipment for any purpose other than fighting fires, or tamper with any public or private fire fighting equipment.

M. Fire hazard.

Cause or create a fire hazard or block a fire lane.

N. Improper use of utilities.

Tap, connect, disconnect, interfere with or tamper with any water outlet, water pipe or water connection, or any electrical wiring, electrical outlet or electrical connection of any kind installed or maintained in the Port of Wrangell without authorization from the harbormaster, or use such facilities in an unsafe or inadequate electrical condition. Have or cause an extension cord or electrical wire to cross a float or gangway without permission of the harbormaster.

O. Improper use of tools and equipment.

Use tools or equipment of the Port of Wrangell without permission of the harbormaster.

P. Improper signs.

Erect, place, post or maintain any advertising, sign or other matter other than legal notices on any part of any facility of the Port of Wrangell without prior approval by the harbormaster.

Q. Tampering and defacing signs.

Disregard, deface, remove, tamper with or damage any official sign or notice posted or erected within the Port of Wrangell.

R. Nuisance.

Create or maintain any nuisance within the Port of Wrangell, or conduct or carry on any unlawful business or occupation therein.

S. Improper use of attachments.

Attach unauthorized items, such as used tires, rope or old fire hose to a float.

T. Failure to comply with rules, regulations or procedures.

Following a lawful order of the harbormaster or his designee, fail to comply with any rule, regulation or procedure of the Port of Wrangell provided for in this title.

Chapter 14.16

ENFORCEMENT

Sections:

- 14.16.010 Violations
- 14.16.020 Delinquent fees
- 14.16.030 Impounded vessel - Disposition procedures.

14.16.010 Violations.

A. Citation.

A person committing a violation under Title 14 of the Wrangell Municipal code shall be issued a citation, unless otherwise required by law or the immediate circumstances. A copy of the form of citation is annexed hereto as Appendix "A".

B. Fine Schedule.

A schedule of violations for which the fine may be paid without court appearance and the appropriate fine for each offense is set forth in Appendix "B".

C. Mail-in fine procedure.

If the violation 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 no contest or guilty to the offense by signing the appropriate blank on the citation and paying the fine specified in appendix "B" either in person or by mail within five (5) days of the date of the citation, to the City Accounting Clerk, at Wrangell City Hall, 206 Brueger Street, P.O. Box 531, Wrangell, Alaska 99929. Acceptance of payment of the prescribed fine is complete satisfaction for the violation, and the offender shall be given a receipt which so states, if requested.

D. Promise to appear.

The citation form shall contain a place for the accused to sign acknowledging receipt of the citation and promising to appear in court at a time specified on the citation. The person need not appear in court if he elects to plead guilty or no contest and pay the fine as provided in subsection C of this section. If the accused person refuses to accept the citation or refuses to sign acknowledgment of receipt and promise to appear, the peace officer shall proceed in the manner provided by law for violations. If the accused accepts the notice but fails to pay the fine or appear in court as

required, the citation shall be considered a summons for the charge of a violation and the accused shall be proceeded against in a manner prescribed by law.

E. Mandatory appearance.

Certain serious violations including negligent operation of a vessel and travelling in excess of the posted speed limit, more specifically set out in Appendix "C", shall require a mandatory court appearance. The fine shall be determined by the court pursuant to Appendix "C".

14.16.020 Delinquent fees.

A. Collection of delinquent fees.

The owner, master or managing agent of a vessel or any other person obligated to pay a moorage, wharfage, storage or service fee when such fee is due and payable shall be liable to legal action for recovery and collection of such fee, including interest and reasonable attorney's fees and court costs.

B. Interest on delinquent fees.

Moorage, wharfage, storage or service fees not paid within thirty (30) days of the due date shall accrue interest at the rate of one and one-half percent (1.5%) per month, or the maximum rate allowable by law, whichever is less, until paid in full.

C. Report by harbormaster.

The harbormaster shall submit a report to the Finance Director each calendar quarter on all delinquent fees, including a description of the vessel, the name and address of its registered owner, master or managing agent and the amount of fees which are delinquent. The Finance Director shall refer delinquent accounts to the City Attorney for appropriate legal action to recover and collect such fees.

D. Lien for unpaid fees.

In addition to all other remedies available by law, the City shall have a lien for any unpaid moorage, wharfage, storage or service fees and, should any such fees be unpaid or unsecured for sixty (60) consecutive days after due, any vessel upon which such fees have accrued may be impounded and sold in accordance with the provisions of section 14.16.030.

14.16.030 Impoundment of vessels - Disposition procedures.

A. Impoundment of vessels.

The harbormaster is authorized to impound a vessel under any of the following circumstances:

1. The owner, operator, master or managing agent is not aboard the vessel and the vessel is not properly identified by a name and/or number;
2. The vessel is located in the Port of Wrangell and is in violation of any rule or regulation of the Port of Wrangell;
3. The vessel is located in the Port of Wrangell and the owner, operator, master or managing agent has not paid fees for moorage, wharfage, storage or services when such fees are due and such fees remain delinquent for a period of greater than sixty (60) days thereafter without a prior written agreement to pay such fees on terms acceptable to the Finance Director; or,
4. The vessel is located in the Port of Wrangell and is a derelict or a nuisance as defined in this title.

The harbormaster may, pursuant to this section, impound the vessel by immobilizing it, removing it or having it removed from the water and placing it in public or commercial storage with all expenses of haul out and storage to be borne by the owner of such vessel.

B. Storage fee.

Any impounded vessel, and the owner, operator, master or managing agent thereof, shall be subject to and liable for moorage, storage and service fees assessed against the vessel at the ordinary and usual rate, but in no event less than \$25.00 per month, and shall be subject to and liable for all reasonable costs incurred by the City of Wrangell by reason of its impounding or removal of the vessel, including interest, reasonable attorney's fees and court costs.

C. Notice to owner.

At least twenty-five (25) days prior to impounding any vessel, the harbormaster shall post or cause to be posted, on the vessel, in the harbormaster's office, at the Wrangell City Hall and at the bulletin board of the United States Post Office in Wrangell, Alaska, a notice of such action to be taken. A copy of the notice shall be mailed to the owner, master or managing agent of the vessel at his last known

address, which address shall be the same as furnished in accordance with the provisions of section 14.12.010. The notice shall contain the name and/or official number or state registration number of the vessel, the name and address, if known, of the owner, operator, master or managing agent, and the location of the vessel. In addition, the notice shall set forth the basis or reason for impoundment. In the event the name and address of the owner, operator, master or managing agent is not known and not practically ascertainable, then notice posted on the vessel shall constitute notice.

D. Hearing.

The owner, master or managing agent or any other person in lawful possession of a vessel proposed for impoundment has the right to a pre-impoundment administrative hearing to determine whether there is probable cause to impound the vessel, if such person files a written demand with the City Clerk within ten (10) days after such person has learned such vessel will be impounded or within ten (10) days after mailing of the notice required by Subsection C of this section, whichever occurs first.

E. Hearing procedure.

The hearing shall be conducted before an impartial hearing officer designated by the City Manager within seventy-two (72) hours of receipt of a written demand therefor from the person seeking the hearing, unless such person waives the right to a speedy hearing. Saturdays, Sundays and City holidays are to be excluded from the calculation of the seventy-two (72) hour period. The hearing officer shall be someone other than the person who will direct the impoundment and storage of the vessel. The sole issue before the hearing officer shall be whether there is probable cause to impound the vessel in question. "Probable cause to impound" shall mean such a state of facts as would lead a reasonable person exercising ordinary prudence to believe there was a breach of federal, state or local law rendering the vessel subject to impoundment. The hearing officer shall conduct the hearing in an informal manner and shall not be bound by technical rules of evidence. The person demanding the hearing shall have the burden of establishing that he has the right to possession of the vessel. The harbormaster shall have the burden of establishing there is probable cause to impound the vessel. At the conclusion of the hearing, the hearing officer shall prepare a written decision. A copy of the decision shall be provided to the person demanding the hearing, and the owner of the vessel, if the owner is not the person requesting the hearing. The hearing officer's decision shall in no way affect any criminal proceedings in connection with the impoundment in question, and any criminal charges involved in

such proceedings may only be challenged in the appropriate court. The decision of the hearing officer is final. Failure of the owner, operator, master or managing agent to request or attend a scheduled pre-impoundment hearing shall be deemed a waiver of the right to such a hearing.

F. Finding of probable cause.

The hearing officer shall only determine that as to the vessel in question, either that there is probable cause to impound the vessel or that there is no such probable cause. In the event the hearing officer determines there is no probable cause, the hearing officer shall prepare and date a certificate of no probable cause, copies of which shall be given to the owner, operator, master or managing agent, or the person requesting the hearing and to the harbormaster. In the event the hearing officer determines there is probable cause,

1 the hearing officer shall prepare and date a certificate of probable cause, copies of which shall be given to owner, operator, master or managing agent, or the person in possession of the vessel requesting the hearing and the harbormaster. Upon receipt of such certificate of probable cause, the harbormaster may proceed with impoundment and disposition of the boat by removal, sale, or destruction as authorized by this chapter.

G. Notice of sale.

Any vessel impounded shall be held in the city for a period of not less than thirty (30) days during which the City shall publish, not less than ten (10) days prior to such sale, in a newspaper of general circulation in Wrangell, Alaska, a notice describing the vessel in general terms, the name and/or official number or state registration number, if any, and the name and address of the owner, master or managing agent if known, and if not known shall so state, the location of the vessel, and the intention to sell the same at a public auction, at Wrangell, Alaska, on a day, place and time certain, for cash to the highest and best bidder. At any time prior to the date of the sale, the owner, operator, master or managing agent, or person in lawful possession of the vessel may redeem the vessel by a cash payment of all fees against the vessel, including interest and costs.

H. Sale.

The minimum acceptable bid shall be a sum equal to the fees against the vessel, including interest and costs. The proceeds of such sale shall be first applied to the cost of sale, then to moorage, wharfage, storage or service fees accrued, including interest, and the balance, if any, shall be held in trust by the City for the owner of the vessel to

claim; and if not claimed within two (2) years, the balance shall be deposited to the general fund of the City of Wrangell. Upon sale being made, the City shall make and deliver its bill of sale, without warranty, conveying the vessel to the buyer.

I. Other disposition.

If at the public sale there are no qualified bids for the vessel, the City may destroy, sell at a private sale, or otherwise dispose of the vessel. The disposition to be made without liability to the owner, master or managing agent, person in possession of the vessel, or lienholder of the vessel.

APPENDIX A

DISTRICT COURT FOR THE CITY OF WRANGELL
 FIRST JUDICIAL DISTRICT, AT WRANGELL
 HARBOR TICKET AND COMPLAINT

City of Wrangell v. _____
 Plaintiff

STATE OF ALASKA)
)
 FIRST JUDICIAL DISTRICT)

The undersigned, being duly sworn, upon his oath deposes and says:
 On the ___ day of _____, 19___, at ___:___ a.m./p.m.

 (Last) (First) (Middle)

 (Mailing Address) (City) (State)

did unlawfully (operate) (part) (place) a/an (vessel) (item)

 (Type) (Length) (Color)

 (Boat Name or Number) (Item Description)

within a public harbor, at _____ in violation of
 Wrangell Municipal Code ().().().()

V
I
O
L
A
T
I
O
N
S

NON-MANDATORY
COURT APPEARANCE

- | | |
|---|--|
| 1. <input type="checkbox"/> Mooring in no parking zone (\$15.00 per notice to move) | 2. <input type="checkbox"/> Mooring at seaplane float (\$15.00 per notice to move) |
| 3. <input type="checkbox"/> Mooring in wrong area for boat size (\$10.00 per notice to move) | 4. <input type="checkbox"/> Unauthorized use of another person's stall (\$50.00) |
| 5. <input type="checkbox"/> More than one boat per stall (\$10.00 per notice to move) | 6. <input type="checkbox"/> Parking in loading zone over 4 hours (\$5.00 per) |
| 7. <input type="checkbox"/> Cargo, freight, etc. on float, wharf, etc. over 4 hours (\$5.00 per period) | 8. <input type="checkbox"/> Animals being a nuisance (\$25.00) |
| 9. <input type="checkbox"/> Causing fire hazard/blocking fire lane/illegal use of fire equipment (\$100.00) | 10. <input type="checkbox"/> Unauthorized use of electrical facilities (\$25.00) |
| 11. <input type="checkbox"/> Other (\$15.00) _____ | |

MANDATORY
COURT APPEARANCE

- | |
|--|
| 12. <input type="checkbox"/> Speeding or excessive wake ___mph in a ___mph zone ___wake ht |
| 13. <input type="checkbox"/> Reckless or negligent operation |
| 14. <input type="checkbox"/> Failure to comply with lawful order of harbormaster |
| 15. <input type="checkbox"/> Other _____ |

The undersigned further states that this Harbor Ticket is based upon his personal observations and/or belief that the person named herein committed the offense, contrary to law.

Complaint:

Sworn to and Subscribed)
before me this ___ day)
of _____, 19___.)
_____)
(Notary))

(Signature of Complainant)

(Title)

Court Appearance ___ day of _____, 19__, at ___ a.m./p.m.

Court Address:

I promise to appear in court at the time and place indicated.

Signature: _____

PLEASE READ THE BACK OF THIS TICKET AND COMPLAINT

INSTRUCTIONS TO PERSON GIVEN HARBOR TICKET
READ THE FOLLOWING INSTRUCTIONS CAREFULLY

WHEN COURT APPEARANCE MANDATORY:

You have been charged with a Port Violation and requested to appear in District Court. You must appear in court on the date specified if you are charged with a MANDATORY COURT APPEARANCE VIOLATION as indicated on the other side of this summons.

WHEN COURT APPEARANCE NON-MANDATORY:

You have been charged with a Port Violation and are not required to appear in court if you have been charged with a NON-MANDATORY COURT APPEARANCE VIOLATION as indicated on the other side of this summons.

You may plead not guilty and contest the citation by signing the appropriate blank in the citation and posting bail in an amount equal to the fine. The court will notify you of your rights and a trial date. In general, you have the right to a trial, to engage counsel to assist in your defense, to confront and question witnesses to testify and to subpoena witnesses on your behalf. If you do not fully understand your rights, you may retain an attorney to advise you or you may appear in court on the date specified on the other side of this citation and the court will explain your rights.

You may plead no contest or guilty to the offense by signing the appropriate blank on the citation and paying the fine or bail specified on the citation either in person to the City Accounting Clerk in Wrangell City Hall at 206 Brueger Street, downtown Wrangell within five (5) days of the date of the arrest, or by mail to the City Accounting Clerk, P.O. Box 531, Wrangell, Alaska 99929 within five (5) days of the arrest. Acceptance and payment of the fine or bail is a complete satisfaction for the offense, and the offender shall be given a receipt which so states, should it be desired by the offender.

NOTICE

The court will issue a warrant for the arrest of any defendant who has failed to appear or answer a Harbor summons duly served upon him and upon which a complaint has been filed.

APPEARANCE, PLEA OF NOT GUILTY
AND WAIVER OF APPEARANCE FORM

A. CONTEST THE CITATION. PLEA OF NOT GUILTY AND WAIVER OF APPEARANCE. _____

I wish to contest this citation. I have checked the box above. A signed copy of this citation and my bail are enclosed. I request a non-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 violation charged.

AMOUNT \$ _____

(Defendant's Name) (Please Print)

(Address)

(Defendant's Signature)

(Date)

B. PLEA OF GUILTY AND WAIVER OF APPEARANCE. _____

I, the undersigned, do hereby enter my appearance on the complaint of the offense charged on the other side of this summons. I have been informed of my right to a trial, to engage counsel to assist in my defense; to confront and question witnesses, to testify and subpoena witnesses on my own behalf, and that my signature on this plea of guilty will have the same force and effect as a judgment of court, I do hereby PLEAD GUILTY to said offense as charged and

WAIVE my rights to a trial by the court. I further agree to pay the penalty prescribed for my offense.

AMOUNT \$ _____

(Defendant's Name) (Please Print)

(Address)

(Defendant's Signature)

(Receipt No.)

(Date)

APPENDIX B

Section 14.12.120

Non-mandatory Appearance, Fine Schedule

SECTION	VIOLATION	CODE	FINE
14.12.120 (C)	Failure to Register		\$15.00
14.12.120 (D)	Improper location		\$15.00
14.12.120 (E)	Improper use of a seaplane float		\$15.00
14.12.120 (F)	Improper use by non-vessels		\$15.00
14.12.120 (G)	Improper parking or loading		\$5.00
14.12.120 (H)	Improper storage		\$5.00
14.12.120 (I)	Improper use of work float		\$5.00
14.12.120 (J)	Littering		\$15.00
14.12.120 (K)	Improper care and control of animals		\$25.00
14.12.120 (L)	Improper use of fire equipment		\$100.00
14.12.120 (M)	Fire hazard		\$100.00
14.12.120 (N)	Improper use of utilities		\$25.00
14.12.120 (O)	Improper use of tools and equipment		\$15.00
14.12.120 (P)	Improper signs		\$15.00
14.12.120 (Q)	Tampering and defacing signs		\$15.00
14.12.120 (R)	Nuisance		\$15.00
14.12.120 (S)	Improper use of attachments		\$15.00

APPENDIX C

Section 14.12.120

Mandatory Appearance, Fine Schedule

CODE SECTION	VIOLATION	FINE
14.12.120(A)	Negligent Operation	Not to exceed \$300.00
14.12.120(B)	Speeding	Not to exceed \$300.00
14.12.120(T)	Failure to comply with rules, regulations or procedures	Not to exceed \$300.00

APPENDIX D

WRANGELL INNER HARBOR:

A portion of the submerged and tidelands within Alaska Tidelands Survey No. 83 (CR62S, 83E), as per the City of Wrangell Tidelands Survey Map, dated October 15, 1962, and on file at the Wrangell City Clerk's office, being more particular described as follows:

Beginning at the most northerly corner of the northerly Fraction of Lot 28, Block 84 of U.S. Survey No. 1119; thence S 31°23' E along the Line of Mean High Water, to the breakwater a distance of 45.00 feet, more or less, the true point and place of beginning; thence continuing along the breakwater N 23°24'30" E a distance of 305.36 feet, more or less, to the navigational light, thence N 65°34'34" a distance of 417.56 feet, to a point common with the most southerly point on the Wrangell, Alaska Mill Dock; thence East a distance of 370.79 feet; thence S 87°00' E a distance of 99.81 feet to a point on the Line of Mean High Water; thence continuing along the Line of Mean High Water in an easterly direction to the point and place of beginning of the Wrangell Inner Harbor.

WRANGELL OUTER HARBOR

A portion of the submerged and tidelands within Alaska Tidelands Survey No. 83 (CR62S, 83E), as per the City of Wrangell Tidelands Survey Map, dated October 15, 1962, and on file at the Wrangell City Clerk's office, being more particular described as follows:

Beginning at the intersection of Fort Street and Stikine Avenue, thence S 71°59'30" W a distance of 22.87 feet, to a point on the Line of Mean High Water, and true point and place of beginning; thence S 60°36'30" W a distance of 325 feet, more or less, to a point on the Directors' Line; thence continuing along the Directors' Line S 29°30' E a distance of 652.00 feet, more or less, to Corner 5; thence S 36°49'45" E a distance of 938.38 feet, to Corner 6; thence S 17°18' W a distance of 525.00 feet; thence S 72°42' E a distance of 255.00 feet, more or less, to a point common with the navigation light, located on the northerly end of the breakwater; thence N 65°34'34" E a distance of 417.56 feet, to a point common with most southerly point on the Wrangell, Alaska Mill Dock; thence N 30°00' W a distance of 548.00 feet; thence N 60°00' E a distance of 790.00 feet; thence S 61°00' E a distance of 221.41 feet, to a point on the Line of Mean High Water; thence continuing along the Line of Mean High Water to the true point and place of beginning of the Wrangell Outer Harbor.

WRANGELL DOCK AND BARGE RAMP FACILITY:

The uplands and improvements within the submerged lands, to include the Wrangell Dock, Barge Ramp and appurtenance within the resubdivision of Lots 1 and 2, Block 1, Lot 1, Block 2A, of the Wrangell Townsite Survey, and unsubdivided tidelands of U.S. Survey No. 119 and Alaska Tidelands Survey No. 83, as per the recorded plat No. 80-1, filed in the City of Wrangell on April 21, 1980, being more particular described as follows:

Commencing at the Northeast corner of Lot 4, of the resubdivision of Lot 2, Block 1, the true point of beginning; thence along the Westerly Right-of-Way of Outer Drive S 09°23'00" E a distance of 128.10 feet; thence S 62°29'46" E a distance of 202.46 feet; thence S 40°24'36" E a distance of 133.85 feet; thence S 48°50'00" W a distance of 624.89 feet; thence N 37°49'45" W a distance of 496.79 feet; thence N 29°30'00" W a distance of 113.91 feet; thence N 48°50'00" E a distance of 343.34 feet; thence N 81°03'00" E a distance of 152.47 feet to a point on the South Westerly Right-of-Way of Front Street; thence continuing along the Right-of-Way of Front Street, S 08°57' E a distance of 29.00 feet; thence N 80°11'22" E a distance of 131.98 feet to the point and place of beginning of the Wrangell Dock and Barge Ramp Facility.

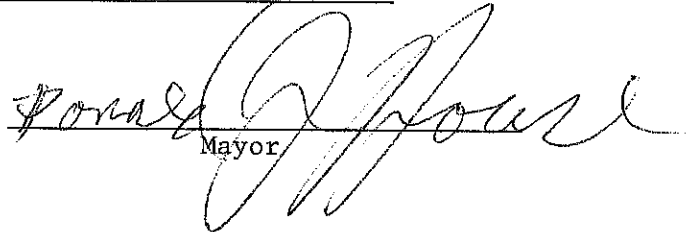
SHOEMAKER BAY HARBOR:

That particular body of water and uplands located at Shoemaker Bay, Wrangell, Alaska, being more particular described as follows:

Beginning at the most North Easterly corner of Lot 24, U.S. Survey No. 3403, a point on the Westerly right-of-way of Zimovia Highway; thence continuing along the Zimovia Highway right-of-way, S 50°10' E a distance of 1163.99 feet; thence continuing along a curve to the right a distance of 442.77 with the chord bearing S 47°56'15" E a distance of 442.66 feet; thence S 53°16'30" W a distance of 205.29 feet; thence N 84°45' W a distance of 135.00 feet; thence S 50°45' W along the most Southerly breakwater for the Shoemaker Bay Boat Harbor, a distance of 660.00 feet; thence continuing along the breakwater N 39°15' W a distance of 820.00 feet; thence N 47°18' W to a point on the most Northerly breakwater, a distance of 395.55 feet; thence continuing along the most Northerly breakwater N 41°43' E a distance of 580 feet to a point on the westerly boundary of Lot 24, U.S. Survey No. 3403; thence continuing along the Westerly boundary of Lot 24, U.S. Survey No. 3403, N 42°32' W a distance of 92.21 feet; thence N 30°55' W a distance of 193.64 feet; thence East a distance of 173.03 feet to the point and place of beginning of the Shoemaker Bay Boat Harbor and Uplands.

PASSED IN FIRST READING: JANUARY 23, 1990

PASSED IN SECOND READING: FEBRUARY 13, 1990



Mayor

ATTEST: 

City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 555

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 5, REVENUE AND FINANCE, CHAPTER 5.02, SPECIFICALLY AMENDING SECTIONS 5.02.050 AND 5.02.070

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 law and shall be effective thirty (30) days after final passage.

Sec 4. Wrangell Municipal Code, Sec. 5.02.050, sub-part B is amended to read:

- B. Fully insured certificates of deposit, savings deposits, and other interest bearing deposit accounts in member banks insured by the Federal Deposit Insurance Corporation (FDIC) or the Federal Savings and Loan Insurance Corporation (FSLIC) [WITH OFFICES IN ALASKA WHOSE OPERATIONS FOR THE TWO (2) MOST RECENT FISCAL YEARS HAVE RESULTED IN A PROFIT]

Sec. 5. Wrangell Municipal Code, Sec. 5.02.050, sub-part C is amended to read:

- C. Fully collateralized certificates of deposits, savings deposits, or other interest bearing deposit accounts of member banks insured by the Federal Deposit Insurance Corporation (FDIC) or the Federal Savings and Loan Insurance Corporations (FSLIC) [WITH OFFICES IN ALASKA WHOSE OPERATIONS FOR THE TWO (2) MOST RECENT FISCAL YEARS HAVE RESULTED IN A PROFIT]. Such deposits shall be fully collateralized for any amount of the deposit in excess of the FDIC or FSLIC insurance limits then in force.

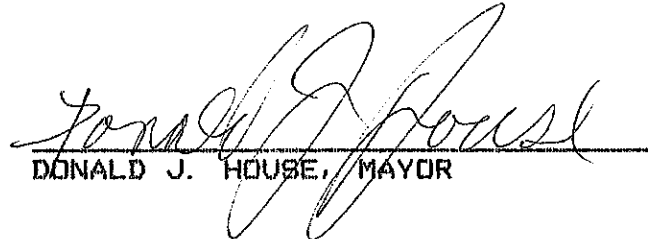
Sec. 6. Wrangell Municipal Code, Sec. 5.02.070 Investments Placed. is amended to read:

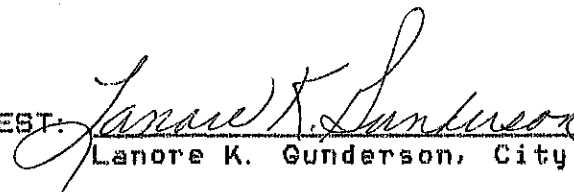
- A. Member banks insured by the FDIC or FSLIC; and/or,
- B. Broker dealers that are members of the New York Stock Exchange (NYSE), members of the Securities Investor Protection Corporation (SIPC) and registered broker dealers in Alaska.

[TO THE MAXIMUM EXTENT POSSIBLE, INVESTMENTS SHALL BE PLACED WITH OR THROUGH FINANCIAL INSTITUTIONS WITH OFFICES IN ALASKA.]
To facilitate convenient placement of investments, City funds up to a combined limit of \$300,000 may be temporarily deposited for a period not to exceed twenty (20) days in a cash management account or U. S. Government Securities money market fund sponsored by the financial institution through which such investments are being placed.

PASSED IN FIRST READING: JANUARY 23, 1990

PASSED IN SECOND READING: FEBRUARY 13, 1990


DONALD J. HOUSE, MAYOR

ATTEST: 
Lanore K. Gunderson, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 556

AN ORDINANCE OF THE CITY OF WRANGELL, ALASKA, TO AMEND WRANGELL MUNICIPAL CODE 15.12.010, ET SEQ. ENTITLED PUBLIC SERVICES-ELECTRICITY AS FOLLOWS: TECHNICAL CHANGES IN SERVICE ENTRANCE REQUIREMENTS; LIMITATIONS ON MULTIPLE UNIT SERVICE CONNECTIONS; EXCEPTIONS TO PROHIBITION ON RESALE OF SERVICES; CHANGES IN CUSTOMER INSTALLATION REQUIREMENTS; PROVISIONS FOR INTERRUPTION IN SERVICE; CHANGES IN DISCONNECT AND RECONNECT FEES AND SERVICE CHARGES; EDITORIAL CHANGE IN SERVICE TO BOATS PROVISIONS; AND, INCORPORATION OF REVISED ELECTRICAL CODE BY REFERENCE.

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

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

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

Section 3. Effective date. This ordinance shall be published as provided by law and shall be effective thirty (30) days after final passage.

Section 4. WMC Section 15.12.060 entitled "Service Entrance and Connections - Terms of Service" is hereby repealed, and re-enacted to read as follows:

Section 15.12.060 Service Entrance and Connection - Terms of Service .

- A. The city shall deliver electric service at the exterior of the premises to be served. The customer shall provide adequate conductors at the weather cap for electrical connections to the city's service lines; rigid conduit to connect weather cap to the meter socket; a suitable meter housing; rigid conduit to connect entrance switch or panel from the meter socket; service panel and switches; connectors; fuses; circuit breakers; and, any and all other devices required to accomplish connection of service to the load side of the customer's metering point. All such equipment, and the installation thereof, shall comply with all current rules, regulations, codes and standards for the safe construction and operation of electrical service adopted by the State of Alaska and the City of Wrangell, and shall be maintained in a safe and operable condition by the customer. The customer is required to use treated poles approved by the City Light Department for service poles.

- B. The city shall supply meter(s) and any required instrumentation transformer(s). All meters will be sealed by the city, and no such seal shall be tampered with or broken except by a representative of the city appointed for that purpose. The customer shall exercise every care to prevent the meter, service wires, appliances or fixtures of the city upon the customer's premises from being damaged or destroyed, and shall refrain from interfering with the same; and, in the event any defect therein is discovered, the customer shall notify the city immediately.

- C. All commercial and industrial customers that require 200 or more KVA service shall furnish, install, maintain and replace at their own expense any step-down transformers or protective devices required to facilitate the delivery of electric service to the customer's premises to be approved by the City Light Department in advance.

- D. The city shall furnish and install an overhead service to the nearest practical point of attachment to the customer's building or other delivery point, such point to be approved by the city prior to construction or modification. The customer shall convey to the city all necessary rights-of-way or utility easements required to install and maintain the service connection.

- E. The customer shall provide a suitable service entrance to the premises at the point of attachment to the customer's building or other delivery point. Such entrance shall be continuous, and in a rigid conduit free from the possibility of tampering or interference. All wiring on the customer's premises shall be done at the customer's expense.
- F. The customer shall furnish a convenient and accessible place for the city to install and read the meter(s). Such location shall be suitable to the preservation of the integrity of the meter(s) and shall be free from any adverse conditions.
- G. The city shall have the right to enter upon the premises of the customer at all reasonable times for the purpose of inspecting, repairing, or removing any and all equipment, appliances and wiring of the city.
- H. The city shall have the right to do tree and bush trimming and/or removal on the customers premises in order to maintain a six foot minimum clearance for protection of electrical distribution lines and service drops.
- I. Whenever any clearance between the service connectors and the ground, or any object, becomes impaired as the result of actions of the customer and no longer complies with all applicable rules, regulations, codes and standards of the State of Alaska or the City of Wrangell, the customer shall, at the customer's expense, provide a new and improved support for termination of the city's service lines. Such support shall be in a location approved by the city. The customer shall also provide all service entrance conduit and conductors and any other equipment necessitated by the change in location.

Section 5. WMC Section 15.12.070 "Joint Service Connections" is hereby repealed and re-enacted to read as follows:

15.12.070 Multiple Unit Service Connections.

A single meter to measure the electrical consumption of two or more separate dwelling units shall not be permitted for new construction or apartment conversions after January 1, 1990. The meter reading on existing multiple dwelling units serviced by a single meter shall be calculated by dividing the meter reading by the number of units served. The rate imposed to each unit by Section 15.12.200

shall be applied as if each unit were metered separately. Conversely, if there is more than one meter at a customer's premises, each meter shall be read and billed separately and the readings from two or more meters shall not be combined.

Section 6. WMC Section 15.12.080 entitled "Resale of Service Prohibited" is hereby repealed and re-enacted to read as follows:

Section 15.12.080 Resale of Service.

The customer shall not resell the electrical energy furnished by the city unless such resale is specifically approved by the city council.

Section 7. WMC Section 15.12.090 entitled "Customer's Installations" is hereby amended by addition of the following subsection E, to read as follows:

Section 15.12.090 Customer's Installations.

- E. A customer shall give the city written notice before making any substantial addition to the customer's load which may impair the quality of service rendered by the city to the customer or any other customers.

Section 8. WMC Section 15.12.130 entitled "Interruptions in Service" is hereby repealed and re-enacted to read as follows:

15.12.130 Interruptions in Service.

- A. The city shall exercise reasonable diligence and care to furnish and deliver a continuous and satisfactory supply of electrical energy to the customer, but in the event of such interruption or shortage, the city shall not be liable for any loss or damage occasioned thereby nor shall such interruption or shortage constitute a breach of its contract.
- B. The city shall have the right to temporarily suspend the supply of electrical energy to a customer whenever it finds it necessary to make repairs or improvements to its system; however, when possible, reasonable notice shall be given and repairs or improvements shall be prosecuted with reasonable diligence and, insofar as feasible, in a manner likely to cause the least inconvenience to customers.

C. Customers who have life-support equipment or otherwise require uninterrupted or emergency power shall notify the City Light Department in writing. Such customers shall purchase at their own expense and maintain on site an automatic emergency power supply suitable to their needs. The city shall not be responsible nor liable for its failure to deliver a satisfactory supply of energy to such customers notwithstanding their extraordinary need or their prior notice to the city.

Section 9. WMC Section 15.12.140(D) is hereby repealed and re-enacted to read as follows:

D. All monthly bills for services rendered and minimum charges are due and payable upon receipt. A customer who fails to pay his or her bill within twenty (20) days from its date, shall be deemed to have a delinquent account. Service to customers with delinquent accounts may be discontinued in accordance with the procedures in this code. Service may not be re-established until the account is paid in full, plus the following charges:

Charge for disconnect	\$20.00
Charge for reconnect	20.00
Total extra cost	40.00

Customers ordering temporary disconnection of service will be charged for this service at the following rates:

Charge for disconnect	\$20.00
Charge for reconnect	20.00
Total extra cost	40.00

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 electric service.

Where scheduling does not permit normal service reconnection on the same day as requested, the customer may elect to pay an after-hours charge equal to the actual cost of overtime labor to obtain reconnection of service that day; otherwise, service will be reconnected the next business day.

Section 10. WMC 15.12.140 is hereby amended by the addition of the following subsection E, to read as follows:

E. Electric utility service will not be disconnected for nonpayment of a delinquent account in the following situations:

1. Life support equipment is used and the customer is dependent on that utility service for the operation of the apparatus;
2. The customer presents evidence that establishes that such termination will seriously affect the health or safety of the customer or of a member of the customer's household provided the customer has made prior credit arrangements with the City Light Department;
3. The customer has made prior credit arrangements for payment and is complying with the terms of such credit arrangement. Credit payment and arrangements must specify the payment dates, payment amount, and review dates. The credit arrangement shall be a commitment by the customer to pay the delinquent portion of the bill on a specified date, or in equal payments over a specified period of time that is agreeable with the credit personnel of the finance department. If payments are not being made as agreed, service shall be subject to disconnection;
4. For delinquency in the payment of utility service rendered to a prior customer at the same premises where service is currently being provided, except in the instance where the prior delinquent customer continues to reside on the premises.

Section 11. WMC 15.12.170 entitled "Service Charges - Service Defined" is hereby repealed and re-enacted as follows:

15.12.170 Service Charges.

- A. The service charges for new or modified service shall be computed as follows:
1. The city shall furnish the meter at no charge to the customer. The customer shall pay the city for any instrumentation transformers required to be installed to properly meter the customer's electrical energy usage.

2. Customers who require less than 200 KVA; 3-phase service shall pay a one-time charge equal to two-thirds (2/3) of the cost of the three transformers required to be provided by the City to maintain such service. Whenever, within a five year period, additional customers connect to an existing set of three transformers, the one-time cost shall be recalculated and equalized among all such customers. Such customers shall forthwith make payment or receive reimbursement, as appropriate, to effectuate such equalization.
 3. The customer shall pay for all other materials used by the city and required to deliver electrical service from the city's distribution lines to the customer's premises.
 4. The city shall furnish at no charge to the customer all labor necessary to install a service drop of up to 100 feet from the city's distribution lines to the customer's premises; however, the customer shall pay for all labor to install that portion of the service drop in excess of 100 feet.
- B. When a customer requests a change in an existing service, installation, work will be performed by the city and all material, labor and other costs incidental thereto shall be paid by the customer.
- C. The foregoing covers overhead service only. Underground service must be paid for by the customer and the work performed under the supervision of the city. All underground service must be properly maintained by the customer.

Section 12. WMC Section 15.12.230(A) is hereby repealed and re-enacted to read as follows:

Section 15.12.230 Shore Service for Boats .

- A. This section applies to any and all vessels, regardless of size, that are not serviced under Sections 15.12.200 or 15.12.210.

Section 13. WMC Section 18.12.010 entitled "National Electrical Code Adopted by Reference" is hereby repealed and re-enacted to read as follows:


Section 18.12.010 National Electrical Code Adopted By Reference

For the purpose of regulating the construction, reconstruction, addition, enlargement, conversion, equipment, use and maintenance of all electrical wiring and devices within and without all buildings and structures within the city there is adopted, as the electrical code of the city, the current version of the National

Fire Protection Association, National Electrical Code as adopted by the State of Alaska, five copies of which have been filed in the office of the Clerk for public use, inspection and examination, and which compilation is made a part of this chapter as if fully set forth herein, subject only to the enumerated additions and deletions set forth in this chapter, and as interpreted in the current version of Ferm's Fast Finder Index: Guide to the National Electrical Code Plus Many Valuable Time Saving Charts and Formulas.

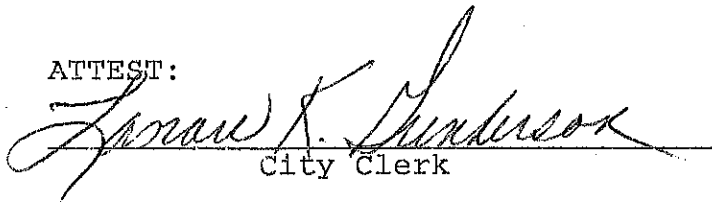
PASSED IN FIRST READING: OCTOBER 10 , 1989

PASSED IN SECOND READING: MARCH 27 , 1990



Mayor

ATTEST:



City Clerk

CITY OF WRANGELL, ALASKA

Ordinance No. 557

AN ORDINANCE REPEALING ORDINANCE NO. 322 OF THE CITY OF WRANGELL, ALASKA, ADOPTED DECEMBER 10, 1974, AND VACATING THE DEDICATION TO PUBLIC USE AS A PUBLIC RIGHT OF WAY ALL OF THAT PORTION OF LOT 6, BLOCK 25, WRANGELL TOWNSITE BETWEEN THE CASE AVENUE RIGHT OF WAY AND ZIMOVIA HIGHWAY 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 Wrangell Municipal Code and shall be effective thirty (30) days after final passage and publication.

Sec. 4. Repealer. This ordinance repeals ordinance No. 322 and any other ordinances which may be inconsistent herewith.

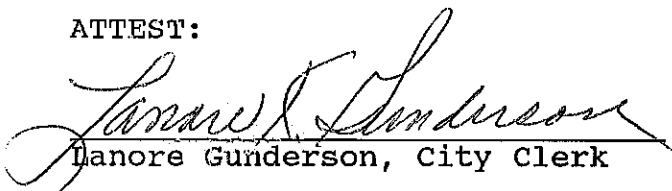
Sec. 5. Vacation. The dedication to public use as a public right-of-way all of that portion of Lot 6, Block 25, Wrangell Townsite between the Case Avenue right-of-way and Zimovia Highway right-of-way owned by the City of Wrangell a obtained from a Clerk's tax foreclosure deed dated March 23, 1971, recorded as serial number 71-88, recorded in Deed Book 17 at page 303, Wrangell Recording District, is hereby vacated.

PASSED IN FIRST READING: MARCH 13, 1990.

PASSED IN SECOND READING: MARCH 27, 1990.


Donald J. House, Mayor

ATTEST:


Lanore Gunderson, City Clerk

PUBLISHED: April 5, 1990

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 558

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, SUBSTANTIALLY AMENDING TITLE 3, CHAPTER 56, SECTION 190 OF THE WRANGELL MUNICIPAL CODE REGARDING VACATIONS, SPECIFICALLY PROVIDING FOR CALCULATION OF ACCRUED VACATION LEAVE AND PAYMENT THEREFOR.

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 by law and shall be effective on the first day of the month which occurs at least 30 days after final passage.

Sec. 4. Wrangell Municipal Code 03.56.190, entitled Vacations, is hereby repealed, amended and re-adopted to read as follows:

03.56.190. Vacations.

A. Accrual of vacation leave for full time employees shall be according to the following schedule, based on a bi-monthly pay period:

0-1 year	3.33 hours per pay period
1-4 years	5.00 hours per pay period
5-9 years	6.67 hours per pay period
10-	8.33 hours per pay period

Vacation leave accruals for partial months of service shall be on a prorated basis. Employees who work less than full-time shall accrue leave credit monthly on a prorated basis according to the above schedule and hours in pay status.

All calculations shall be based on a forty (40) hour work week.

1. An employee shall not accrue vacation leave until completion of the first six months, whereupon the employee shall be credited with accruals as provided in paragraph A above, retroactive to the date of appointment. After the initial six month period, an employee may use any time accumulated to his or her account. The hours used will be reduced from the employee's total hours available for vacation leave. The employee shall be paid for the hours

of vacation leave used. Such pay shall be at the employee's current rate of pay.

2. Vacation leave earned during the monthly pay period shall be credited on the first day of the following pay period.

3. Changes in the rate of vacation leave accrual shall take effect at the beginning of the pay period immediately following the pay period in which the employee completes the prescribed period of service.

B. An employee may accumulate up to a maximum of not more than 320 hours.

C. Upon the effective date of this ordinance, employees having unused vacation leave under previous WMC 03.56.190 may either


1. receive a lump sum payment for the amount of vacation time accrued under previous WMC 03.56.190; or
2. have the vacation leave time accrued under previous WMC 03.56.190 applied to the present system of vacation leave time.

(a) Any hours accrued under previous WMC 03.56.190 for which the employee has previously received payment but has not used may be used within one (1) year of the effective date of this ordinance as vacation leave without pay.

D. Vacation leave may be taken by an employee at any time business permits upon prior permission by the head of the department for whom the employee works. An employee's request shall not be unreasonably denied.

E. Termination. Upon termination, any hours credited to the employee's account shall be paid to the employee at the employee's current rate of pay.

PASSED IN FIRST READING MARCH 13, 1990
PASSED IN SECOND READING MARCH 27, 1990


Donald J. House, Mayor

ATTEST: 
Ianore Gunderson, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 559

AN ORDINANCE OF THE CITY OF WRANGELL, ALASKA AMENDING TITLE 5, CHAPTER 8 OF THE WRANGELL MUNICIPAL CODE REGARDING SALES TAX EXEMPTIONS, SPECIFICALLY PROVIDING FOR AN EXEMPTION FOR RECEIPTS DERIVED FROM AUTHORIZED GAMES OF CHANCE AND SKILL CONDUCTED BY QUALIFIED ORGANIZATIONS HOLDING A VALID PERMIT FROM THE STATE OF ALASKA.

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 portion 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.

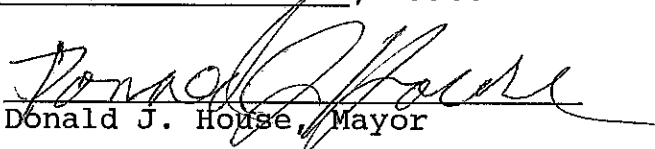
Sec. 3. Effective Date. This ordinance shall be published as provided by law and shall be effective 30 days after final passage.

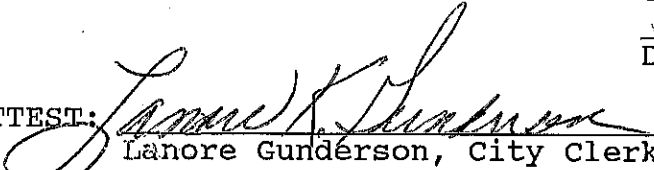
Sec. 4. Wrangell Municipal Code, section 5.08.060, entitled Exemptions from tax is hereby amended by adding thereto and inserting therein, following paragraph U thereof, the following paragraph to be known as paragraph V:

Gross receipts derived from the sales of lawful games of chance and skill conducted by qualified organizations which hold a valid permit from the State of Alaska pursuant to Title 5, Chapter 15 of the Alaska Statutes.

PASSED IN FIRST READING: MARCH 13, 1990.

PASSED IN SECOND READING: MARCH 27, 1990.


Donald J. House, Mayor

ATTEST: 
Lanore Gunderson, City Clerk

PUBLISHED: April 5, 1990

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 560

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING THE WRANGELL MUNICIPAL CODE, SPECIFICALLY, TITLE 5, CHAPTER 8, SALES TAX, PROVIDING FOR AN INCREASE IN THE RATE OF LEVY OF CONSUMER SALES TAX FROM FIVE PERCENT (5%) TO SEVEN PERCENT (7%).

NOW, THEREFORE, 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 portion 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 not be effective until the increase in sales tax is ratified by a majority of the voters at an election and after certification of election results. If so ratified, the effective date of the Sales Tax increase from five percent (5%) to seven percent (7%) shall be July 1, 1990.

Sec. 4. Wrangell Municipal Code, section 5.08.020, entitled Rate of tax, is hereby repealed and reenacted to read as follows:

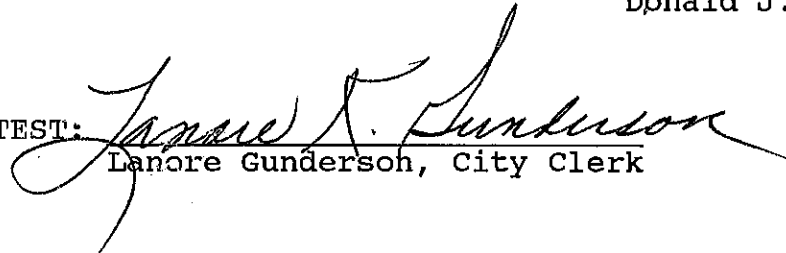
The consumer sales tax is levied in the amount of seven percent of the sales price of all retail sales, on all rents, and on all service made, paid or performed within the municipality, except that on sales of less than two dollars and nine cents said tax is levied in accordance with the following schedule:

<u>Sales Price</u>	<u>Amount of Tax</u>
Under \$0.08	None
\$0.08 to .21	\$0.01
.22 to .35	.02
.36 to .49	.03
.50 to .64	.04
.65 to .78	.05
.79 to .92	.06
.93 to 1.07	.07
1.08 to 1.21	.08
1.21 and over	Straight 7%

PASSED IN FIRST READING: MARCH 27, 1990.

PASSED IN SECOND READING: APRIL 10, 1990.

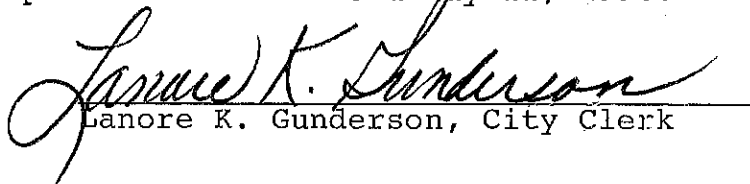

Donald J. House, Mayor

ATTEST: 
Lanore Gunderson, City Clerk

PROPOSITION:

YES	422
NO	183

I, Lanore K. Gunderson, City Clerk, City of Wrangell, Alaska, hereby certify that the foregoing is a true and correct copy of the results of the Special Election held May 22, 1990.


Lanore K. Gunderson, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 561

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING CHAPTER 5.02 ENTITLED INVESTMENT OF CITY FUNDS, SPECIFICALLY AMENDING SECTION 5.02.050 BY ADDING A SECTION PERMITTING REPURCHASE AGREEMENTS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WRANGELL AS
AS FOLLOWS:

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 law and shall be effective thirty (30) days after final passage.

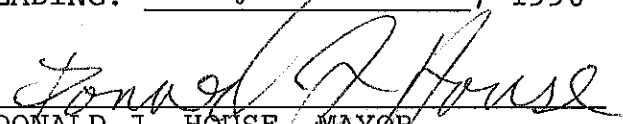
Sec. 4. Wrangell Municipal Code Section 5.02.050 is amended by adding a new subsection "D" to read as follows:

5.02.050 Investments Investments shall be restricted to the following:

D. Repurchase Agreements where the General checking balance at the end of each business day is used to buy a security (as allowed under WMC 5.02.050 (A), (B), or (C) from the bank and held overnight. The bank agrees to repurchase the security at the beginning of the next business day and deposit back to the General checking. All Repurchase Agreements must meet all the Investment guidelines as described in Chapter 5.02.

PASSED AND APPROVED IN FIRST READING: May 8, 1990

PASSED AND APPROVED IN SECOND READING: May 22, 1990


DONALD J. HOUSE, MAYOR

ATTEST:


CITY CLERK

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 562

AN ORDINANCE OF THE CITY OF WRANGELL, ALASKA AMENDING TITLE 5, CHAPTER 8 OF THE WRANGELL MUNICIPAL CODE REGARDING LIMITATION OF USE OF TAX PROCEEDS, SPECIFICALLY PROVIDING FOR A CHANGE IN THE ALLOCATION OF SALES TAX PROCEEDS.

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 portion 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 on July 1, 1990, if and only if the voters, at the special election to be held on May 22, 1990, ratify the increase in sales tax. Should ratification not occur, this ordinance shall be of no force and effect.

Sec. 4. Wrangell Municipal Code, section 5.08.070, entitled Limitations of use of tax proceeds is hereby amended to read as follows:

The proceeds of the tax levied under this chapter 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:

A. [~~Forty~~] Twenty eight percent of the total amount of tax collected shall be used only for any of the following purposes:

1. To pay principal and interest for any bond indebtedness relating to education, health or sanitation of the city;

2. To operate and maintain school facilities;

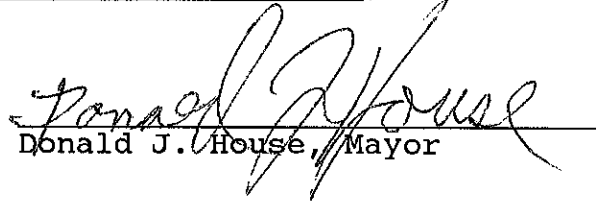
3. To construct and maintain sewers within the city and other purposes relating to the health and sanitation of the city.

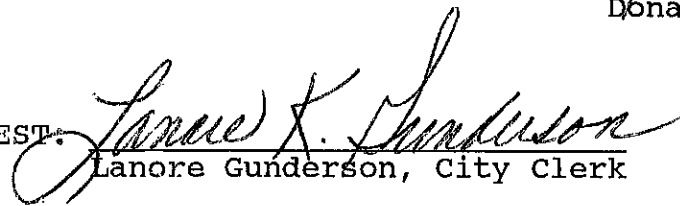
B. [~~Twenty~~] Fourteen percent of the total amount of tax collected shall be used only to plan, design and construct street and sidewalk improvements.

C. [Forty] Fifty-eight percent of the total amount of tax collected shall be used only for any general fund purposes for which moneys of the city may be disbursed for any purpose.

PASSED IN FIRST READING: May 8, 1990.

PASSED IN SECOND READING: JUNE 12, 1990.


Donald J. House, Mayor

ATTEST: 
Lanore Gunderson, City Clerk

CITY OF WRANGELL, ALASKA
ORDINANCE NO. 563

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING CHAPTER 5.02 ENTITLED INVESTMENT OF CITY FUNDS, SPECIFICALLY AMENDING SECTION 5.02.050 BY ADDING A SECTION PERMITTING REPURCHASE AGREEMENTS.

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

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 law and shall be effective thirty (30) days after final passage.

Sec. 4. Wrangell Municipal Code Section 5.02.050 is amended by adding a new subsection "D" to read as follows:

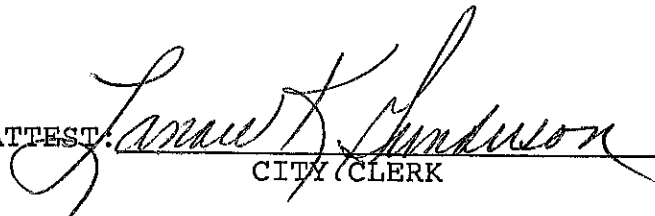
5.02.050 Investments. Investments shall be restricted to the following:

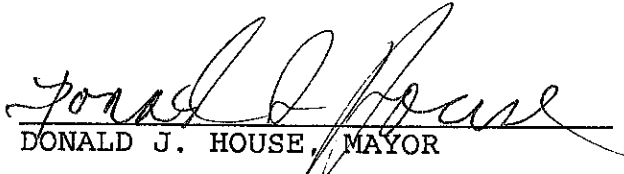
D. Repurchase Agreements where the General checking balance at the end of each business day is used to buy a security (as allowed under WMC 5.02.050 (A), (B), or (C) from the bank and held overnight. The bank agrees to repurchase the security at the beginning of the next business day and deposit back to the General checking. All Repurchase Agreements must meet all the Investment guidelines as described in Chapter 5.02.

PASSED AND APPROVED IN FIRST READING: JUNE 12, 1990

PASSED AND APPROVED IN SECOND READING: JUNE 26, 1990

ATTEST


CITY CLERK


DONALD J. HOUSE, MAYOR

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 564

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 15, CHAPTER 8, SEWERS, SPECIFICALLY INCREASING SEWER RATES BY TEN PERCENT 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 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 on September 1, 1990.


Sec. 4. Providing for a Public Hearing. A public hearing shall be held by the Council of the City of Wrangell, with notice thereof given fifteen days prior to said public hearing.

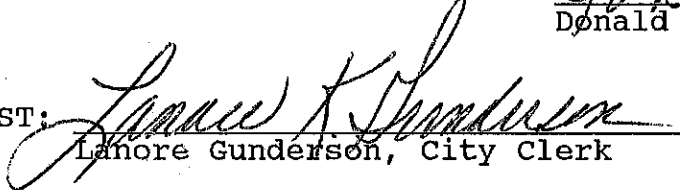
Sec. 5. Wrangell Municipal Code, Sec. 15.08.240 A, Schedule of rates and charges, is amended as follows:

A. The monthly rate shall be computed on the basis of [twenty] twenty-two dollars per unit or fraction thereof for class A and class B users who are provided service by the municipal collection and treatment system.

PASSED IN FIRST READING: June 12, 1990.

PASSED IN SECOND READING: July 24, 1990.


Donald J. House, Mayor

ATTEST: 
Lanore Gunderson, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 565

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 9, CHAPTER 4, GARBAGE, SPECIFICALLY INCREASING REFUSE COLLECTION AND DISPOSAL FEES BY TEN PERCENT AND CALLING FOR A PUBLIC HEARING.

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 on September 1, 1990.

Sec. 4. Public Hearing. A public hearing shall be held by the Council of the City of Wrangell, with notice thereof being given fifteen days prior to said public hearing.

Sec. 5. Repeal and Reenactment. Wrangell Municipal Code, Sec. 9.04.070, Schedule A, is repealed and reenacted as follows:

SCHEDULE A

Section 9.04.070

MONTHLY REFUSE COLLECTION OR DISPOSAL FEES

Class A. Mandatory Rate for All Occupants or Persons.

Residential -- Flat Rates

<u>Designation</u>	<u>Monthly Rate</u>
1. Per family unit	\$12.40

Class B. Mandatory Rate for All Occupants or Persons.

Commercial and Industrial -- Flat Rates

<u>Designation</u>	<u>Monthly Rate</u>
Bakery	\$ 20.55
Bank	20.55

Bars	61.90
Barbershops	12.40
Beauty shops	12.40
Canneries	61.90
Churches	12.40
Clubs, lodges	20.55
Cold Storage plants	-0-
Furniture stores	32.95
Garages	31.00
Grocery stores	103.20
Hospitals	41.30
Hotels	51.55
Laundromat	31.00
Offices	12.40
Restaurants	72.25
Schools, per classroom	2.05
Shops, miscellaneous	20.55
Stores -- dry goods, gift, etc.	31.00
Ranger district (Forest Service)	51.55
Public swimming pool	31.00

Class C. Additional Rate Garbage Hauled to Landfill Disposal Site by any Business, Government, or Individual.

<u>Designation</u>	<u>Monthly Rate</u>
Ten-yard dump truck, load, or equivalent	\$ 16.50
Abandoned or passenger vehicle, pick-up truck, van, and trucks smaller in size than one ton truck	103.40

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.

PASSED IN FIRST READING: JUNE 12, 1990.

PASSED IN SECOND READING: JULY 24, 1990.


Donald J. House, Mayor

ATTEST: 
Lanore Gunderson, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 566

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 15, CHAPTER 4, WATER, SPECIFICALLY INCREASING WATER RATES BY TEN PERCENT 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 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 on September 1, 1990.

Sec. 4. Public Hearing. A public hearing shall be held by the Council of the City of Wrangell, with notice thereof given fifteen days prior to said public hearing.

Sec. 5. Wrangell Municipal Code, Sec. 15.04.640, Monthly Water Rates, is amended as follows:

MONTHLY WATER RATES

CLASS A -- RESIDENTIAL -- FLAT RATES

<u>Designation</u>	<u>Monthly Rate</u>	
Inside city limits, per family unit	[\$12.50]	\$ <u>13.75</u>
Outside city limits, per family unit	[22.30]	<u>24.55</u>

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>
Bakeries	[\$ 47.25]	\$ <u>52.00</u>
Bars	[47.25]	<u>52.00</u>
Barbershops -- one chair	[11.80]	<u>13.00</u>
per each additional chair	[9.45]	<u>10.40</u>
Beauty shops -- one basin	[11.80]	<u>13.00</u>
per each additional basin	[9.45]	<u>10.40</u>
Canneries:		
Shellfish canneries (hand pick)	[236.25]	<u>259.90*</u>
Fish processing	[252.00]	<u>277.20*</u>
Rinsing and packaging only	[47.25]	<u>52.00*</u>
Salt water process only	[47.25]	<u>52.00*</u>
Churches	[11.80]	<u>13.00</u>
Cleaners and cleaning plants	[23.60]	<u>25.95</u>
Clubs, lodges -- without bar or restaurant facilities	[11.80]	<u>13.00</u>
Cold Storage plants	[252.00]	<u>277.20</u>
Docks	[59.05]	<u>64.95</u>
Docks or marinas for small boats, including oil docks	[39.40]	<u>43.35</u>
Garages, service stations, car lots:		
Without wash rack	[23.60]	<u>25.95</u>
With wash rack	[35.45]	<u>39.00</u>
Grocery stores:		
Without meat market	[17.70]	<u>19.45</u>
With meat market	[36.60]	<u>40.25</u>
Hospitals	[94.50]	<u>103.95</u>
Hydrants, fire, each	[7.50]	<u>8.25</u>
Hotels and motels:		
Ten rooms or less	[35.45]	<u>39.00</u>
Over ten rooms, per room	[2.75]	<u>3.05</u>
Laundromats, self service:		
Under thirty pound capacity, per machine	[12.50]	<u>13.75</u>
Thirty pounds or over capacity, per machine	[25.20]	<u>27.70</u>
Meat markets	[18.90]	<u>20.79</u>
Oceangoing freight and passenger vessels taking water:		
Fifteen tons or less	[23.60]	<u>25.95</u>
Each ton over fifteen tons	[.75]	<u>.80</u>
Office building, first office	[11.80]	<u>13.00</u>
Each additional plumbed office	[11.80]	<u>13.00</u>
Each additional unplumbed office	[2.75]	<u>3.05</u>

*Rates herein apply to the average monthly usage. No adjustments will be made for seasonal work.

Designation

Monthly Rate

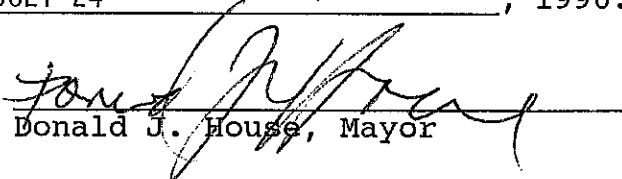
Offices, medical and dental:		
With laboratory and/or		
x-ray unit	[40.20]	<u>44.20</u>
Without laboratory and/or		
x-ray unit	[11.80]	<u>13.00</u>
Plane floats	[23.60]	<u>25.95</u>
Public showers:		
First two stalls	[12.65]	<u>13.90</u>
Per each additional stall	[3.10]	<u>3.40</u>
Ranger District (Forest Service)	[121.10]	<u>133.20*</u>
Restaurants, lunch counters, etc.:		
Up to and including thirty seats	[35.45]	<u>39.00</u>
Over thirty seats	[47.25]	<u>52.00</u>
Fountain only	[11.80]	<u>13.00</u>
Sawmills	[787.50]	<u>866.25</u>
Schools, per classroom	[7.80]	<u>8.60</u>
Shops, miscellaneous	[11.80]	<u>13.00</u>
Stores -- dry goods, gift, etc.	[12.65]	<u>13.90</u>
Swimming pool, public	[160.00]	<u>176.00</u>
Theaters, seating five hundred people		
or less	[23.60]	<u>25.95</u>

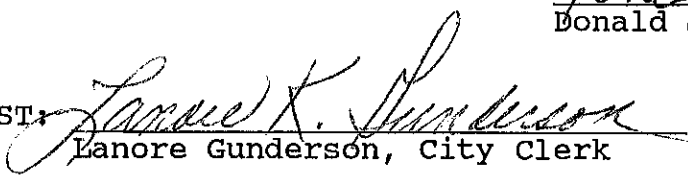
*Rates herein apply to the average monthly usage. No adjustments will be made for seasonal work.

- Note 1. All 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 the city limits shall be seventy-five percent 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.

PASSED IN FIRST READING: JUNE 12, 1990.

PASSED IN SECOND READING: JULY 24, 1990.


 Donald J. House, Mayor

ATTEST: 
 Lanore Gunderson, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 567

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING THE WRANGELL MUNICIPAL CODE, SPECIFICALLY, TITLE 13, CHAPTER 16, PUBLIC FIREARMS RANGE, PROVIDING FOR CERTAIN EXCEPTIONS FOR POLICE, MILITARY, AND NATIONAL GUARD ACTIVITIES, PLACING SUPERVISION OF THE PUBLIC FIRING RANGE IN THE DIRECTOR OF PARKS AND RECREATION, AND REQUIRING RESERVATION FORMS FOR EXCLUSIVE USE ACTIVITIES.

NOW, THEREFORE, 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 portion 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 passage.

Sec. 4. Wrangell Municipal Code, section 13.16.010, entitled "Generally" is hereby amended to read as follows:

13.16.010 Generally. The provisions set forth in this chapter shall be the sole regulations for the Wrangell public firearms range to the exclusion of other regulations. [These regulations may be amended by resolution from time to time as the council of the city sees fit.]

Sec. 5. Wrangell Municipal Code, paragraph C. of section 13.16.020, entitled "Prohibited Acts", is hereby amended to read as follows:

C. 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. This section shall not apply to official activities of the Wrangell Police Department, National Guard, or U.S. government military activities.

Sec. 6. Wrangell Municipal Code, paragraph D. of section 13.16.020, entitled "Prohibited Acts", is hereby amended to read as follows:

D. No person shall discharge any firearm at any target other than paper targets for which the range is designed[.]. All such targets must be located downrange at the target area[.] and [Targets must be] hung only in the frames provided. Approved metallic targets may be used for competitive events approved by the [chief of police or his designee] Director of Parks and Recreation. This section shall not apply to official activities of the Wrangell Police Department, National Guard, or U.S. government military activities.

Sec. 7. Wrangell Municipal Code, paragraph F. of section 13.16.020, entitled "Prohibited Acts", is hereby amended to read as follows:

F. No person shall discharge any firearm except during the hours of daylight. This section shall not apply to official activities of the Wrangell Police Department, National Guard, U.S. government military activities or individuals or organizations who have received prior permission issued by the Director of Parks and Recreation.

Sec. 8. Wrangell Municipal Code, section 13.16.040, entitled "Winter Closing", is hereby amended to read as follows:

13.16.040 Winter Closing. The firearms range shall be closed for public use for the discharging of firearms during the winter months by the [chief of police or his designee] Director of Parks and Recreation, with appropriate posted notice at the entrance of the premises.

Sec. 9. Wrangell Municipal Code, section 13.16.050, entitled "Application for use", is hereby amended to read as follows:

13.16.050 Application for exclusive use. Any organization, group or team desiring to use the firearms facility for the purpose of training and/or group participation shall submit a reservation form to the [chief of police] Director of Parks and Recreation for his approval, which form shall contain the following information and shall be submitted no less than five 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 desire.
- F. Name of designated rangemaster.

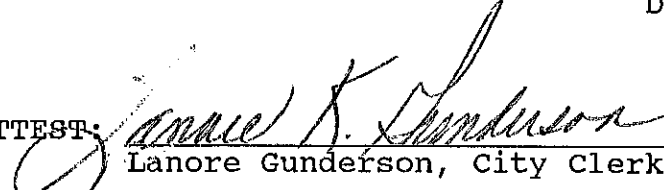
Section 10. Wrangell Municipal Code, paragraph A of section 13.16.080, entitled "Violations", is hereby amended to read as follows:

13.16.080 Violations. A. Any violation of this ordinance or [any] a regulation promulgated thereunder shall [be cause for immediate discharge and revocation of the right to use the range of any person violating the regulations by the person in violation.] result in immediate removal of the offender from the premises. The rangemaster, if present, may enforce this section. If no rangemaster is present, any officer of the police department may enforce this section.

PASSED IN FIRST READING: OCTOBER 9, 1990.

PASSED IN SECOND READING: OCTOBER 23, 1990.


Donald J. House, Mayor

ATTEST: 
Lanore Gunderson, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 568

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING THE WRANGELL MUNICIPAL CODE, SPECIFICALLY, TITLE 3, CHAPTER 40, THOMAS BAY POWER COMMISSION, PROVIDING FOR CHANGES IN MEETING DATES AND OTHER PROCEDURAL AND SUBSTANTIVE MATTERS.

NOW, THEREFORE, 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 portion 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 passage.

Sec. 4. Wrangell Municipal Code, paragraph A. of section 3.40.030, entitled "Meetings", is hereby amended to read as follows:

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 1971.² [There shall be four regular meetings per year, one each quarter, which shall be open to the public. The regular meetings shall be held on the first Sundays 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 eleven a.m. in Petersburg Council Chambers in City Hall or at eleven a.m. in Wrangell Council Chambers in Wrangell City Hall.] There shall be meetings held monthly at a place and time to be determined by the Commission. All meetings shall be open to the public.

Sec. 5. Wrangell Municipal Code, paragraph B. of section 3.40.030, entitled "Meetings", is hereby amended to read as follows:

B. 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 hours in advance by posting in three public places in each city[;]. [and although not jurisdictional] Notice of the time and place of regular meetings shall be posted in the same manner as special

meetings. Notice shall be given at least five days prior to such meeting date.

Sec. 6. Wrangell Municipal Code, paragraph A. of section 3.40.040, entitled "Quorum--Recordkeeping" is hereby amended to read as follows:

A. A majority of the commission shall constitute a quorum for the transaction of business, and a minimum majority of [three] four affirmative votes shall be necessary to carry any question, including removal of a member from office for cause.

Sec. 7. Wrangell Municipal Code, paragraph A. of section 3.40.050 entitled "Powers and duties" is hereby amended to read as follows:

A. 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"] the "Lake Tye Hydroelectric 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;

Sec. 8. Wrangell Municipal Code, paragraph F. of section 3.40.050 entitled "Powers and duties" is hereby amended to read as follows:

F. 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 [;] by the commission. [said manager may also be a member of the commission.]

Sec. 9. Wrangell Municipal Code, paragraph G. of section 3.40.050 entitled "Powers and duties" is hereby amended to read as follows:

G. 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, or improvement of the [proposed hydroelectric project at Thomas Bay] Lake Tye Hydroelectric Project, or such other hydroelectric project or transmission facility as is feasible to be operated by the commission from the revenues derived from the consumers of electric power;

Sec. 10. Wrangell Municipal Code, paragraph H. of section 3.40.050 entitled "Powers and duties" is hereby amended to read as follows:

H. To 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] Federal Energy Regulatory 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.

Sec. 11. Wrangell Municipal Code, paragraph I. of section 3.40.050 entitled "Powers and duties" is hereby amended to read as follows:

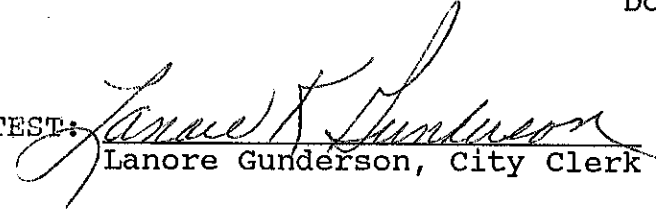
I. To review and fix from time to time all of the rates, and charges for use of services and facilities furnished, and policies for the generation, distribution, transmission and consumption of electric power and when deemed necessary and proper, to prepare new or adjusted rates, charges, and policies such as are fair and nondiscriminatory 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.]

PASSED IN FIRST READING: November 27, 1990.

PASSED IN SECOND READING: December 11, 1990.



Donald J. House, Mayor

ATTEST: 

Lanore Gunderson, City Clerk