

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 569

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING THE WRANGELL MUNICIPAL CODE, SPECIFICALLY, TITLE 3, CHAPTER 24, FIRE DEPARTMENT, PROVIDING FOR SEARCH AND RESCUE OPERATIONS TO BE INCLUDED IN THE DUTIES OF THE WRANGELL FIRE DEPARTMENT.

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.

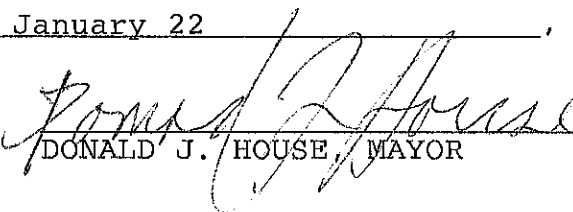
Sec. 4. Wrangell Municipal Code, Section 3.24.030, entitled Duties of Department, is hereby amended to read as follows:

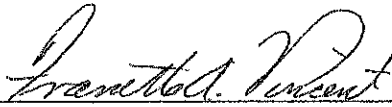
A. Fire fighting duties. It shall be the duty of the fire department to extinguish fires; to rescue persons endangered by fire; to resuscitate and to administer first aid to persons injured in or about burning structures or elsewhere in case of an emergency; to promote fire prevention; and unless otherwise provided, to enforce all ordinances relating to fires, fire prevention, and safety of persons from fire in theaters, stores, and other public buildings. It shall not be the duty of the fire department to respond to fires outside the city limits unless contractually obligated to do so.

B. Search and rescue duties. It shall be the duty of the fire department to carry out all search and rescue operations, under the supervision of the fire chief or his designee. For the purposes of search and rescue operations, the fire department shall respond to situations arising both within and without the city limits.

PASSED IN FIRST READING January 8, 1991

PASSED IN SECOND READING January 22, 1991


DONALD J. HOUSE, MAYOR

ATTEST 
FRANETTE A. VINCENT, CITY CLERK

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 570

AN ORDINANCE OF THE CITY OF WRANGELL, ALASKA,
ENACTING A REVISED PERSONNEL POLICY FOR
MUNICIPAL EMPLOYEES (EXCEPTING HOSPITAL
EMPLOYEES)

WHEREAS, it has been determined the Wrangell Personnel Policies should be updated; and

WHEREAS, the Council has met with the employees and solicited comments which has culminated in the present draft.

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 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.

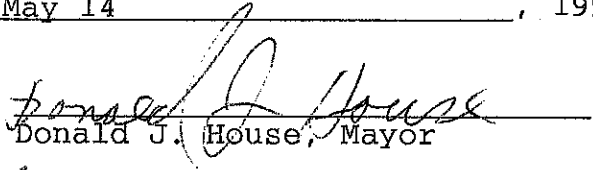
Sec. 4. Exception Section 1.2 shall not apply to the following presently employed employees: Finance Director, Police Chief, Fire Chief, Public Works Superintendent, City Engineer, Electrical Superintendent, Librarian, Harbormaster and Parks & Rec Director. Section 1.2 shall apply to all new hires in these positions.

SEC. 5. Wrangell Municipal Code, Section 3.56 entitled Personnel, is hereby repealed, amended, and readopted, as follows:

- A. The existing municipal Personnel Policy is hereby repealed.
- B. The attached document entitled "City of Wrangell Personnel Policies, 1991 Edition" is hereby enacted.

PASSED IN FIRST READING April 23, 1991

PASSED IN SECOND READING May 14, 1991


Donald J. House, Mayor

ATTEST: 
Franette A. Vincent, City Clerk

CITY OF WRANGELL, ALASKA

PERSONNEL POLICIES
1991 Edition

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C I T Y O F W R A N G E L L

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Ord. 570 May 14, 1991

CITY OF WRANGELL, ALASKA

C I T Y O F W R A N G E L L

* * * PERSONNEL POLICY * * *

1991 Edition

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* * * PERSONNEL POLICY * * * 1991 Edition

I. INTRODUCTION

1.1 GENERAL PURPOSE. The purpose of these policies is to promote the following:

- a. To recruit and retain the best personnel available for the municipal service;
- b. To furnish sound training, supervision, and administrative direction;
- c. To establish probationary periods for new permanent employees and standards of work performance and conduct for all employees;
- d. To promote opportunities in the municipal service based on merit and fitness;
- e. To provide a mechanism for municipal employees to have their concerns and grievances heard and adjusted;
- f. To create an exempt service not fully covered by these policies.

1.2 APPLICABILITY. These policies shall apply to employees of the municipality except hospital employees and school district employees. There shall also be an exempt group to which the personnel policies shall apply with the exception of those provisions relating to discipline, termination, and grievance procedures, (Sections 5.1 to 5.4; 7.1 to 7.7; 18.4; 20.1 to 20.6).

The following positions are in the exempt service:

City Manager	Public Works Superintendent
City Clerk	City Engineer
City Attorney	Electrical Superintendent
Finance Director	Librarian
Police Chief	Harbormaster I
Fire Chief	Parks & Rec Director

Employees in the exempt service shall serve at the pleasure of their immediate supervisor and under such terms and conditions as the Council may from time to time specifically provide. Exempt service

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personnel may be terminated with or without cause. Exempt personnel may request that the reasons for their termination be reduced to writing, with a copy to them and to their personnel file. Such list of reasons should inform the employee that they have ten days in which to submit a written statement, if they wish, for inclusion in their personnel file with the reasons for termination.

1.3 REVIEW AND AMENDMENT. These policies shall be reviewed not less than annually. Suggestions and recommendations for change may be made in any meeting held under the municipality's meet and confer ordinance.

1.4 ADDITIONAL REGULATIONS. The Council may adopt regulations in futherance of these provisions and may make additions to them by regulation so long as they do not conflict with these policies.

1.5 PERSONNEL RECORDS. Records of the work history of employees shall be maintained. Such records will include the employee's original application, report of medical examination, reports of the results of other employment, investigations and tests, annual reports of performance, reports of employee's progress and disciplinary actions, and such other records as may be significant in the employee's service to the municipality. The City Manager shall prescribe such forms and records for departmental use as may be necessary.

1.6 REPORTS. The City Manager shall provide for preparation of reports regarding municipal employees, or of actions affecting them, as the Council considers necessary or desirable.

II. (RESERVED)

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III. GENERAL RULES OF EMPLOYMENT

3.1 DEPARTMENT HEADS RESPONSIBLE. The Department Head is responsible for filling positions in their department, subject to approval of the City Manager.

3.2 MERIT. It shall be the general policy to make appointments on the basis of merit and fitness.

3.3 PROMOTION. All qualifications being equal, when well qualified individuals are available, appoints to fill vacancies shall be by promotion from within the municipal services.

The City Manager shall cause to be posted within each department of the municipality a notice when a vacancy exists within the municipal work force. Such notice will be posted prior to advertising a vacancy outside of the municipal work force and qualified municipal employees shall be given consideration in filling a vacancy. Non-probationary fire department volunteers shall be given the same consideration as municipal employees in filling fire department employee vacancies.

3.4 NO DISCRIMINATION. There shall be no discrimination in employment, compensation, or any term, condition or privilege of employment for any reason prohibited by state or federal equal employment laws.

3.5 TESTS. Before appointment, each applicant shall take such tests of his or her qualifications as the Department Head may consider appropriate.

3.6 MINIMUM AGE. Minimum age for municipal employment shall be in accordance with State Law.

3.7 (Reserved)

3.8. MUNICIPAL RESIDENTS. Other qualifications being equal, preference in employment shall be given to residents of the Wrangell area.

3.9 HANDICAPPED. Employment of qualified handicapped persons is encouraged, and the municipality will attempt to make reasonable accommodations for handicapped applicants and employees.

3.10 NEPOTISM. No persons may be employed in a position supervised by another family member. If an employee and their supervisor should marry, they shall elect which employee may continue with the department and which employee shall terminate or transfer, if other positions are available. Family members shall mean spouse, father, mother, brother, sister, child.

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IV. TYPES OF APPOINTMENTS

4.1 PERMANENT. Except as may be otherwise provided, all vacancies in the classified service shall be filled by reemployment, transfer, or appointment from eligible list of applicants. Permanent appointments are where the position is considered to be a part of the regular complement needed for performing municipal services and the employee has successfully completed his or her probationary period in a position. Permanent positions may be:

- a. Full-Time. Where the work involved totals at least 30 hours a week on a regular basis.
- b. Part-Time. Where the work involved is to be done during a portion of a work day, or work week, and at least fifteen (15) hours a week on a regular basis.

4.2 TEMPORARY. An employee hired as an interim replacement, or for temporary or seasonal work. A temporary employee may be separated from the service, demoted, or suspended with or without cause in the full discretion of the appointing authority. Temporary employees shall not receive or accrue any employment benefits, to include, but not limited to annual leave and sick leave. If employees hired on a temporary basis become permanent employees, they are entitled to sick leave and annual leave accruals retroactive to their last day of continuous hire. They shall not be entitled to any accruals for previous temporary employment which terminated prior to their last temporary appointment.

4.3 PROBATIONARY. Where the position is considered to be a part of the regular complement needed for performing municipal services and the employee is, whether by original appointment or promotion, servicing his probational period. All persons appointed or promoted to positions in the municipal service, as well as former employees who are rehired, shall serve a probationary period of one (1) year unless extended by written agreement with the employee. During the probationary period, an employee may be terminated or a promoted employee may be returned to the position from which he or she was promoted, or an equivalent one, in the sole discretion of the appointing authority and with or without cause.

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V. DISCIPLINARY ACTION, LAYOFF, AND TERMINATION

5.1 DISCIPLINE FOR CAUSE. Employees may be disciplined for cause. Types of discipline include, but are not limited to, oral warning, written reprimand, suspension without pay, demotion, and discharge. Cause includes any conduct tending to be detrimental to the best interests of the municipality or tending to reflect adversely on the employee's competence, efficiency or willingness to perform his or her duties at the required level of performance.

5.2 EXAMPLES OF CAUSE FOR DISCIPLINE.

- a. Cause for discipline includes, but is not limited to, the following examples: tardiness or absenteeism; neglect, failure, or inability to perform duties at an acceptable level of performance; insubordination; dishonesty, theft, or falsification of any reports, records, or documents; assault, fighting or horseplay; sleeping on the job or taking unauthorized breaks; possession or use of intoxicants or non-prescription drugs while on duty, or being under the influence of intoxicants or non-prescription drugs while on duty; conviction of a felony or any criminal conviction involving moral turpitude or reflecting adversely on the municipality or the employee's fitness for his or her position; reckless or willful damage to or loss of municipal property; violation of departmental rules or conduct or safety regulations; abuse of sick leave; disrespectful conduct toward the public, or use of profane, abusive, or threatening language toward a Supervisor; the uttering of racial or sexual slurs or innuendos causing emotional discomfort or embarrassment to any other employee or member of the public; or any similar conduct.
- b. Discipline may be appealed under the grievance procedures of this policy, except for verbal reprimands. The employee may submit their own written statement to be included in their file with the verbal reprimand form.
- c. If exonerated of the charges against them in the grievance procedure at Council level or earlier, the employee will be reinstated with pay from the time of termination.

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5.3 PROGRESSIVE DISCIPLINE.

a. Policy. If, in the opinion of the employee's Department Head or Supervisor, disciplinary action is necessary for any employee, the Department Head or Supervisor may begin discipline at any of the steps listed below or skip one or more steps in progressive discipline depending on the seriousness of the offense committed, and employee's overall record of performance, and any other appropriate mitigating or aggravating factors.

- (1) Oral Warning
- (2) Written Reprimand
- (3) Suspension Without Pay or Demotion
- (4) Discharge

b. Procedure.

- (1) Oral Warning. An oral warning must inform the employee of defects in performance or what he or she has done wrong and what corrective measures must be taken. The employee shall also be informed that a repetition of the infraction or conduct of a similar nature will result in further disciplinary action. The Supervisor or Department Head will complete a written record of the oral warning.
- (2) Written Reprimand. A written reprimand will be issued for repetition within six (6) months of an infraction for which an oral warning has been given or for the commission of a similar infraction. A written reprimand may also be issued for conduct which is not a repetition of a prior infraction, but which in the opinion of the Supervisor or Department Head is serious enough, in light of all the circumstances and the employee's overall record, to justify stronger discipline than an oral warning. A written reprimand shall inform the employee that repetition of the infraction or conduct of a similar nature will result in further appropriate discipline including suspension, demotion, or discharge.

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(3) Suspension Without Pay or Demotion. Further repetition of an infraction or similar conduct within six (6) months of a written reprimand will result in suspension without pay or demotion. Suspension without pay or demotion may also be imposed for conduct which is not a repetition of a prior infraction for which a written reprimand was issued, but which in the opinion of the Supervisor or Department Head is serious enough, in light of all the circumstances and the employee's overall record, to justify stronger discipline than an oral warning or written reprimand. At the time of a suspension without pay or demotion, the employee shall be informed that repetition of the infraction or similar conduct will result in termination. Nothing herein shall prevent a Supervisor or Department Head from demoting any employee who fails to perform his or her duties at an acceptable level of competency, efficiency, and quality.

(4) Discharge. Further repetition of an infraction or similar conduct within six (6) months of a suspension without pay or demotion will result in discharge. Discharge may also be imposed for conduct which is not a repetition of a prior infraction for which suspension without pay or demotion was given, but which in the opinion of the Supervisor or Department Head, is serious enough in light of all the circumstances and the employee's overall record, to justify stronger discipline than an oral warning, written reprimand, suspension without pay, or demotion.

c. City Manager to be Informed. The City Manager shall be kept informed in writing of any disciplinary action taken against any employee.

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5.4 LAYOFFS. When it is necessary to reduce the number of employees because of any lawful reason including lack of work or funds, the Department Head concerned, in conjunction with the City Manager, will thoroughly investigate the problem and develop a plan for necessary lay-offs and curtailment of activities. Consideration shall be given to the length of service of employees affected and the possibility of demoting employees in higher grades to lower grades, however the ultimate decision shall be made on the relative merit of the employees and their usefulness to the municipality. The decision shall be made in the discretion of the Department Head with approval of the City Manager. Permanent, non-probationary employees separated through no fault of their own shall be given preference (all qualifications being equal) when new appointments are made to their former grades within two (2) years of their date of separation. Rehired employees shall be placed and perform work, without preferential treatment, as directed by Department Heads.

5.5 RESIGNATIONS. An employee resigning his or her position shall give at least two (2) weeks' notice to enable the municipality to make proper provisions for filling his or her position. This requirement may be waived by Department Heads where adequate provisions can be made in a shorter period of time. All resignations shall be in writing and must be filed with the Department Head. The Department Head shall furnish a copy of the accepted resignation to the employee for his records.

5.6 (Reserved)

5.7 FINAL PAY. An employee who has resigned, giving notice as required by Section 5.5 and any employee being discharged without notice, shall be paid in full on the final day of employment. An employee who is leaving without giving notice required by Section 5.5, shall not be entitled to receive wages until the next regular pay day.

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VI. THE GRADE PAY PLAN

6.1 (Reserved)

6.2 THE GRADES Each type or level of work currently being performed or contemplated in the municipal service shall be assigned a grade level by the City Manager giving consideration to the type of work performed, its responsibilities and difficulty, the minimum qualifications in experience or education.

- a. Department Heads Responsible. The Department heads shall be responsible for assignment of positions when changes and responsibilities justify such action, all subject to approval of the City Manager.
- b. Employee Request for Changes. Employees' request for change in position classification shall be forwarded to their respective Department Heads.
- c. Budget Consideration. Annual budget planning shall give consideration to possible revisions and amendment of the pay plan.
- d. Normal Starting Rate. The entry wage rate for new hires in the job classifications shall generally be 79% of the maximum rates authorized.
- e. Starting Above Grade. The Department Head may recommend to the City Manager initial appointment at a higher rate than the normal starting rate in recognition of recruiting difficulties. Employees may be hired at a higher step in range upon a finding by the City Manager that the employee possesses exceptional qualifications and experience.
- f. Above-Grade Appointments for Training. With the employee's consent, an employee may be assigned to duties of a higher classification for purposes of training or demonstration of skill up to a period of six (6) months without change of classification for pay purposes. This paragraph is not to be construed to prevent a Department Head or Supervisor from assigning an employee to duties of a higher classification for temporary periods to cover for an employee on vacation, sick leave, etc.
- g. (Reserved)

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- h. Differential Pay
- i. Filling a Position Temporarily. Employees who are directed by their Department Head to fill a position higher than his or her normally paid position will be paid a rate equal to the average of the normally paid position and the higher position if such employment extends beyond a two week period.

6.3 (Reserved)

6.4 Step Increases

- a. Upon satisfactory completion of one year of employment, a 3% step increase shall be given.
- b. Thereafter, employees will receive a 3% step increase on employment anniversary dates, subject to a satisfactory performance evaluation, up to the maximum rates authorized according to the following schedule:

Upon Completion of:	% of Maximum Authorized Rate
One Year's Employment	82%
Two Year's Employment	85%
Three Year's Employment	88%
Four Year's Employment	91%
Five Year's Employment	94%
Six Year's Employment	97%
Seven Year's Employment	100%

- c. Step increases are not automatic, but shall be authorized only after an evaluation of performance has been completed and the immediate supervisor certifies that the employee has been performing work which consistently meets and occasionally exceeds standards.

6.5 MERIT INCREASES. Merit increases may be made at any time to recognize outstanding performance of duty based on written recommendations of the Department Head and approved by the City Manager and Council.

6.6 (Reserved)

6.7 (Reserved)

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VII. HOURS OF WORK, CALCULATION OF PAY, OVERTIME

7.1 REGULAR WORK DAY. The regular work day shall consist of eight (8) hours.

7.2 REGULAR WORK WEEK

- a. Regular Work Week. The regular work week shall consist of five (5) regular work days, forty (40) hours, unless changed by Department rule. By Department rule, employees may be required, without pay, to arrive or depart no more than fifteen (15) minutes before or after normal shift hours. Any such Department rules shall be approved in writing by the City Manager prior to taking effect.
- b. Exception, Department Heads and Supervisory Personnel Except as may be otherwise approved by the City Manager, employees hired at an annual wage, Department Heads and Supervisory personnel, will not be paid for or given compensatory time for time worked in excess of the basic work week. The personnel in these categories shall be designated when their salaries are determined unless otherwise specified in this policy.
- c. Exception, Fire Department Personnel. The regular work week shall consist of forty-four (44) hours. Monthly salaries are based on forty (40) hours of regular time and four (4) hours of overtime per week.

7.3 WORK WEEK FOR SHIFT EMPLOYEES. Shift employees shall have the sixth and seventh days designated as regular days off. Work schedules for shift employees shall be posted by the 25th of the month covering the succeeding month.

7.4 (Reserved)

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7.5 OVERTIME All employees in the classified service available for regular work are expected to be available for overtime work unless they have made prior arrangements with their department head. All employees, including supervisory employees not exempt from the Fair Labor Standards Act, will be entitled to overtime pay.

7.6 OVERTIME PAY 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 vacation day, paid sick leave day, or a paid holiday shall not be counted as a day worked nor in the forty hour workweek.

7.7 HOLIDAY OVERTIME Holidays worked shall be paid at regular time, plus the holiday pay.

7.8 EMERGENCIES 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.

7.9 CALL OUT TIME. 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 Section 7.6 shall only apply to those hours worked in excess of forty hours per week.

7.10 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.

7.11 PAY PERIODS. Pay for time worked shall be made to on the fifth and twentieth days of each month. In the event such dates fall on Saturday, Sunday, or a holiday, checks will be issued on the last preceding working day. Paychecks issued on the 20th shall be for the hours worked between the 1st and 15th, both dates inclusive; checks issued on the 5th shall be for hours worked between the 16th and the last day of the month, both dates inclusive.

- a. Employees being terminated shall be paid for all time due within forty-eight hours of the date of termination.

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7.12 CONVERSION OF MONTHLY SALARY TO HOURLY SALARY. Compensation for hourly work based on an annual or monthly salary shall be determined by the following formula:

$$\text{Monthly salary} \times 12 = \frac{\text{Annual Salary}}{2080} = \text{Hourly rate}$$

7.13 PAYROLL DEDUCTIONS. All deductions required by law will be withheld from each employee's paycheck. Other deductions may be provided for on a voluntary basis such as deferred compensation, savings plan.

7.14 STANDBY PAY.

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VIII. VACATIONS.

8.1 PERMANENT FULL-TIME EMPLOYEES. Accrual of vacation leave for full-time employees shall be according to the following schedule, based on a bimonthly pay period:

0--1 year	3.33 hours per pay period
2--4 years	5.00 hours per pay period
5--9 years	6.67 hours per pay period
10--	8.33 hours per pay period

An employee shall not accrue vacation leave until completion of the first six months, whereupon the employee shall be credited with accruals as provided 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.

8.2 PERMANENT PART-TIME EMPLOYEES. Permanent part-time employees shall accrue vacation on a ratio of the hours they work to a forty (40) hour week.

8.3 TEMPORARY EMPLOYEES, An employee appointed for a position of temporary or seasonal nature shall not accrue leave credit.

8.4 WHILE ON LEAVE WITHOUT PAY STATUS. Vacation time will not accrue while an employee is on leave without pay status.

8.5 SATURDAYS, SUNDAYS, AND HOLIDAYS. While on vacation, Saturdays, Sundays, and holidays will not be considered as time taken on vacation, but only regular work days will be counted as days taken on vacation.

8.6 PAY DURING VACATION. If payday falls during the vacation of an employee, he or she shall be entitled to receive at the beginning of his vacation the compensation due while on vacation.

8.7 DEPARTMENT HEAD TO AUTHORIZE. Vacation time shall be authorized by the Department Head and subject to approval of the City Manager.

8.8 AT EXPIRATION OF SICK LEAVE. Vacation time may be taken for the illness or off-duty injury of an employee upon expiration of accumulated sick leave.

CITY OF WRANGELL, ALASKA

8.9 TERMINATION. Accrued vacation leave will be paid to employees who voluntarily or involuntarily terminate after six (6) month's service, based on salary at date of termination.

8.10 MANDATORY TIME OFF. After the second year of service, it shall be mandatory for employees accruing vacation time at the rate of one (1) or one and one-half (1.50 days per month to take at least five (5) days off each year and employees accruing at the rate of two (2) days per month shall take at least ten (10) days off each year.

8.11 ACCUMULATION LIMIT. An employee may accumulate up to a maximum of not more than three hundred twenty hours.

8.12 PAY IN LIEU OF TIME OFF. There shall be no pay in lieu of earned vacation except upon termination of an employee.

8.13 DURING PROBATIONARY PERIOD. Vacation time shall not accrue and may not be taken prior to six (6) months of continuous satisfactory service, but after six (6) months of employment, vacation time shall accrue retroactive to date of employment.

CITY OF WRANGELL, ALASKA

IX. SICK LEAVE

9.1 PERMANENT FULL-TIME EMPLOYEES. Probationary and permanent full-time employees shall accrue and may use as accrued, sick leave on the basis of one day per month of continuous service up to seventy two (72) days.

9.2 PERMANENT PART-TIME EMPLOYEES. Permanent part-time employees, shall accrue sick leave on a ratio of the hours they work to a forty (40) hour week.

9.3 DOCTOR'S CERTIFICATE. More than three (3) days sick leave used at any one time may require a doctor's certificate.

9.4 NOTIFICATION TO SUPERIOR. Any employee absent due to illness must notify their immediate superior prior to the normal time for reporting for duty.

9.5. WHILE ON LEAVE WITHOUT PAY STATUS. Sick leave will not accrue while an employee is on a leave without pay status.

9.6 UPON SEPARATION. Upon their separation, the unused sick leave of an employee is automatically cancelled without pay.

9.7. EMERGENCY LEAVE. In case of a dire emergency, such as non-elective hospitalization or death in the immediate family of an employee, he or she may avail themselves of not more than ten (10) days of accrued sick leave with pay upon approval of the City Manager. For the purposes of this section, "immediate family" includes the spouse, children, parents of the employee, brother, sister, and parents of spouse.

9.8 ABUSED SICK LEAVE. Any abuse of sick leave privileges shall be subject to immediate dismissal.

9.10 MATERNITY LEAVE. Employees temporarily disabled from performing their jobs in connection with the birth of a child shall be entitled to use accrued sick leave. After accrued sick leave is expended, accrued and available vacation time must be used. When sick leave and accrued vacation have been exhausted, an employee unable to return to work may apply for a leave of absence without pay.

CITY OF WRANGELL, ALASKA

9.10 CONVERSION OF SICK LEAVE. Each employee will have one-half of the difference between 480 hours and the actual hours of sick leave earned in the previous calendar year converted from sick leave to annual leave on July 1 of each year.

For the calendar year 1991, this shall begin on July 1, 1991, allowing conversion of one-half the differences between 480 hours and the amount of additional accumulated sick leave. Thereafter the provision shall operate on an annual basis.

For terminating employees, conversion shall be worked out through the last payroll, with hours over 480 going to accrued vacation at one-half time.

Part time employees shall be able to convert sick leave to annual leave on a pro rata basis based upon the relationship between their employment hours and full time employment.

This section shall not apply to temporary employees.

9.12 Family Sick Leave. An employee may use up to seven days of sick leave in each calendar year, when necessary, to care for sick minor children, upon approval of the City Manager.

X. RESERVED

CITY OF WRANGELL, ALASKA

XI. LEAVE WITHOUT PAY.

11.1 LESS THAN TEN (10) DAYS. Employees who have used their accrued vacation may be granted leave-without-pay, not to exceed a total of ten (10) working days in any year, for any compelling reason subject to approval of his or her Department Head and the City Manager.

11.2 MORE THAN TEN (10) DAYS. Permanent employees who have used their accrued vacation may be allowed to be absent from duty without pay, in excess of ten (10) days, on the basis of application for leave-without-pay approved by the Department Head, subject to the approval of the City Manager, under the following conditions:

- a. City's Interest Not Unduly Affected. Such leave shall be only when it will not result in undue prejudice to the interest of the City beyond any benefits to be realized.
- b. For Travel or Study. An application for leave-without-pay for travel or study calculated to equip an employee for more effective service to the City.

The Department Head would consider the eventual compensating benefits of such leave to the City in keeping the position open, or filling it temporarily, until the return of the employee.

CITY OF WRANGELL, ALASKA

XII. MILITARY LEAVE

12.1 ACTIVE DUTY. Permanent or probationary employees shall be entitled to military leave of absence without pay to serve in the Armed Forces of the United States and shall be entitled to reemployment.

12.2 RESERVE DUTY OR TRAINING. An employee of the City who is a member of a reserve component of the United States Armed Forces is entitled to a leave of absence when he or she is ordered to training duty, as distinguished from active duty, with troops or at field exercises or for instruction. The leave of absence may not exceed sixteen and one-half (16.5) working days in any twelve (12) month period. Military leave for reserve training purposes shall be without pay.

12.3 FILLING OF VACANCY. The filling of a position made vacant by the granting of a military leave of absence of less than six (6) months shall be by temporary appointment. If the period is for more than six (6) months, it may be filled by a permanent appointment.

XIII. COURT LEAVE

13.1 COURT LEAVE AUTHORIZED. A permanent employee who is called to serve as juror or subpoenaed as a witness shall be entitled to court leave. It shall be supported by written documents such as a subpoena, marshal's statement of attendance, and compensation for services, per diem and travel.

13.2 SALARY DURING COURT LEAVE. The employee shall turn over to the City for deposit all monies received from the court as compensation for service, and in turn shall be paid their current salary while on court leave.

CITY OF WRANGELL, ALASKA

XIV. HOLIDAYS

14.1 HOLIDAYS. The following are holidays designated as paid holidays for permanent employees:

1. The January 1st, known as New Year's Day
2. The third Monday in February, known as Wasington's Birthday
3. The last Monday of March, known as Seward's Day
4. The last Monday of May, known as Memorial Day
5. July 4th, known as Independence Day
6. The first Monday in September, known as Labor Day
7. October 18th, known as Alaska Day
8. The fourth Thursday in November, known as Thanksgiving Day
9. The Friday in November following Thanksgiving Day
10. December 25th, known as Christmas Day

14.2 HOLIDAY PAY. Employees on probation or suspension shall not be paid for holidays. Permanent employees who are required to be on duty on any of the above days shall receive straight time for the number of hours worked in addition to their holiday pay.

A paid holiday falling within the hours of work shall not be counted as an eight-hour day of the regular forty-hour workweek for pay purposes. A paid holiday is an added benefit to employees and shall not count as a day worked unless the employee has been required to work on that day.

Payment for holidays shall be made only if the employee works on the workday immediately prior to the holiday and the workday immediately following the holiday, unless excused by the department head.

14.3 HOLIDAYS FALLING ON SATURDAY OR SUNDAY. When a holiday falls on Sunday, the following Monday will be observed as the holiday. When a holiday falls on Saturday, the preceding Friday will be observed as the holiday.

14.4 HOLIDAYS FALLING DURING VACATIONS. If a holiday falls within a vacation period, it is not counted as part of the vacation allowance.

CITY OF WRANGELL, ALASKA

XV. (RESERVED)

XVI. RETIREMENT

16.1 STATE RETIREMENT SYSTEM. The municipality is a participant in the State of Alaska Public Employees Retirement System. Coverage is mandatory for all full-time permanent employees and probationary employees in full-time positions as well as permanent part-time employees. Retirement benefits and other details regarding the retirements system may be obtained from the office of the Finance Director, City of Wrangell.

XVII. HEALTH INSURANCE

17.1 GROUP MEDICAL INSURANCE. The city pays the entire cost for the employee and covered dependents.

Employees become eligible to join the group after thirty (30) days of employment. If enrolled during this thirty-day period, no physical examination is required; otherwise, enrollment will be dependent upon a satisfactory health examination.

17.2 WORKMEN'S COMPENSATION. The entire cost for each employee is borne by the city.

17.3 GROUP EMPLOYEE'S LIFE INSURANCE. The city shall pay one hundred percent of the cost of the group employee's life insurance premium on specified limits of coverage of thirty thousand dollars for all department heads and twenty thousand dollars for all other employees. Additional limits of life insurance for the employee or dependent(s) may be available as an option and one hundred percent of the cost of the additional limits of life insurance shall be paid by the employee.

CITY OF WRANGELL, ALASKA

XVIII. ON THE JOB ACCIDENTS

18.1 DUTY OF THE EMPLOYEE TO REPORT. It shall be the duty of each employee to immediately report any and all accidents to his or her immediate supervisor.

18.2 SALARY WHILE OFF DUTY. Because Workmen's Compensation insurance covers only sixty-five percent (65%) of the employee's average earnings after the first three (3) days off duty, permanent employees will be given the additional thirty-five percent (35%) up to a maximum of ninety (90) calendar days and will be paid for the three-day waiting period.

18.3 VOLUNTEER AND AUXILIARY PERSONNEL. Volunteer and auxiliary policemen and firemen who receive injuries while performing for the municipality are insured through Workmen's Compensation, based on the starting salary for a paid patrolman and fire-fighter.

18.4 POSITION HELD OPEN. In case of occupational injury, the employee's position or a comparable position shall be held until it has been definitely established in writing that the employee will be unable to return to that position.

CITY OF WRANGELL, ALASKA

XIX. PER DIEM AND TRAVEL ALLOWANCES

19.1 PER DIEM ALLOWANCE. While traveling on official business and away from home, a per diem allowance of \$30 will be allowed. Hotel to be paid by the municipality.

19.2 ACTUAL EXPENSES. When traveling on official business, actual expenses will be allowed upon proper documentation.

19.3 CONVENTION REGISTRATION FEES. In addition to the per diem allowance, the actual registration fee (not including meals, lodging, entertainment or similar costs) charged at a convention or conference, will be paid for by the municipality.

19.4 TRAVEL ALLOWANCE. In addition to per diem reimbursement for travel, expenses shall be allowed at the following rate:

- a. By Common Carrier. The common carrier fare, or the cost of charter or other special hire, if essential, and other similar fares as necessary for the efficient performance of official duties. No reimbursement shall be allowed for more than the lowest tourist class fare for the most direct route unless:
 - (1) Tourist-class accommodations were not available.
 - (2) Waiting for tourist-class accommodations would occasion delay harmful to the municipality.
 - (3) The Department Head finds that travel by tourist class accommodations is not in the best interests of the municipality and authorizes other accommodations.
- b. By Private Vehicle. Fifteen cents per mile for occasional use of privately owned vehicles. Reimbursement for actual costs of ferry fare, bridge, road and tunnel tolls, shall be granted. Where two or more employees are traveling in the same direction, and it is possible to share a privately-owned automobile or airplane, the mileage permitted shall be allowed only one (1).
- c. Use of Private Vehicles. No employee shall be ordered to use his or her personal vehicle for municipal business. If a situation arises where a municipal employee is requested to use his or her personal vehicle, arrangements for compensation of such use shall be established between the employee and Department Head, subject to approval of City Manager.

CITY OF WRANGELL, ALASKA

19.5 ALLOWANCE FOR JOB-CONNECTED TRAINING. Where an employee attends a school, training session or other similar program of mutual benefit to the employee and municipality, the employee shall agree to:

- a. Remain in municipal service one month for every day (including Saturdays and Sundays) that he or she is attending the school and for which the municipality is paying his or her salary, travel costs, and per diem.
- b. Remain in municipal service two weeks for every day (including Saturdays and Sundays) that he or she is attending the school and for which the municipality is paying either his or her salary, or travel costs and per diem costs.
- c. There shall be a two-year maximum to the length of time that the employee must remain in service.
- d. Should the employee leave the service of the municipality prior to the completion of computed service time, he or she shall reimburse the City for costs incurred in proportion to length of time remaining to be served.
- e. If the employee is involuntarily separated from the service of the municipality before completion of computed service time, the remaining time to be served will be cancelled.

CITY OF WRANGELL, ALASKA

XX. GRIEVANCES AND DISCIPLINE APPEALS

20.1 GENERAL POLICY. It shall be the general policy of the municipality and the duty of each Supervisor and Administrative officer in the municipal service to anticipate and correct, insofar as practicable, grievance-producing circumstances and thus prevent grievances from arising. Matters of policy and management prerogative are not grievable.

20.2 STEPS FOR HANDLING OF GRIEVANCES. The grievance of any employee shall be handled in the following manner, each step to be taken within five working days of presentation at the prior step if no mutually satisfactory resolution has been reached.

- a. Within ten (10 working days of the act or event being grieved, the employee shall present the grievance orally to his or her immediate Supervisor. The Supervisor shall note the date and time of the presentation of the grievance. The Supervisor shall then inform the City Manager of the existence and nature of the grievance. An untimely grievance may be rejected.
- b. If no mutually satisfactory adjustment is reached between the employee and the immediate Supervisor within ten working days after presentation, the employee may present the grievance, in writing, to the Department Head. The written grievance must specify the act or event grieved, the date of occurrence, and all supporting facts.
- c. If no mutually satisfactory adjustment is reached between the employee and the Department Head within five working days, the employee may within that time present the grievance in writing to the City Manager, by a written request for review of the grievance.
- d. If no mutually satisfactory adjustment of the grievance is reached between the employee and the City Manager, within five working days, the employee may within that time appeal the grievance to a grievance committee by notifying the City Manager in writing of his or her intention to do so.

The grievance committee shall be composed of:

- (1) One Council member chosen by the Mayor;
- (2) One full time permanent employee, not from the grievant's department, selected by the grievant;
- (3) One local public citizen mutually acceptable to the other two members.

CITY OF WRANGELL, ALASKA

- (4) No member of the Grievance committee shall be related to the grievant, or the Supervisor whose action is grieved, by blood or marriage.

20.3 HEARING PROCEDURE. As soon as practicable after the committee is selected it shall hold a hearing with due and proper notice to the grievant and the Department Head involved. Both sides may be represented by counsel or anyone of their choosing. Both may call and examine witnesses subject to cross-examination by the other party, present documentary evidence and exhibits, and impeach witnesses and rebut relevant evidence presented. The hearing need not be conducted according to technical rules of evidence. Relevant evidence shall be admitted if it is the sort of evidence on which reasonable persons customarily rely in the conduct of their serious affairs. Irrelevant and unduly repetitious evidence shall be excluded. No finding of fact shall be based exclusively upon hearsay evidence unless it would be admissible over objection in a civil action. The proceedings shall be recorded in their entirety. The Council member of the grievance committee shall chair the hearing.

20.4 DECISION OF THE GRIEVANCE COMMITTEE. Within a reasonable time following the close of the hearing, the grievance committee shall issue written findings of fact and its decision on the grievance shall cause them to be served on the grievant and the Department Head involved. The findings and decision shall be based solely on the evidence presented at the hearing.

20.5 APPEAL TO THE COUNCIL. Within five working days of receipt of the findings and decision of the grievance committee, either party may appeal to the Council by filing written notice with the Clerk of the intent to appeal. The Council shall review the decision of the grievance committee on the basis of the record before the committee. The Council, in its discretion, may decide the case with or without oral argument from the grievant and Department head or their representatives. Within a reasonable time after presentation, the council shall issue its decision upholding, modifying, or revising the decision of the grievance committee.

20.6 ASSEMBLY DECISION FINAL AND BINDING. The decision of the Council shall be final and binding unless the matter is appealed to the courts. It is the intention of the municipality that any appeal to the courts be based on the evidence presented to the grievance committee.

XXI. (RESERVED)

CITY OF WRANGELL, ALASKA

XXII. MISCELLANEOUS PROVISIONS

22.1 TRAINING. Each Department Head shall develop and conduct such practical training programs as are suited to the special requirements of his or her department. The Department Heads shall institute and provide for the conducting of training programs which are needed for efficient management of two or more departments. Training programs shall particularly emphasize accident prevention, employee safety and public relations.

22.2 ANNUAL PERFORMANCE EVALUATION. Department Heads shall be responsible for counseling employees and informing them of unsatisfactory performance. Employees who are performing in a superior manner also should be informed in writing of their job performance. Reports of unsatisfactory or superior performance shall be documented by memorandum for inclusion in the individual's personnel file.

22.3 OTHER EMPLOYMENT. Occupations or outside activity which are incompatible with employment by the municipality, or adversely affect the performance of municipal duties, are prohibited. No employee should become engaged in off-time activity which will create a conflict of interest between the city and the outside activity or create demands on the time of the employee which make it impossible to devote a full workday and/or shift to his job.

22.4 GIFTS AND GRATUITIES. An employee shall not accept a gift, gratuity, consideration or extraordinary favor from any person doing business, or likely to do business with the municipality and shall immediately report to his or her Department Head any offer, promise or suggestion that such a gift be made. In the event an offer is made to a Department Head, he or she shall report same to the Council. Any person either offering or receiving such a gift, gratuity, consideration or extraordinary favor is subject to criminal penalties prescribed in A.S. Sections 11.30.040 and 11.30.050. This section does not apply to the giving of ceremonial gifts of nominal value, or gifts received from an employee's family or ordinary circle of friends when not offered for a corrupt purpose.

22.5 PHYSICAL EXAMINATION. Employees may be required to have a pre-employment physical examination. The physical examination to be paid for by the municipality.

22.6 (RESERVED)

CITY OF WRANGELL, ALASKA

22.7 (RESERVED)

22.8 HALF-HOUR LUNCH. Subject to department approval, lunch hour may be cut to one-half hour, and employees observing a one-half hour lunch period will be allowed to go home at 4:30 p.m. The City Manager will be kept apprised of those departments taking a half-hour lunch period.

22.9 JOB DESCRIPTIONS. The municipality will prepare job descriptions for all employees.

22.10 ANNUAL MEET AND CONFER MEETING

- a. Not less than once a year, the council, or its designated representatives, shall meet and confer with employees of the municipality with respect to terms and conditions of employment with the municipality.
- b. The meeting shall be held at such time and place as the council may designate with reasonable notice to all employees so as to enable them to submit proposed changes in terms and conditions of employment in writing and/or through public testimony.
- c. The council may adopt rules for the conduct of the meetings and the submission of proposed changes in personnel policies. Any employee shall be entitled to submit proposed changes and address the council, subject to the council's rules.
- d. The meeting shall be in the month of March which will allow for any changes requiring financial consideration to be considered in the upcoming budget.

XXIII. REFUSAL TO WORK, UNSAFE CONDITIONS

23.1 EMPLOYEE NOT IN VIOLATION PERSONNEL POLICY. It shall not be a violation of the Personnel Policy, nor grounds for dismissal if an employee refuses to work under unsafe conditions posing an immediate danger of death or serious bodily injury. Any safety equipment, specialized safety tools or special clothing required to insure safe working conditions shall be supplied by the employer. If disciplinary action is taken under this section, an employee shall have recourse to Section XX GRIEVANCES of the City of Wrangell Personnel Policies.

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 571

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 EIGHT 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 July 1, 1991.

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 Re-enactment. Wrangell Municipal Code, Sec. 9.04.070, Schedule A, is repealed and re-enacted 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

Designation

Monthly Rate

1. Per family unit

13.40

Class B. Mandatory Rate for All Occupants or Persons.

Commercial and Industrial -- Flat Rates

<u>Designation</u>	<u>Monthly Rate</u>
Bakery	22.20
Bank	22.20
Bars	66.85
Barbershops	13.40
Beauty Shops	13.40
Canneries	66.85
Churches	13.40
Clubs, Lodges	22.20
Furniture Stores	35.60
Garages	33.50
Grocery Stores	111.45
Hospitals	44.60
Hotels	55.65
Laundromat	33.50
Offices	13.40
Restaurants	78.05
Schools, per classroom	2.20
Shops, miscellaneous	22.20
Stores -- dry goods, gifts, etc.	33.50
Ranger District (Forest Service)	55.65
Public Swimming Pool	33.50

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	17.80
Abandoned or passenger vehicle, pickup truck, van, and trucks smaller in size than one ton truck	111.65

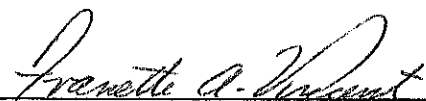
Note 1: The monthly rates for any establishment not herein designated shall be determined by the City Council. Until such rate may be established, the rate deemed most applicable shall apply, subject to adjustment.

PASSED IN FIRST READING: May 14, 1991

PASSED IN SECOND READING: May 28, 1991



Vice Mayor

ATTEST: 

City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 572

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 15, CHAPTER 8, SEWERS, SPECIFICALLY INCREASING SEWER RATES BY FOURTEEN PERCENT AND PROVIDING FOR A PUBLIC HEARING.

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 Wrangell Municipal Code and shall be effective on July 1, 1991.

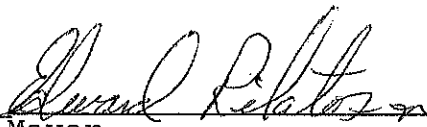
Sec. 4. Providing for a Public Hearing. A public hearing shall be held by the Council of the City of Wrangell, with notice thereof given fifteen days prior to said public hearing.

Sec. 5. Wrangell Municipal Code Section 15.08.240 A, Schedule of rates and charges, is amended as follows:

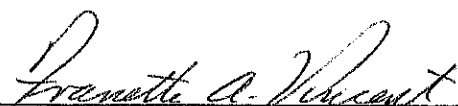
A. The monthly rate shall be computed on the unit basis of [twenty-two] twenty-five dollars per unit or fraction thereof for class A and class B users who are provided service by the municipal collection and treatment system.

PASSED IN FIRST READING May 14, 1991

PASSED IN SECOND READING May 28, 1991



Vice Mayor

ATTEST: 

City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 573

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA AMENDING PROVISIONS UNDER THE PORT OF WRANGELL ORDINANCES, SPECIFICALLY CHAPTER 14.4 ENTITLED "GENERAL PROVISIONS" PROVIDING FOR A DEFINITIONAL CHANGE, AND CHAPTER 14.12 ENTITLED "PORT FACILITY REGULATIONS" PROVIDING FOR SUBSTANTIVE CHANGES RELATED TO RESERVED MOORAGE, CUSTOMER SERVICE MOORAGE, TRANSIENT MOORAGE, FEES, ESTABLISHMENT OF RATES AND CHARGES AND A PUBLIC HEARING FOR CHANGES IN RATES.

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 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, Section 14.04.050 N., is amended by changing the definition of "qualifying interest" in subsection "N." as follows:

N. Qualifying interest. "Qualifying interest" means a person has a qualifying interest in a vessel if that person owns the vessel or under the provisions of [the written charter or lease has exclusive control over the operation and navigation of the vessel.] a written contract is purchasing 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.

Section 5. Wrangell Municipal Code, Section 14.12.020 F. 2. is amended as follows:

2. Use by assigned vessel only. a. Reserved moorage space normally 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.

b. A person having a reserved moorage space may permit another vessel owner to utilize the space, at no cost, providing the vessel owner utilizing another's space has been placed on the wait list for a reserved moorage space and has notified the harbormaster of the intended use. In the event a person having a reserved moorage space permits another vessel owner to utilize the reserved moorage space and the person utilizing the space is not on the wait list, the person utilizing the space must register with the harbormaster, pursuant to 14.12.010, within two hours of the use and shall be assessed the appropriate transient moorage fees.

Section 6. Wrangell Municipal Code Section 14.12.020 F. 4. is amended as follows:

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 day limit and notify the harbormaster that his stall may be used any time the assigned vessel is absent.] Prior to allowing any such vessel to occupy an empty reserved moorage space, the harbormaster will attempt to contact the reserved moorage space holder. Any such vessel temporarily assigned to a reserved moorage space by the harbormaster shall be assessed the appropriate transient moorage fee.

Section 7. Wrangell Municipal Code Section 14.12.030 F.2. is amended to read as follows:

2. Basic Fee. The fee for customer service moorage space shall be [seven dollars and fifty cents 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.] sixty-five cents (\$0.65) per square foot per year calculated on the overall square footage of the moorage space.

Section 8. Wrangell Municipal Code Section 14.12.030 G. 1 and 2 are amended to read as follows:

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.]

Section 9. Wrangell Municipal Code Section 14.12.040 D.3.a. is amended to read as follows:

3. Rental fee. The fee for transient moorage space shall be as follows:

a. Daily rate for the outside Reliance transient area 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] day; daily rate for a private stall is fifteen cents (\$0.15) per foot per day based on the overall vessel length, with a minimum of two dollars (\$2.00) per day.

Section 10. Wrangell Municipal Code Section 14.12.090 D.3. shall be amended to read as follows:

3. Storage fees. Fees for storage shall be computed as follows:

a. Wrangell Dock, Barge Ramp Facility and Port Staging Area. The fee for storage is computed at the rate of one-half of one cent per square foot per day based on the overall square footage of surface area occupied by the items stored, with a minimum fee of six dollars and twenty-five cents per calendar month or any portion thereof[.] for an initial ninety (90) day period. Thereafter, the fee for storage is computed at the rate of one and one-half cents per square foot per day. All storage items shall be removed at the end of six (6) months from the date the storage charge was initiated.

b. Shoemaker Bay. The fee for storage is computed at the rate of one-half of one cent per square foot per day based on the overall square footage of surface area occupied by the items stored, with a minimum fee of six dollars and twenty-five cents per calendar month or portion thereof. This shall be a long-term storage area.

Section 11. Wrangell Municipal Code Section 14.12.100 shall be amended by adding a subsection C to read as follows:

C. Vessels taking water from the City of Wrangell main located at the cement port dock shall be charged a minimum fee of sixteen dollars and ninety cents (\$16.90) for up to fifteen (15) tons of water. Thereafter, an additional fifty-five cents (\$0.55) shall be charged for each ton of water, or fraction thereof, exceeding fifteen (15) tons.

Section 12. Wrangell Municipal Code Section 14.12. shall be amended by adding the following section:

14.12.130. Establishment of Rates and Charges; Public Hearing.

A. The port commission, subject to approval by the council, shall fix the rates, charges and classifications to be charged for the use of any and all terminal or transportation facilities constructed on property under its jurisdiction, including charges assessed against vessels, their owners, agents or operators which load or discharge cargo at any of the terminals within the area under the commission's jurisdiction; charges for berthage while loading or discharging cargo; charges for administrative expenses in serving the carrier; charges for freight-handling operations; and wharfage, handling, loading, unloading and wharf demurrage rates.

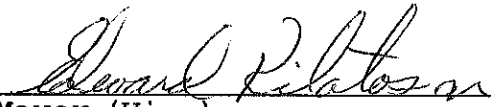
B. Such rates, charges and classifications shall be just and reasonable and shall be established and modified at a public hearing conducted by the port commission. Notice specifying the time and place of hearing shall be given by at least one publication in a newspaper of general circulation in the city at least fifteen days prior to the hearing.

C. At the hearing, all public service corporations, association, or individual affected by or interested in the matters to be heard may be present and may be represented by counsel. At the conclusion of the hearing, the parties interested may make such arguments before the port commission either in person or by an attorney regarding the matters at issue, and thereafter the port commission shall proceed to prepare a schedule of rates to be submitted to the council at its next regular meeting.

D. The council may adopt the commission's proposed schedule of rates by ordinance but the date upon which the rates fixed or regulated go into effect may not be less than ten days after its passage and approval.

PASSED IN FIRST READING: _____ May 14 _____, 1991.

PASSED IN SECOND READING: _____ May 28 _____, 1991.



Mayor (Vice)

ATTEST: 

Franette Vincent, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 574

AN ORDINANCE OF THE COUNCIL OF THE CITY
OF WRANGELL, ALASKA, AMENDING CHAPTER
9.04, GARBAGE, SPECIFICALLY CLARIFYING
REFUSE CONTAINER SPECIFICATIONS, CON-
TAINER LOCATION AND CUSTOMER RESPONSIBILITY

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 Section 9.04.020 Refuse containers--Specifications, WMC Section 9.04.040 Refuse containers--Location, and WMC Section 9.04.070 Collection or disposal fees, are repealed and reenacted to read as follows:

9.04.020 Refuse containers--Specifications. A. Each and every owner, tenant, housekeeper or other person occupying any room, dwelling, house, apartment or other building or portion thereof and producing or being responsible for the disposal of refuse shall provide sturdy receptacles with a capacity of twenty to thirty-three gallons approved by the city manager or his authorized agent.

B. It shall be the duty of every person, firm or corporation owning, managing, operating, leasing or renting any commercial premises where excessive amounts of refuse accumulate and where its storage as required in this chapter is impractical, to maintain a metal bulk storage container or containers, approved by the city manager or his authorized agent.

C. It shall be the duty of every person, firm or corporation owning, managing, operating, leasing or renting any premises or dwelling unit to place the daily accumulations of refuse in the container or containers required in this chapter, and it shall be the duty of every

person placing garbage in any such container to eliminate, as far as possible, all water and liquid from such garbage and to securely wrap garbage in paper before placing same in such container or bag.

9.04.040 Refuse containers--Location. A. Containers approved for use by the city manager or his authorized agent, in which refuse is placed to be removed by the city or its authorized collector shall be located in plain view in an accessible location at the ground level or an open platform or open porch not more than four feet above the adjacent roadway and so placed that they may be reached from the ground by the collector. They shall not be located within a building or other structure unless such building or structure has been approved for refuse storage by the city manager or his authorized agent. If the premises on which such refuse accumulates abuts on a public alley, such container shall be located immediately adjacent to such alley. If such alley is not available but a private driveway is available said container shall be located immediately adjacent to such driveway. The containers shall be not more than fifty feet from the edge of the roadway. If more than one container is necessary to hold the refuse accumulated at a customer's premises, or if more than one container is used for the refuse from any one building, all containers shall be placed at the same location on the premises. Buildings housing three or more dwellings or businesses, as long as other requirements of this ordinance are met, may place containers in more than one location with approval of city manager or his authorized agent.

B. The city or its authorized collector will not be required to collect refuse, garbage or rubble where there are obstructions such as excessive snow in pathway to containers, vicious dogs, excessive liquid in containers, parked vehicles, etc.

9.04.070 Collection or disposal fees. A. Every owner, occupant, tenant or lessee within the city limits shall receive refuse pickup service and shall pay such fees as are set forth in this section unless waiver of service is authorized by the city manager or his authorized agent, after special investigation of conditions upon which the waiver is requested.

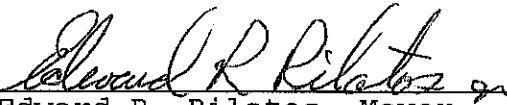
B. Residential service shall consist of the removal of refuse substances, as defined in this chapter, in containers approved by the city manager or his authorized agent, weighing with contents when full, not over fifty five pounds, or the equivalent thereof, once weekly.

C. The city manager shall have the authority to waive any fees in Schedule A for a period up to two weeks during community clean-up projects.


D. All customers shall be billed on the basis of the charges as set forth in Schedule A.

PASSED IN FIRST READING June 25, 1991

PASSED IN SECOND READING July 9, 1991



Edward R. Rilatos, Mayor

ATTEST: 

Franette A. Vincent, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 575

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING CHAPTER 9.04, GARBAGE, SPECIFICALLY DELETING SECTION REGARDING ABANDONED OR JUNKED VEHICLES

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 Section 9.04.070 SCHEDULE A, Class C, is amended to read:

SCHEDULE A

Section 9.04.070


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, PICKUP 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 July 23, 1991

PASSED IN SECOND READING August 13, 1991



Edward R. Rilatos, Jr., Mayor

ATTEST: Christie L. Jamieson
Acting City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 576

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING CHAPTER 11.72, IMPOUNDING VEHICLES, SPECIFICALLY INCREASING IMPOUND FEE, DELETING STORAGE FEE, PROVIDING FOR IMPOUNDMENT OF TRAILERS, AND PROVIDING FOR SHORTER PERIOD OF TIME FOR IMPOUND AND DISPOSITION OF VEHICLES AND/OR TRAILERS

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 Chapter 11.72 IMPOUNDING VEHICLES, _ is hereby repealed and replaced as follows:

Chapter 11.72

IMPOUNDING VEHICLES AND/OR TRAILERS

Sections:

11.72.010 Impoundment of vehicles and/or trailers
11.72.020 Disposition procedure

11.72.010 Impoundment of vehicles and/or trailers.

A. Impoundment of Vehicles and/or Trailers for Violations. The chief of police, or his designee, is hereby authorized to impound any vehicle and/or trailer:

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 and/or trailer 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 and/or trailer. 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. Impound Fee. Any vehicle and/or trailer impounded by the police shall be subject to and liable for an impound fee of one hundred fifty dollars, plus towing charges.

C. Nonemergency Impound Procedure.

1. Pre-impound Hearing. This subsection applies to impoundment of vehicles and/or trailers under all circumstances not specifically set forth in subsection D below. As to any vehicle and/or trailer 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 and/or trailer have the right to a pre-impoundment administrative hearing to determine whether there is probable cause to impound the vehicle and/or trailer. Such person must file a written demand for such a hearing with the city within seven days after such person has learned such vehicle and/or trailer will be impounded or within seven days after the mailing of the notice required herein, whichever occurs first.

2. Notice. At least ten days prior to impounding any vehicle and/or trailer, the police shall cause notice of the impoundment action to be taken by the police to be posted on the vehicle and/or trailer. A copy of the notice of intended impoundment shall be given to the registered owner or lawful possessor and record lienholders of the vehicle and/or trailer at his/her last known address, either by personal delivery to the person to be notified or by certified 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 and/or trailer 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 and/or trailers in the following circumstances only: (a) vehicles and/or trailers blocking or obstructing the efficient movement of traffic; (b) vehicles and/or trailers creating an unsafe condition; (c) vehicles and/or trailers left unattended after an arrest of the owner or operator of the vehicle and/or trailer is made by a law enforcement officer; and (d) vehicles and/or trailers parked in violation of 13AAC 02.340. As to any vehicle and/or trailer 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 and/or trailer has the right to a post-impoundment administrative hearing to determine whether there was probable cause for impounding the vehicle and/or trailer 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 and/or trailer at his/her last-known address in accordance with the procedures set forth in subsection (c) (2), above. A notice shall also be posted on the vehicle.

E. Contents of Notice of Impoundment. The notice shall contain the make, model and identification number of the vehicle and/or trailer, 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 and/or trailer 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 and/or trailer owners or other persons entitled to possession of impounded vehicles and/or trailers, you have the following options:

1. You may recover possession of your vehicle and/or trailer by paying to the city the impound and towing costs.

Additional notice requirements for emergency impound:

1. If you take issue with the impoundment of your vehicle and/or trailer, you may:

(a) Recover possession of the vehicle and/or trailer by paying the impound and towing fees; 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 and/or trailer. To be entitled to such hearing, your written demand must be filed with the City Clerk, within (i) seven (7) days after you learned that your vehicle and/or trailer was impounded or was missing; or (ii) within seven (7) days after the City mailed notice to the vehicle's and /or trailer's registered owner or lawful possessor that the vehicle and/or trailer 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 and/or trailer will require the city to refund any fees paid to release the vehicle and/or trailer to you without your having to pay the towing and impound 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 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 forth-eight-hour period. The hearing officer shall be someone other than the person who will direct the impounding of the vehicle and/or trailer. The sole issue before the hearing officer shall be whether there is probable cause to impound the vehicle and/or trailer in question. "Probable cause to impound" means 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 and/or trailer. 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 and/or trailer if such owner is not the person requesting the hearing. The hearing officer's decision shall not affect any criminal proceedings 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 and/or trailer in question either that there is probable cause to impound the vehicle and/or trailer 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 and/or trailer by removal, sale, or destruction as authorized by this chapter.

11.72.010 Disposition procedure. A. Notice of Sale. Any vehicle and/or trailer impounded shall be held by the city for a period of not less than thirty days, during which the chief of police or his designee shall cause to be sent by certified mail or personal delivery a notice to the lawful or registered owner thereof. The police will exercise due diligence in attempting to notify the lawful or registered owner and shall accurately describe the vehicle and/or trailer, give the date the vehicle and/or trailer was impounded and inform the owner of the intention of the city to sell the vehicle and/or trailer 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 and/or trailer by a cash payment for all charges against the vehicle and/or trailer. The chief of police or his designee shall also publish in a newspaper of general circulation in the city a notice describing the vehicle and/or trailer, the owner's name, if known, and the intention of the city to sell the vehicle and/or trailer and other vehicles and/or trailers 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 days after publication of the notice. At any time prior to the auction, the owner may redeem the vehicle and/or trailer by a cash payment for all charges against the vehicle and/or trailer.

B. Sale. The minimum acceptable bid shall be a sum equal to the city's charges against the vehicle and/or trailer, including the cost of all towing plus one hundred fifty dollars. Upon the sale being made, the city shall make and deliver its bill of sale, without warranty, conveying the vehicle and/or trailer to the buyer.

C. Other disposition. If at the public sale there are not acceptable bidders for the vehicle and/or trailer, the city may destroy, sell at private sale, or otherwise dispose of the vehicle and/or trailer. 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 and/or trailers impounded containing date of impoundment, description of vehicle and/or trailer, 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 July 23, 1991

PASSED IN SECOND READING August 13, 1991



Edward R. Rilatos, Mayor

ATTEST: Christie L. Samieson
Acting City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 577

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 11 VEHICLES AND TRAFFIC, SPECIFICALLY ADDING EXCESSIVE ACCELERATION AS A VIOLATION, AND PROVIDING FOR A SPECIFIED BAIL

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 Chapter 11.36 Miscellaneous Traffic Rules is amended by adding the following section:

Section 11.36.170 Starting parked vehicle. (a) No person shall start a vehicle which is stopped, standing or parked unless and until such movement can be made with reasonable safety.

(b) A person may not accelerate a vehicle which is stopped, standing or parked on or along the highway, street or roadway, or which is entering a highway, street or roadway so rapidly as to unnecessarily cause the tires to squeal or spin on the highway, street or roadway or on the surface on which the vehicle is standing immediately before it enters the highway, street or roadway.

Sec. 5. WMC Section 11.16.060 Appendix D is amended as follows:

APPENDIX D
(Section 11.16.060)

<u>Wrangell Traffic Code Section</u>	<u>Offense</u>	<u>Bail</u>
All of Chapter 11.28	Parking violations	\$20
All of Chapter 11.32	Licensed vehicle stands	15
All of Chapter 11.56	"U-drive" business	15
11.36.030	Interference at scene of accident prohibited	25
11.36.060	Stop when traffic obstructed	25
11.36.070	Driving on sidewalks	25
11.36.080	U-turns prohibited	25
11.36.090	Projections on wheels or tracks prohibited	20
11.36.100	Dragging objects prohibited	20
11.36.110	Projecting loads on passenger vehicles	20
11.36.120, 11.36.130	Driving through funeral or other processions	20
11.36.140	Carrying animals on outside of vehicles	20
11.36.150	Injurious materials on highway prohibited	50
11.36.160	Use of coaster, rollerskates, sled and skis	20
<u>11.36.170</u>	<u>Excessive acceleration</u>	<u>30</u>
All of Chapter 11.64	Sound-amplifying devices	25

PASSED IN FIRST READING September 24, 1991

PASSED IN SECOND READING October 8, 1991



Edward R. Rilatos, Jr., Mayor

ATTEST: 

City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 578

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING THE WRANGELL MUNICIPAL CODE, TITLE 15, CHAPTER 12, ELECTRICITY, SPECIFICALLY, PROVIDING FOR THE SALE OF INTERRUPTIBLE ELECTRICAL POWER TO GOVERNMENTAL AGENCIES

WHEREAS, the Project Management Committee of the Four Dam Pool has authorized the Project Management Committee Utilities to sell interruptible power to governmental agencies; and

WHEREAS, Wrangell Light Department is a Project Management Committee Utility; and

WHEREAS, Wrangell Light Department may provide governmental agencies within its service area an opportunity to purchase interruptible power to displace fuel generated sources of energy.

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, Chapter 15 is hereby amended by the addition of Section 15.12.225 to read as follows:

Section 15.12.225 Fuel Displacement Rate - Governmental.

- A. The rates of this section shall apply only to federal, state or local governmental agencies.
- B. Eligible loads must be capable of being served by the customer's existing fuel fired energy source and be capable of interruption of electric services at any time.

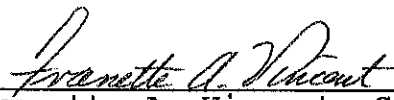
C. The rate shall be established by contract between
Wrangell Light Department and the customer.

PASSED IN FIRST READING: March 10, 1992

PASSED IN SECOND READING: March 24, 1992



Edward R. Rilatos, Jr., Mayor

ATTEST: 

Franette A. Vincent, City Clerk

Rescinded
8-11-98

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 579

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING THE WRANGELL MUNICIPAL CODE, TITLE 5, CHAPTER 10, PURCHASES AND SALES, SPECIFICALLY, PROVIDING FOR A FIVE PERCENT (5%) BID PREFERENCE FOR LOCAL RESIDENTS

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, Title 5, Chapter 10 is hereby amended by the addition of Section 05.10.055 to read as follows:

Section 05.10.055 Bid Preference for Residents.

A. Notwithstanding anything to the contrary stated in Sections 05.10.010 through 05.10.050, residents of the city shall be given a preference over nonresidents if the cost of any purchase from a resident is not more than five percent above the cost of such purchase from a nonresident.

B. In determining whether a purchase from a resident or a nonresident is most advantageous to the city, for such purpose only, the price quoted by the resident shall be considered to be reduced by a sum equal to five percent of the price quoted by the nonresident.

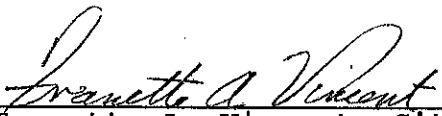
C. This preference shall not be interpreted to mean that although the price quoted by the resident is less than five percent in excess of the price quoted by the nonresident, the city council or city manager is precluded from making the purchase from whatever source is most advantageous to the city after considering all factors in the public interest.

PASSED IN FIRST READING: May 12, 1992

PASSED IN SECOND READING: _____ May 26 _____, 1992



Edward R. Rilatos, Jr., Mayor

ATTEST: 

Franette A. Vincent, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 580

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF
THE CITY OF WRANGELL BY CONTRACT ZONE.

WHEREAS, a petition for contract zoning for certain real property described below, have been filed by Walter Moorhead and Carol Ross in accordance with Chapter 20.77 of the Wrangell Municipal Code; and

WHEREAS, the procedures set forth in Chapter 29.77 of the Wrangell Municipal Code have been followed; 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. Contract 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 5, Block 18, and Portion of Lot 6, Evergreen Park,
Wrangell Townsite

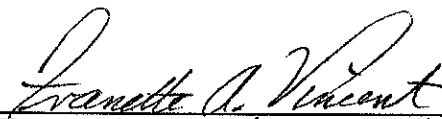
The official zoning map of the City of Wrangell is amended to conform with said Contract Zoning Agreement.

The executed Contract Zoning Agreement is attached hereto and incorporated herein by reference.

PASSED IN FIRST READING May 12, 1992

PASSED IN SECOND READING May 26, 1992


Edward R. Rilatos, Jr., Mayor

ATTEST: 
Franette A. Vincent, City Clerk

CONTRACT ZONING AGREEMENT

THIS AGREEMENT, is made this 10th day of March, 1992, between WALTER MOORHEAD and CAROL ROSS, referred to herein as "Moorhead and Ross", whose address is Post Office Box 1140, 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. Moorhead and Ross are the owners of the following described real property, to-wit:

Lot 5, Block 18, and Portion of Lot 6, Evergreen Park, Wrangell Townsite

2. The above-described real property is presently zoned Single Family Residential and Moorhead and Ross desire a rezoning of said property to Commercial, limited to the operation of a professional office building, as more specifically set out in this contract zoning agreement.

3. Moorhead and Ross desire to develop said real property for construction of a professional office building.

4. Moorhead and Ross 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 thirty (30) years from the effective date of the ordinance rezoning said property, with an option to renew for an additional ten (10) years as hereinafter set out, to Commercial uses subject to the condition that Moorhead and Ross further develop the property only for the operation of a professional office building.

6. Moorhead and Ross agree that the real property subject to this agreement shall be used only for the operation of a

professional office building, and for uses clearly and directly incidental thereto, in addition to those uses permitted in the existing Single Family Residential zone.

7. The parties hereto agree that the real property described above is zoned as stated herein only so long as the property is used for the operation of a professional office building. Should said property cease to be so used for a period of more than eighteen (18) months, the zoning classification of said property shall revert to Single Family Residential. In such event, all structures not permitted in the Single Family Residential zone shall be removed within ninety (90) days of said cessation of use.

8. The parties hereto agree that should the real property subject to this agreement be zoned Commercial or any other zoning classification which permits use of the property for a professional office building, then the provisions of this agreement restricting said property use shall be null and void. It is further agreed that should any petition or application be filed by Moorhead and Ross, singly or jointly with one or more adjoining property owners, to rezone the real property described above, no weight shall be given to the provisions of this agreement in considering such petition.

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

a) Setback standards applicable to the subject property shall continue to be those required generally of property within Single Family Residential zones.

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

c) New commercial building upon subject lot shall be:

1) Building shall be of a residential type.

d) New commercial building upon the subject property shall be erected according to the following schedule:

1) Site plan and building exterior elevation plans to be considered by Planning and Zoning Commission prior to construction.

2) Construction to be completed not later than January, 1994

e) A minimum of ten (10) and a maximum of twenty (20) off-street parking spaces shall be provided in connection with the commercial use contemplated herein for use by the

employees and patrons of the business to be conducted upon the subject premises. There shall be no through traffic from Reid to Bennett Street.

f) Commercial building 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 nine (9) 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 on 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 non-putrescible solid wastes including garbage and any industrial or medical 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 Moorhead and Ross, the City Manager or a designated representative of the City Manager is hereby authorized and empowered to notify

Moorhead and Ross of any violation thereof, and to further advise Moorhead and Ross to properly dispose of said refuse located on said property or accomplish any act as required. Such notice shall be by certified mail, addressed to Moorhead and Ross at their last known address.

1) Upon the failure, neglect, or refusal of Moorhead and Ross 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) 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 the 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 will 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 notice to every person concerned that the amount stated in such statement, plus interest, costs and fees, if any, constitutes a charge against the property designated or

described in the statement and that the same is due and collectible as provided by law.

11. This contract zoning agreement may be renewed by Moorhead and Ross for an additional ten (10) year term. The option herein created may be exercised only by notice in writing from Moorhead and Ross to the City given at least ninety (90), but no more than one hundred and eighty (180) days, before the expiration of the initial thirty (30) year term. The second term shall be subject to the following conditions:

a) A determination by the Planning and Zoning Commission and the City Council that all provisions of this agreement have been substantially complied with by Moorhead and Ross.

12. 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 Moorhead and Ross 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 Moorhead and Ross at least thirty (30) days written notice specifying the particulars of any claimed violation. If at the end of such thirty (30) day period, Moorhead and Ross 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 Moorhead and Ross during any period when the property has ceased to be used as required herein, or for any other period provided herein.

13. Moorhead and Ross 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.

14. 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.

15. 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.

22-95

RECORDED - FILED 30cc

WRANGELL REC. DIST.

DATE MARCH 12 19 92

TIME 1:49 PM

Presented to: City of Wrangell

Address P.O. Box 531
WRANGELL, AK 99929

Walter Moorhead
Walter Moorhead

Carol Ross
Carol Ross

CITY OF WRANGELL

By Edward R. Rilatos, Jr.
Mayor

By Franette A. Vincent
City Clerk

STATE OF ALASKA)
FIRST JUDICIAL DISTRICT) ss:

THIS IS TO CERTIFY that on this 10th day of March, 1992, before me, a Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared WALTER MOORHEAD and CAROL ROSS, 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 and the uses and purposes therein mentioned.

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

Christie L. Jamison
Notary Public for Alaska
My commission expires: 7-2-94

STATE OF ALASKA)
FIRST JUDICIAL DISTRICT) ss:

THIS IS TO CERTIFY that on this 10th day of March, 1992, before me, a Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared EDWARD R. RILATOS, JR. and FRANETTE A. VINCENT, to me known to be the Mayor and the 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 L. Jamison
Notary Public for Alaska
My commission expires: 7-2-94

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 581

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF WRANGELL, ALASKA, BY REZONING PROPERTY HEREINAFTER DESCRIBED FROM SINGLE FAMILY RESIDENTIAL TO HOLDING 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 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 Holding District.

Sec. 5. Property Rezoned. The property hereinafter described is hereby rezoned from Single Family Residential to Holding District.

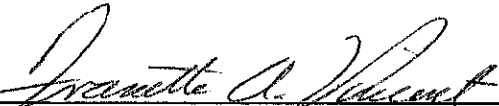
Lot, 11A, (Third Avenue Subdivision) Block 5, USS 2127;
Lot 12, Lot 13, Lot 14, and Lot 15, Block 5, Eastern Addition to Wrangell Townsite, USS 2127; Lot 10, Lot 11, Lot 12, Lot 13, Lot 14, Lot 15, Lot 16, Lot 17, and Lot 18, Block 6, Eastern Additional to Wrangell Townsite, USS 2127, First Judicial 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 12, 1992

PASSED IN SECOND READING: May 26, 1992


Edward R. Rilatos, Jr., Mayor

ATTEST: 
Franette A. Vincent, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 582

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
WRANGELL, ALASKA, AUTHORIZING THE SALE OF
FOUR CITY OWNED LOTS IN BLOCK 17

WHEREAS, the City owns four lots in Block 17 which may be valued at more than \$25,000 each and desires to sell these lots; and

WHEREAS, the four lots have been appraised at a total aggregate value of \$86,000; and

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, 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 6, 1992.

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 lots 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 sell the lots over the counter, at the minimum price established by the City Assessor.

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 FOUR CITY OWNED LOTS IN BLOCK 17 AT A PRICE TO BE DETERMINED BY COMPETITIVE SEALED BID? IF COMPETITIVE BIDS HAVE BEEN REJECTED OR NONE RECEIVED, SAID SALE WOULD THEN BE OVER THE COUNTER AT THE MINIMUM BID PRICE DETERMINED BY THE CITY ASSESSOR.

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 6, 1992.

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 6, 1992.

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

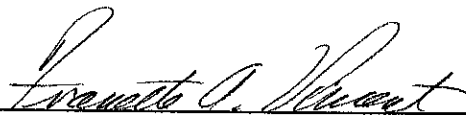
Sec. 11. Notice. That notice, publication and posting shall be given by the City Clerk in accordance with the provisions of the Wrangell Municipal Code and the Charter.

PASSED IN FIRST READING: _____ July 28, _____, 1992

PASSED IN SECOND READING: _____ August 11 _____, 1992



Edward R. Rilatos, Jr., Mayor

ATTEST: 

Franette A. Vincent, City Clerk

GENERAL ELECTION - OCTOBER 6, 1992

PROPOSITION II

YES - 485

NO - 86

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 583

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING CHAPTER 5.02.080 BY EXTENDING LENGTH OF TIME FOR MATURITY OF INVESTMENTS

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.

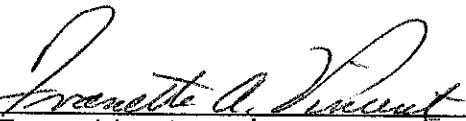
Sec. 4. Wrangell Municipal Code Section 5.02.080 is amended as follows:

5.02.080 Maturities. All investments shall have maturities measured from the date of purchase which do not exceed [TWO (2)] five (5) 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.

APPROVED IN FIRST READING: August 25, 1992

APPROVED IN SECOND READING: September 8, 1992


Edward R. Rilatos, Jr., Mayor

ATTEST: 
Franette A. Vincent, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 584

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA AMENDING THE PERSONNEL POLICY OF THE CITY OF WRANGELL TO ADD A CHAPTER INVOLVING A DRUG FREE WORKPLACE POLICY

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

Sec. 1. Classification. This ordinance is not of a permanent nature and is not intended to become a part of 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 application thereof to any person or circumstances shall not be affected thereby.

Sec. 3. Purpose. The City of Wrangell is committed to the safety and well-being of its employees and the public and accordingly it is the City's intent to maintain a work environment which is free from drug use and unlawful possession of controlled substances on municipal premises.

Sec. 4. Effective Date. This ordinance shall be published as provided by law and shall be effective thirty (30) days after final passage.

Sec. 5. Wrangell Municipal Code is amended by adding Chapter 24 to the Personnel Policy of the City of Wrangell as follows:

24.1 Employees are expected to report to work on time in appropriate mental and physical condition for work. Employees are not to report to work under the influence of intoxicants (alcoholic beverages or illegal drugs) and shall not consume, use, or possess intoxicants at any time during their scheduled workday, on City property, or in any City vehicle (while traveling to or from City property while on duty). The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance, as defined in 21 USC 812 and as further defined in 21 CFR 13.11.-15, on City premises or while conducting City business off premises is absolutely prohibited. Violations of this policy will result in disciplinary action, up to and including termination, and may have legal consequences.

24.2 If a supervisor has reasonable cause to believe that an employee has reported to work under the influence of intoxicants, the supervisor, with the approval of the department head, has the right to request the employee

submit to an alcohol or drug screening test at the City's expense. The failure of an employee to submit to an alcohol or drug screening test shall be grounds for discipline which may include termination. The results of the alcohol or drug test shall not be used by the City for any purpose other than to determine adherence to City policy, to discipline an employee whenever necessary, and to comply with applicable terms of this ordinance.

24.3 The City recognizes drug dependency as a major problem. The City also recognizes drug abuse as a potential health, safety and security problem. Employees needing help in dealing with such problems are encouraged to use the Employee Assistance Program. Conscientious efforts to seek such help will not jeopardize any employee's job and will not be noted in any personnel record except where action follows a supervisory-initiated referral.

24.4 No employee shall be subject to discipline for the appropriate use of legal non-prescription or prescribed legal drugs for the treatment of illness or injury. However, if the employee knows or should know that use of a non-prescription or prescribed drug does or could impair the employee's ability to operate a City vehicle or equipment, or otherwise perform his or her job duties, the employee shall share this information with his or her immediate supervisor. Violation of this section of the policy may subject the employee to disciplinary action.

24.5 Employees must, as a condition of employment, abide by the terms of this policy and report any conviction under a criminal drug statute for violations occurring on or off City premises while conducting City business. A report of a conviction must be made within five days of learning of an employee's criminal conviction for illegal drug activity within the workplace. The City will take appropriate personnel action. (This requirement is mandated by the federally legislated Drug-Free Workplace Act of 1988.)

A copy of this policy shall be provided to each employee.

APPROVED IN FIRST READING: February 9, 1993

APPROVED IN SECOND READING: February 23, 1993


Edward R. Rilatos, Jr., Mayor

ATTEST: 
Franette A. Vincent, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 585

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 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 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, 1993, and shall automatically expire on June 30, 1994.

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. 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.

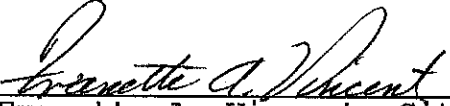
- B. [Fourteen] Four percent of the total amount of tax collected shall be used only to plan, design and construct street and sidewalk improvements.

C. [Fifty-eight] Sixty-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 25, 1993

PASSED IN SECOND READING: June 8, 1993


Edward R. Rilatos, Jr., Mayor

ATTEST: 
Franette A. Vincent, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 586

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING THE WRANGELL MUNICIPAL CODE, SPECIFICALLY SLOPE HAZARD AREAS

WHEREAS, provisions in the current code dealing with slope hazard areas conflict with the Uniform Building Code.

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 20.16.050 entitled "Standards" is amended to read as follows:

20.16.050 Standards. 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.]	HAZARD AREAS	20.52.140]
[N]	<u>M.</u> Drainage	20.52.150
[O]	<u>N.</u> Dredge and fill	20.52.160
[P]	<u>O.</u> Home occupation	20.52.170
[Q]	<u>P.</u> Mobile homes and mobile home parks	20.52.180
[R]	<u>Q.</u> Off-street parking	20.52.190
[S]	<u>R.</u> Signs	20.52.210
[T]	<u>S.</u> Traffic generation	20.52.230
[U]	<u>T.</u> Recreation	20.52.250

[V] U. Firewood storage 20.52.260

Section 5. WMC Section 20.20.050 entitled "Standards" is amended to read as follows:

20.20.050 Standards. The standards found in Chapter 20.52 applicable to this district are:

A.	Standards and 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.	HAZARD AREAS	20.52.140]
[N] <u>M</u> .	Drainage	20.52.150
[O] <u>N</u> .	Dredge and fill	20.52.160
[P] <u>O</u> .	Home occupation	20.52.170
[Q] <u>P</u> .	Mobile home and mobile home parks	20.52.180
[R] <u>Q</u> .	Off-street parking	20.52.190
[S] <u>R</u> .	Signs	20.52.210
[T] <u>S</u> .	Traffic generation	20.52.230
[U] <u>T</u> .	Recreation	20.52.250
[V] <u>U</u> .	Firewood storage	20.52.260

Section 6. WMC Section 20.28.050 entitled "Standards" is amended to read as follows:

20.28.050 Standards. The standards found in Chapter 20.52 applicable to this district are:

A.	Standard 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 shoreline construction	20.52.130
[O.	HAZARD AREAS	20.52.140]
[P] <u>Q</u> .	Drainage	20.52.150
[Q] <u>P</u> .	Dredge and fill	20.52.160

[R]	<u>Q</u> .	Home occupations	20.52.170
[S]	<u>R</u> .	Mobile homes and mobile home parks	20.52.180
[T]	<u>S</u> .	Off-street parking	20.52.190
[U]	<u>T</u> .	Signs	20.52.210
[V]	<u>U</u> .	Traffic generation	20.52.230
[W]	<u>V</u> .	Recreational vehicle parks	20.52.240
[X]	<u>W</u> .	Recreation	20.52.250
[Y]	<u>X</u> .	Firewood storage	20.52.260

Section 7. WMC Section 20.30.050 entitled "Standards" is amended to read as follows:

20.30.050 Standards. 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]	<u>O</u> .	Drainage	20.52.150
[Q]	<u>P</u> .	Dredge and fill	20.52.160
[R]	<u>Q</u> .	Home occupations	20.52.170
[S]	<u>R</u> .	Mobile homes and mobile home parks	20.52.180
[T]	<u>S</u> .	Off-street parking	20.52.190
[U]	<u>T</u> .	Signs	20.52.210
[V]	<u>U</u> .	Traffic generation	20.52.230
[W]	<u>V</u> .	Recreational vehicle parks	20.52.240
[X]	<u>W</u> .	Recreational	20.52.250
[Y]	<u>X</u> .	Firewood storage	20.52.260

Section 8. WMC Section 20.32.030 entitled "Standards" is amended to read as follows:

20.32.030 Standards. the following standards shall apply within the open space/public (OS) district:

A.	Standards and 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.	Airport interference	20.52.070
H.	Building height	20.52.080

I.	Setbacks--Yards	20.52.110
J.	Shoreline dependency	20.52.120
K.	Piers, docks, shoreline protection and other shoreline construction	20.52.130
[L.	HAZARD AREAS	20.52.140]
[M] <u>L.</u>	Drainage	20.52.150
[N] <u>M.</u>	Dredge and fill	20.52.160
[O] <u>N.</u>	Off-street parking	20.52.190
[P] <u>O.</u>	Signs	20.52.210
[Q] <u>P.</u>	Traffic generation	20.52.230
[R] <u>Q.</u>	Recreational vehicle parks	20.52.240

Section 9. WMC Section 20.40.050 entitled "Standards" is amended to read as follows:

20.40.050 Standards. 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] <u>L.</u>	Drainage	20.52.150
[N] <u>M.</u>	Dredge and fill	20.52.160
[O] <u>N.</u>	Recreational vehicle parks	20.52.240

Section 10. WMC Section 20.50.050 entitled "Standards" is amended to read as follows:

20.50.050 Standards. the following standards under Chapter 20.52 shall apply to properties within the waterfront development 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.	Hazard areas	20.52.140]
[K] <u>J.</u>	Drainage	20.52.150
[L] <u>K.</u>	Dredge and fill	20.52.160
[M] <u>L.</u>	Off-street parking	20.52.190

[N] M. Buffers 20.52.200
[O] N. Signs 20.52.210

Section 11. WMC Section 20.51.050 entitled "Standards" is amended to read as follows:

20.51.050 Standards. The following standards shall apply within the light industrial district:

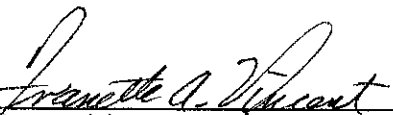
A.	Standards policies	20.52.050
B.	Air, land and water quality	20.52.040
C.	Volatile products storage	20.52.050
D.	Noise	20.52.060
E.	Building height	20.52.080
F.	Setbacks--Yards	20.52.110
[G.	HAZARD AREAS	20.52.140]
[H] <u>G</u> .	Drainage	20.52.150
[I] <u>H</u> .	Off-street parking	20.52.190
[J] <u>I</u> .	Buffers	20.52.200
[K] <u>J</u> .	Signs	20.52.210

Section 12. WMC Section 20.52.140 Hazard areas is deleted in its entirety.

PASSED IN FIRST READING June 8, 1993

PASSED IN SECOND READING June 22, 1993


Edward R. Rilatos, Jr., Mayor

ATTEST: 
Franette A. Vincent, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 587

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING THE PERSONNEL POLICY OF THE CITY OF WRANGELL, SPECIFICALLY DIRECTING RESPONSIBILITY FOR MERIT INCREASES TO THE DEPARTMENT HEAD AND CITY MANAGER

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

Sec. 1. Classification. This ordinance is not of a permanent nature and is not intended to become a part of 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 thereof to any person or circumstances shall not be affected thereby.

Sec. 3. Purpose. The Council of the City of Wrangell has deemed Section 6.5 of the Wrangell Personnel Policies, 1991 Edition, and amended February 23, 1993, to be inconsistent with Wrangell Charter Section 2-5.

Sec. 4. Effective Date. This ordinance shall be published as provided by law and shall be effective thirty (30) days after final passage.


Sec. 5. Wrangell Municipal Code is amended by amending 6.5 of the Personnel Policies, 1991 Edition, as amended February 23, 1993, as follows:

6.5 MERIT INCREASES. Merit increases may be made at any time to recognize outstanding performance of duty based on written recommendations of the Department Head and approved by the City Manager [AND COUNCIL].

APPROVED IN FIRST READING: June 22, 1993

APPROVED IN SECOND READING: July 13, 1993


Edward R. Rilatos, Jr., Mayor

ATTEST: 
Franette A. Vincent, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 588

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING THE WRANGELL MUNICIPAL CODE, TITLE 16, CHAPTER 12, DISPOSITION OF PUBLIC LANDS, SPECIFICALLY BRINGING TITLE 16 INTO COMPLIANCE WITH AMENDED CHARTER

WHEREAS, at the General Election held October 6, 1992, a majority of the voters approved Proposition No. 1 to increase the value of property requiring voter approval for disposal to \$50,000; and

WHEREAS, Title 16, Chapter 12 needs to be brought into compliance with the Charter.

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 16.12.010, shall be amended to read as follows:

16.12.010. Applicability of provisions. 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 judgment 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 [TWENTY-FIVE] fifty thousand dollars (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.

Sec. 5. Wrangell Municipal Code, Section 16.12.015, shall be amended to read as follows:

16.12.015 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 [TWENTY-FIVE] fifty thousand dollars, owned by the city to the state or U.S. Government for public use, the disposal may be made without sealed bid procedures and at less than fair market value.

B. Prior to disposal under subsection 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 ten 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, Section 15.12.030 shall be amended to read as follows:

16.12.030 Value assessment--Notice of terms. A. Following approval by the council, 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 [TWENTY-FIVE] fifty thousand dollars, the city clerk shall thereafter give notice of the sale, lease, or other disposition by publication of notice in a newspaper of general circulation in the city at least thirty days before the date of the sale, lease, or disposition, and the notice shall be posted within that time in at least three public places in the city.

B. The 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 bids shall be opened in public, and that sealed bids may be submitted at any time prior to the 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. 7. Wrangell Municipal Code, Section 16.12.060 shall be amended to read as follows:

16.12.060 Ratification by election--Procedure. Real property which has a value of [TWENTY-FIVE] fifty thousand dollars or more shall be disposed of by a noncode 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 _____ June 22 _____, 1993

PASSED IN SECOND READING _____ July 13 _____, 1993



Edward R. Rilatos, Jr., Mayor

ATTEST: 

Franette A. Vincent, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 589

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 2 ELECTIONS, SPECIFICALLY DELETING REQUIREMENT TO KEEP DUPLICATE REGISTER

WHEREAS, WMC 2.08.040 Qualification Certification requires each person to sign a separate register certifying his qualifications as a voter; and

WHEREAS, WMC 2.08.050 allows use of the voter qualification certification to be used to satisfy the original register requirements of Section 2.20.140; and

WHEREAS, WMC 2.20.140 meets the requirement of Alaska Statute 15.15.180, Keeping the Register; and

WHEREAS, Alaska Statute 15.15.190 Keeping of Duplicate Register was repealed in 1980.

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 2.08.040 Qualification Certification, is hereby amended as follows:

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

I hereby certify that I am

- * a citizen of the United States,
- * both qualified to vote in State of Alaska elections and registered therefor for at least 30 days immediately preceding this municipal

election,

- * at least 18 years of age
- * a resident of the city for 30 days immediately preceding the election, and
- * not disqualified by reason of having been convicted of a felony involving moral turpitude, and if so that my civil rights have been restored; nor disqualified because judicially determined to be of unsound mind.

Signed and dated this _____
day of _____, 19__

Sec. 5. Wrangell Municipal Code, Section 2.08.050 Certification as Register, is hereby repealed.

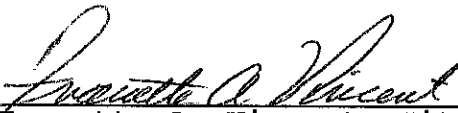
Sec. 6. Wrangell Municipal Code, Section 2.20.010 Voting, is hereby amended as follows:

2.20.010 Election officials. The council shall be the judge of the election, and the city clerk the election supervisor for the municipality. It shall be the duty of the election supervisor before the date of the election to appoint from the qualified electors of the city three judges of election for each voting precinct, one of whom shall be designated as the inspector, and two clerks of election [WHO SHALL ENTER ON SEPARATE POLL LISTS THE NAME OF EACH ELECTOR WHOSE BALLOT HAS BEEN RECEIVED, NUMBERING EACH NAME AS IT IS TAKEN DOWN].

PASSED IN FIRST READING July 27, 1993

PASSED IN SECOND READING August 10, 1993


Edward R. Rilatos, Jr., Mayor

ATTEST: 
Franette A. Vincent, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 590

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING WMC CHAPTER 5.04, PROPERTY TAX, SPECIFICALLY CORRECTING ERROR IN WMC 5.04.360 (A), TO BRING IT INTO AGREEMENT WITH WMC 5.04.360 (B)

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 be codified in the Wrangell Municipal Code.

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

Section 4. Wrangell Municipal Code Section 5.04.360 Penalty and interest for late payments is amended 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 ten percent [PER YEAR], together with interest at the rate of eight percent per year on the unpaid 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.

PASSED IN FIRST READING: September 14, 1993

PASSED IN SECOND READING: September 28, 1993

ATTEST: Franette A. Vincent
Franette A. Vincent, City Clerk

Edward R. Rilatos, Jr.
Edward R. Rilatos, Jr., Mayor

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 591

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, AMENDING WMC CHAPTER 14, BOAT HARBORS, PROVIDING FOR SUBSTANTIVE CHANGES RELATED TO TRANSIENT FEES, GEARFLOAT IN MIDDLE OF THE HARBOR, HOISTS, GRID, AND WORKDOCK BELOW HARBOR OFFICE

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 be codified in the Wrangell Municipal Code.

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

Section 4. Public Hearing. A Public Hearing was held June 3, 1993, on the proposed rate increase as provided in Wrangell Municipal Code Sec. 14.12.130.

Section 5. Wrangell Municipal Code Section 14.12.020(E) Fees is amended by adding the following:

5. Grace Period for use of Transient moorage space. 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.

Section 6. Wrangell Municipal Code Section 14.12.040(D) Fees is amended as follows:

D. Fees. Transient moorage space fees shall be computed and billed as follows:

1. Rental Periods. The daily rental period is eight a.m. on the first calendar day to eight a.m. on the 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] five 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 1st and ending the following June 30th. A transient moorage holder requesting annual moorage after the start of the fiscal year will be charged a prorated annual fee.

2. Grace Period--November 1 through April 30. 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 for the outside Reliance transient area is [TEN] twenty cents per foot per day based on the overall vessel length, with a minimum of two dollars per day; daily rate for a private stall is [FIFTEEN] twenty cents per foot per day based on the overall vessel length, and with a minimum of two dollars per day.

b. Monthly rate is ninety cents per foot per month based on overall vessel length, with a minimum of ten dollars per month.

c. Annual rate is seven dollars and fifty cents 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 Section 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 months transient moorage fees computed from the end of the calendar month in which a written request for a refund is received.

Section 7. Wrangell Municipal Code Section 14.12.060(B) Fees is amended as follows:

B. Fees. The gridiron may be used by any reserved space vessel without charge for up to [THREE] two daily rental periods. The next two days the fee is twenty cents per foot per day. Thereafter, [A CHARGE OF] the fee is twenty cents per foot per day plus ten dollars for each additional consecutive daily rental period or any fraction thereafter. Transients start out with 20 cents per foot and after three days they are charged twenty cents per foot plus \$10.00 a day.

Section 8. Wrangell Municipal Code Section 14.12.100 Other Services is amended by adding the following:

D. Hoists. All hoists in the harbor have a two hour time limit per boat, each 24 hours; for each hour or part of hour over two hours, the fee is \$25 per hour.

E. Workdock below Harbor Office. No charge for the first 24 hours to a permanent moorage holder, as long as work is being done on the vessel; if vessel is there over 24 hours without permission, the trespass fee is \$50; transients will be charged a transient fee of twenty cents per foot per day; permanent moorage holders with permission, will be charged twenty cents per foot per day after the second day.

F. Gearfloat in middle of the harbor. Time limit on the gearfloat is 36 hours; \$100 Impoundment Fee for the first day over time limit, plus an additional \$100 per day thereafter.

PASSED IN FIRST READING: _____ September 14 _____, 1993

PASSED IN SECOND READING: _____ October 12 _____, 1993



Raymond F. McGurk, Jr., Mayor

ATTEST: 

Franette A. Vincent, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 592

AN ORDINANCE OF THE COUNCIL 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 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 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, 1994, and shall automatically expire on June 30, 1995.

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. 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. [Fourteen] Four percent of the total amount of tax collected shall be used only to plan, design and construct street and sidewalk improvements.

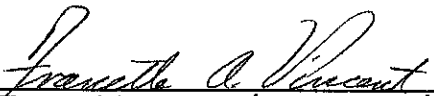
C. [Fifty-eight] Sixty-eight percent of the total amount of tax collected shall be used only for any general fund purposes for which moneys of the city may be disbursed for any purpose.

PASSED IN FIRST READING: _____ June 14 _____, 1994

PASSED IN SECOND READING: _____ June 28 _____, 1994



Ray McGurk, Mayor

ATTEST: 

Franette A. Vincent, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 593

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING WMC CHAPTER 14, BOATS AND HARBORS, ADDING A SECTION REGARDING FEES FOR USE OF THE VENDOR SHELTER

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 be codified in the Wrangell Municipal Code.

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

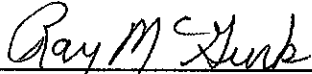
Section 4. Public Hearing. A Public Hearing was held August 10, 1994, on the proposed rate, as provided in Wrangell Municipal Code Sec. 14.12.130.

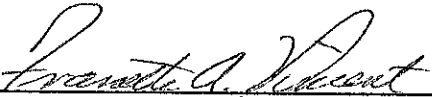
Section 5. Wrangell Municipal Code Section 14.12.100 Other Services is amended by adding the following:

G. Vendor Shelter. Vendor Shelter fees shall be \$62.25 per month for seasonal vendors; \$72.25 per month for month to month vendors; or \$14.45 per day.

PASSED IN FIRST READING September 13, 1994

PASSED IN SECOND READING September 27, 1994


Ray McGurk, Mayor

ATTEST: 
Franette A. Vincent, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 594

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING WRANGELL MUNICIPAL CODE SECTION 2.16.020, DECLARATION OF COUNCIL CANDIDACY, TO BRING THE CODE INTO COMPLIANCE WITH CITY CHARTER ARTICLE II, SECTION 2-1

WHEREAS, a majority of the Wrangell voters, at the October 7, 1986 General Election, voted against changing the minimum age qualification of a councilman from twenty-one years of age to eighteen years of age; and

WHEREAS, it is the desire of the council to conform the Wrangell Municipal Code to the charter.

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 2.16.020 Declaration of Council Candidacy, is amended as follows:

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] 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 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 _____.

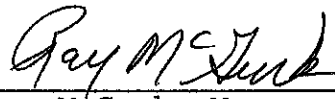
(Signature of Candidate)

Subscribed and sworn to before me this _____ day
of _____, in the year _____.

(Notary Public or City Clerk)

PASSED IN FIRST READING: _____ October 25 _____, 1994

PASSED IN SECOND READING: _____ November 8 _____, 1994



Ray McGurk, Mayor

ATTEST: 

Franette A. Vincent, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 595

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 14, PORT OF WRANGELL, SPECIFICALLY SECTION 14.08.050, CHANGING TIME OF MEETINGS FROM 7:30 P.M. TO 7:00 PM.

WHEREAS, the Wrangell Port Commission, at their regular meeting held December 1, 1994, voted unanimously to change the time of their regular meetings each month to 7:00 p.m.

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 14.08.050 Regular meetings, is amended to read as follows:

14.08.050 Regular meetings. Regular meetings of the commission shall be held on the first Thursday of each month at [7:30] 7:00 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.

PASSED IN FIRST READING January 10, 1995

PASSED IN SECOND READING February 14, 1995


Fern Neimeyer, Vice Mayor

ATTEST: 
Franette A. Vincent, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 596

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 3, ADMINISTRATION AND PERSONNEL, SPECIFICALLY SECTION 3.04.080, CHANGING TIME OF REGULAR COUNCIL MEETINGS FROM 7:30 P.M. TO 7:00 P.M.

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 3.04.080 Regular meetings, is amended to read as follows:

3.04.080 Regular meetings. A. Regular meetings of the council shall be held on the second and fourth Tuesdays of each month, except that no regular meetings shall be held on the fourth Tuesday of December.

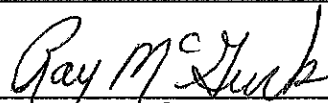
B. The meeting shall be held at [SEVEN-THIRTY] seven p.m. in the council chambers, City Hall, Wrangell.

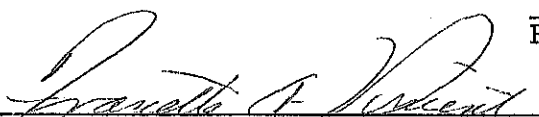
C. If any such Tuesday falls on a legal holiday as defined by the laws of the state, the meeting scheduled for that day shall be held at the same hour on the next succeeding day which is not a holiday.

D. Separate notice for regular council meetings shall not be required; instead, the clerk shall cause to be published in the local newspaper a semiannual notice indicating the above-described regular council meeting plan.

PASSED IN FIRST READING February 14, 1995

PASSED IN SECOND READING February 28, 1995


Ray McGurk, Mayor

ATTEST: 
Franette A. Vincent, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 597

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING WRANGELL MUNICIPAL CODE, TITLE 5, CHAPTER 10, SECTION 5.10.060 SALE OF SURPLUS, OBSOLETE, OR UNNEEDED PERSONAL PROPERTY, TO BRING THE SECTION INTO COMPLIANCE WITH CITY CHARTER SECTION 5-17 REQUIRING SALE OF PROPERTY OF FIFTY THOUSAND DOLLARS OR MORE IN VALUE BE APPROVED BY VOTERS

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, Title 5, Chapter 10 is amended as follows:


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] fifty thousand dollars or more in value must meet with the requirements of Section 5-17 of the city Charter.

PASSED IN FIRST READING: February 14, 1995

PASSED IN SECOND READING: February 28, 1995



Ray McGurk, Mayor

ATTEST: 

Franette A. Vincent, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 598

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 5, CHAPTER 6, TRANSIENT OCCUPANCY TAX, SPECIFICALLY WMC 5.06.030 OPERATOR'S DUTIES, AND CHAPTER 8, SALES TAX, SPECIFICALLY WMC 5.08.080, DUTY TO COLLECT AND MAKE RETURN, TO PROVIDE FOR SELLER, SUCCESSOR AND CORPORATE OFFICER LIABILITY

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 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 become effective thirty (30) days after final passage.

Sec. 4. WMC 5.06.030 entitled Operator's duties, is hereby amended to read:

5.06.030 [OPERATOR'S DUTIES] Duty to collect and make return. 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.] It is the duty of the operator or person furnishing such services to collect the transient occupancy tax from the transient guest and make a return thereof to the city. All transient occupancy taxes collected or which should have been collected pursuant to this chapter are city moneys for which the operator is at all times liable to the city. The operator is also liable for all monies collected from the transient guest as transient occupancy tax.

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.

E. Any person acquiring an ownership interest in an ongoing business or the accounts receivable of a business, whether by purchase, foreclosure, or otherwise, shall be liable for the payment of transient occupancy taxes, penalties, interest, fees and costs accruing and unpaid to the city on account of the operation of the business by the former owner, owners or assigns. The city may continue to make efforts to collect the transient occupancy tax from the person who owned the business at the time the liability was incurred.

F. The liability of a purchaser or other entity for outstanding taxes, penalties, interest, fees and costs accrued and unpaid by the former owner shall be limited to an amount stated in writing by the city in response to a release of information request. The city shall have 15 days to respond to the request.

G. The president and any officer, employee or agent of a corporation having control or supervision of, or charged with the responsibility of filing transient occupancy tax returns or remitting transient occupancy taxes is personally liable for any unpaid corporate transient occupancy taxes, penalties, interest, fees and costs accruing and unpaid to the city. Dissolution of, or sale of, or other change in the form of the corporation does not discharge this liability.

Sec. 5. Wrangell Municipal Code, Section 5.08.080, entitled Duty to collect and make return, is hereby repealed in its entirety and replaced with the following:

5.08.080 Duty to collect and make return. A. 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. All sales taxes collected or which should have been collected pursuant to this chapter are city moneys for which the seller is at all times liable to the city. The seller is also liable for all monies collected from the buyer as sales tax.

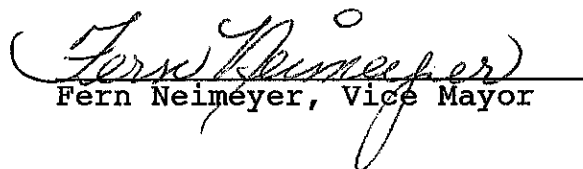
B. Any person acquiring an ownership interest in an ongoing business or the accounts receivable of a business, whether by purchase, foreclosure, or otherwise, shall be liable for the payment of taxes, penalties, interest, fees and costs accruing and unpaid to the city on account of the operation of the business by the former owner, owners or assigns. The city may continue to make efforts to collect the tax from the person who owned the business at the time the liability was incurred.


C. The liability of a purchaser or other entity for outstanding taxes, penalties, interest, fees and costs accrued and unpaid by the former owner shall be limited to an amount stated in writing by the city in response to a release of information request. The city shall have 15 days to respond to the request.

D. The president and any officer, employee or agent of a corporation having control or supervision of, or charged with the responsibility of filing sales tax returns or remitting sales taxes is personally liable for any unpaid corporate sales taxes, penalties, interest, fees and costs accruing and unpaid to the city. Dissolution of, or sale of, or other change in the form of the corporation does not discharge this liability.

PASSED IN FIRST READING: February 28, 1995


PASSED IN SECOND READING: March 14, 1995


Fern Neimeyer, Vice Mayor

ATTEST: 
Franette A. Vincent, City Clerk

(Ordinance was not published as required by WMC Charter Sec. 2-13.)

PASSED IN THIRD READING: April 11, 1995


Fern Neimeyer, Mayor

ATTEST: 
Franette A. Vincent, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 599

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, PROVIDING FOR A NEW CHAPTER IN TITLE 11, VEHICLES AND TRAFFIC, SPECIFICALLY CHAPTER 11.76, JUNK VEHICLES

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, Title 11, Vehicles and Traffic, is hereby amended by adding the following Chapter:

Chapter 11.76

JUNK VEHICLES

Sections:

11.76.010	Definition.
11.76.020	Junk vehicles unlawful.
11.76.030	Disposition of junk vehicles.
11.76.040	Disposal of junk vehicles
11.76.050	Recovery of costs.
11.76.060	Opportunity for hearing.
11.76.070	Redemption.
11.76.080	Other rights preserved.

11.76.010 Definition. "Junk vehicle" means a motor vehicle, as that term is defined by AS 28.40.100(7), that is: (1) Stripped, wrecked or otherwise inoperable due to mechanical failure, and (2) has not been repaired because of mechanical difficulties or because the cost of repairs required to make it operable exceeds the fair market value of the vehicle; provided, however, if such motor vehicle is currently registered for operation on the public roads of the city and is insured under the requirements of AS 28.22.200, then it is presumed not to be a "junk vehicle." To meet the insurance requirement, proof of motor vehicle liability insurance or a certificate of self-insurance that complies with AS 28.20.400 must be submitted to the city manager.

11.76.020 Junk vehicles unlawful. A. It is unlawful for the registered owner or other person with legal right to possession of a junk vehicle to place or allow such vehicle to remain in public view on any property, public or private, within the city for more than ten days, the same being declared a public nuisance. It is also unlawful for the owner, tenant or other person in possession or control of any property to cause or allow a junk vehicle to be placed or remain in public view on such property for more than ten days.

B. Notwithstanding the provisions of subsection A, if the city manager has reasonable grounds to believe that repairs can be made to render a junk vehicle operable, that the registered owner or other person entitled to possession of the vehicle is willing to undertake or have performed such repairs, that the vehicle does not pose any health or safety hazard, and that there is no reasonable means for removing the vehicle from public view while repairs are being performed, the city manager may authorize a period of no more than thirty days for the performance of such repairs. In no case, however, may this section be construed as authorizing the operation of a junkyard or other salvage or repair business where other requirements of the law have not been met.

11.76.030 Disposition of junk vehicles. A. Upon observation of what appears to be a junk vehicle, the city manager shall give written notice by personal service or certified mail to: (a) Any or all offenders described in Section 11.76.020A; and (2) to any or all lienholders of record, as well as notice affixed to the vehicle. Notice affixed to the vehicle shall suffice for subsequent action if none of the offenders described in Section 11.76.020A can be located and served within the ten-day period. The notice shall contain:

- a. The street address and other information sufficient to identify the location of the vehicle;
- b. A statement that the vehicle constitutes a public nuisance and a copy or summary of the relevant code sections;
- c. A statement that if the vehicle is not removed from public view within ten days from issuance of the notice, the city may impound and sell or destroy the vehicle at the offender's expense; and
- d. A statement that if the offender can show ability and willingness to make the repairs necessary to convert the junk vehicle into an operable vehicle, application may be made at any time before the ten days have expired for a thirty-day waiver to make the necessary repairs.

B. Upon expiration of the ten-day, or thirty-day period where relevant, the city manager may impound a junk vehicle and sell it at public auction pursuant to the notice provisions of Section 11.76.040 or may have the vehicle privately sold, crushed or otherwise destroyed without further notice. If a vehicle is destroyed, the city manager will notify the Alaska Department of Public Safety.

11.76.040 Disposal of junk vehicles. Upon satisfaction of the notice requirements of this chapter, a vehicle may be disposed

of by public auction twenty days after notice of the auction is published in a newspaper of general circulation in the city. A notice shall describe the vehicle and specify the place, date and time at which it will be sold. A copy of the notice of auction will be sent to the state of Alaska, Department of Public Safety.

11.76.050 Recovery of costs. The costs of impounding, storing, selling and destroying junk vehicles may be charged or assessed by the city against the vehicle, the registered owner of the vehicle, any person who has acquired legal title to the vehicle from or through the registered owner and any person who has violated Section 11.76.020A.


11.76.060 Opportunity for hearing. A person subject to liability under this chapter including any person described in Section 11.76.020A and an owner or any lienholder of a junk vehicle or vehicle appearing to be a junk vehicle, before or after impoundment, shall be entitled to an administrative hearing prior to sale or destruction provided such is demanded in a signed writing delivered to the city manager in a timely fashion at least forty-eight hours before the sale or destruction. Hearings shall be informal and technical rules of evidence do not apply. A person who requests a hearing may retain an attorney if he desires. The city manager may appoint a hearing officer. Proceedings of the hearing shall be recorded. The city manager/hearing officer shall state on the record the reasons for the decision and indicate the evidence relied on.


11.76.070 Redemption. A person who presents satisfactory proof of right to possession of the junk vehicle may redeem the vehicle removed under this chapter at any time before auction sale or destruction of the vehicle, by paying the charges of towing, storage, notice, other costs of impoundment and any applicable penalty.

11.76.080 Other rights preserved. Nothing in this chapter shall be construed as limiting the right of any person to operate a lawful junk or storage yard.

PASSED IN FIRST READING April 25, 1995

PASSED IN SECOND READING May 9, 1995


Edward R. Rilatos, Jr. Vice Mayor

ATTEST: 
Franette A. Vincent, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 600

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING CHAPTER 9.08 NUISANCES, SPECIFICALLY SECTION 9.08.080 ACCUMULATION OF RUBBISH AND MATERIALS PROHIBITED, TO INCLUDE JUNK VEHICLES

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.

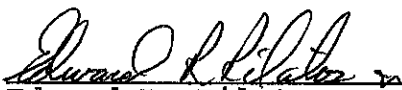
Sec. 3. Effective Date. This ordinance shall be published as provided by law and shall be effective thirty (30) days after passage.

Sec. 4. Wrangell Municipal Code, Chapter 9.08.080 Accumulations of rubbish and materials prohibited, is hereby amended as follows:

9.08.080 Accumulations of rubbish and materials prohibited. No owner, lessee, agent, tenant, or occupant shall allow or permit any junk vehicles, junk, debris, or indiscriminate storage of machinery, equipment parts, lumber, or other material, or any accumulation of garbage, manure, offal, rubbish, stagnant water, or any filthy liquid or substance, or anything that is or may become putrid or offensive to be or remain upon his yard, lot, or premises, or upon any yard, lot or premises controlled by him.

PASSED IN FIRST READING April 25, 1995

PASSED IN SECOND READING May 9, 1995


Edward R. Rilatos, Jr., Vice Mayor

ATTEST: 
Franette A. Vincent, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 601

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING SECTION 15.12.050 METER DEPOSITS (ELECTRICITY) AND SECTION 15.04.090 DEPOSITS--TERMS (WATER), SPECIFICALLY REPEALING THE PROVISION TO PAY INTEREST ON METER DEPOSITS

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 15.12.050 Meter Deposits, is amended as follows:

15.12.050 Meter deposits. All domestic customers must make a deposit with the city in the amount of fifty dollars with the exception of those owning property or when the account is guaranteed by the property owner. The deposit must be made before the service will be connected. All other customers shall make credit arrangements satisfactory to the city to insure prompt payment of monthly bills. [DEPOSITS SHALL BEAR SIMPLE INTEREST AT FIVE PERCENT PER YEAR BUT SHALL NOT APPLY TO ANY PART OF LESS THAN A FULL MONTH, SAID INTEREST CREDIT OR PAYMENT TO BE GIVEN NO LESS FREQUENTLY THAN SEMIANNUALLY. WHEN SERVICE IS DISCONTINUED, DEPOSITS AND ACCUMULATED INTEREST THEREON WILL BE REFUNDED LESS ANY AMOUNT DUE THE CITY FOR SERVICE.]


Sec. 5. Wrangell Municipal Code Section 15.04.090 Deposits--Terms, is amended to read as follows:

15.04.090 Deposits--Terms. [A.] At the time the deposit is given to the city, the applicant will be given a receipt for the same. The deposit is not to be considered as a payment on account. The deposit will be returned to the customer, less any amount due the city for service, when service to the customer is discontinued. [, PROVIDED ALL OUTSTANDING BILLS HAVE BEEN PAID.] The city may, at its option, return the deposit without application, provided all bills have been paid promptly for twelve consecutive billing periods.

[B. DEPOSITS SHALL BEAR SIMPLE INTEREST AT THE RATE OF FIVE PERCENT PER YEAR BUT SHALL NOT APPLY TO ANY PART OF LESS THAN A FULL MONTH; SAID INTEREST CREDIT OR PAYMENT SHALL BE GIVEN NO LESS FREQUENTLY THAN SEMIANNUALLY. WHEN SERVICE IS DISCONTINUED, DEPOSITS AND ACCUMULATED INTEREST THEREON WILL BE REFUNDED LESS ANY AMOUNT DUE THE CITY FOR SERVICE.]

PASSED IN FIRST READING April 25, 1995

PASSED IN SECOND READING May 9, 1995


Edward R. Rilatos, Jr., Vice Mayor

ATTEST: 
Franette A. Vincent, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 602

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING CHAPTER 15.16 CEMETERY, SPECIFICALLY SECTION 15.16.070 OPENING AND CLOSING GRAVES, SECTION 15.16.080 UNIFORMITY OF GROUNDS AND MARKERS AND SECTION 15.16.090 PRICES OF GRAVES -- PERPETUAL CARE REQUIRED

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 15.16.070 Opening and closing graves, is hereby amended 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. Permission may be given for a person to bury cremated remains under supervision of the city. Except for disinterment, the city shall open and close all graves. A 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] four hundred fifty dollars, except the fee for the burial of a child six years of age or younger shall be [SEVENTY-FIVE] two hundred 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] five hundred twenty-five dollars or [ONE HUNDRED TWELVE] three hundred 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.

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.

Sec. 5. Wrangell Municipal Code Section 15.16.080 Uniformity of grounds and markers, is hereby amended 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 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 SUBSECTION (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 the ordinance codified in this section, or which 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.

Sec. 6. Wrangell Municipal Code Section 15.16.090 Price of graves--Perpetual care required, is hereby amended as follows:

15.16.090 Price of graves--Perpetual care required. A. The sale price of graves, including the perpetual care of same shall be

[SEVENTY-FIVE] two hundred 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] one hundred dollars per grave, including perpetual care. Cremains plots in Block 28 shall be seventy five dollars. 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.

B. No graves shall be sold after the passage of the ordinance codified in this chapter other than on a perpetual care basis.

PASSED IN FIRST READING: May 9, 1995

PASSED IN SECOND READING: May 23, 1995


Edward R. Rilatos, Jr., Vice Mayor

ATTEST: 
Franette A. Vincent, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 603

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 3.56 PERSONNEL POLICY, SECTION 3.56.230 (B) ANNUAL PERFORMANCE EVALUATION, SPECIFICALLY PROVIDING FOR PERFORMANCE EVALUATION EVERY SIX MONTHS

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 3.56.230 B, is hereby deleted and replaced with the following:

3.56.230 MISCELLANEOUS PROVISIONS.

B. Personnel evaluation. Department Heads shall perform a performance evaluation for each permanent employee under their direction every six months.

PASSED IN FIRST READING: May 9, 1995

PASSED IN SECOND READING: May 23, 1995


Edward R. Rilatos, Jr., Vice Mayor

ATTEST: 
Franette A. Vincent, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 604

AN ORDINANCE OF THE COUNCIL 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

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 on July 1, 1995.

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:

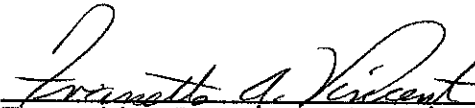
- A. Twenty-eight percent of the total amount of tax collected shall be used only for any of the following purposes:
 1. To pay principal and interest for any bond indebtedness relating to education, health or sanitation of the city;
 2. To operate and maintain school facilities;
 3. To construct and maintain sewers within the city and other purposes relating to the health and sanitation of the city.
- B. [Fourteen] Four percent of the total amount of tax collected shall be used only to plan, design and construct street and sidewalk improvements.

C. [Fifty-eight] Sixty-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 23, 1995

PASSED IN SECOND READING: June 13, 1995


Edward R. Rilatos, Jr., Vice Mayor

ATTEST: 
Franette A. Vincent, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 605

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING THE WRANGELL MUNICIPAL CODE, TITLE 5, CHAPTER 10, PURCHASES AND SALES, SPECIFICALLY SECTION 5.10.040 (C) WHEN COMPETITIVE BIDDING OR QUOTATIONS ARE REQUIRED

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, Title 5, Chapter 10, Section 5.10.040 (C) is hereby amended to read as follows:

5.10.040 When competitive bidding or quotations are required.

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 cost exceeds 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.

Adequate public notice shall be given at least twenty one days before bid opening. If the City Manager makes a determination, in writing, that a shorter notice period is necessary for a particular bid, the period may be shortened.

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.

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.

All bids in excess of 10% of the engineer's estimate shall be rejected.

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

PASSED IN FIRST READING: May 23, 1995

PASSED IN SECOND READING: June 13, 1995



Edward R. Rilatos, Jr., Vice Mayor

ATTEST: Franette A. Vincent
Franette A. Vincent, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 606

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 3.56 PERSONNEL POLICY, SPECIFICALLY SECTION 3.56.110 (E) OVERTIME PAY, AND SECTION 3.56.110 (F) HOLIDAY OVERTIME

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 August 1, 1995.

Sec. 4. Wrangell Municipal Code, Section 3.56.110 E, is hereby amended as follows:

E. Overtime pay. Pay for overtime shall be earned for all time worked in excess of forty hours per week or eight hours per day. Overtime pay shall be at the rate of one and one-half times the employee's regular rate of pay. A vacation day or a paid sick leave day [, OR A PAID HOLIDAY] shall not be counted as a day worked [NOR] in the forty hour workweek.

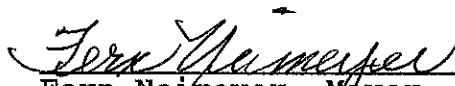
For employees assigned to work four 10-hour shifts per week, all time worked in excess of 10 hours per day or in excess of 40 hours during any one week shall be considered overtime.

Sec. 5. Wrangell Municipal Code, Section 3.56.110 F, is hereby amended as follows:

F. Holiday overtime. Holidays worked shall be paid at [REGULAR TIME,] the rate of one and one-half times the employee's regular rate of pay, plus the holiday pay.

PASSED IN FIRST READING: June 13, 1995

PASSED IN SECOND READING: June 27, 1995



Fern Neimeyer, Mayor

ATTEST: 

Franette A. Vincent, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 607

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA AMENDING WRANGELL MUNICIPAL CODE CHAPTER 15.08 SEWERS, SPECIFICALLY AMENDING SECTION 15.08.020 PROVIDING FOR SEWER INSTALLATION REQUIREMENT WITHIN 200 FEET WITHIN PROPERTY LINE

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 15.08.020 (A) is hereby amended as follows:

15.08.020 Connection to city sewer required. 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) two 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.

PASSED IN FIRST READING July 11, 1995

PASSED IN SECOND READING July 25, 1995

Fern Neimeyer
Fern Neimeyer, Mayor

ATTEST: Christie L. Jamieson
Christie L. Jamieson, Deputy City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 608

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA AMENDING WRANGELL MUNICIPAL CODE CHAPTER 15.04 WATER, SPECIFICALLY ADDING SECTION 15.04.015 CONNECTION TO CITY WATER SUPPLY REQUIRED

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 (3) days after passage.

Sec. 4. Wrangell Municipal Code, Chapter 15.04 is hereby amended by adding the following:

15.04.015 Connection to city water supply required. 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 water supply of the city is required at his expense to install facilities therein and to connect such facilities directly with the proper public water supply in accordance with the provisions of this chapter within fourteen days after date of official notice to do so; provided, that the public water supply is within two hundred feet of the property line.

PASSED IN FIRST READING July 11, 1995

PASSED IN SECOND READING July 25, 1995

Fern Neimeyer
Fern Neimeyer, Mayor

ATTEST: Christie L. Jamieson
Christie L. Jamieson, Deputy City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 609

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
WRANGELL, ALASKA, AMENDING THE OFFICIAL ZONING
MAP OF THE CITY OF WRANGELL BY CONTRACT ZONING

WHEREAS, a petition for contract zoning for certain real property described below, have been filed and processed in accordance with Chapter 20.77 of the Wrangell Municipal Code; and

WHEREAS, the procedures set forth in Chapter 20.77 of the Wrangell Municipal Code have been followed; 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. Contract 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:

Portion of Lot 1 and Lots 2, 3, and 5 of Block 12, USS 1119

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 11, 1995

PASSED IN SECOND READING July 25, 1995

Fern Neimeyer
Fern Neimeyer, Mayor

ATTEST: Christie L. Jamieson
Christie L. Jamieson, Deputy City Clerk

10/21/95

CONTRACT ZONING AGREEMENT

THIS AGREEMENT, is made this 26th day of July, 1995, between RONALD FENNIMORE and EVI FENNIMORE, referred to herein as "Fennimore's", whose address is Post Office Box 957, 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. Fennimore's are the owners of the following described real property, to-wit:

A portion of Lot 1, and Lots 2, 3, and 5 of Block 12, USS 1119.

2. The above-described real property is presently zoned Single Family Residential and Fennimore's desire a rezoning of said property to Commercial, limited to the operation of a Convenience Store and Bed & Breakfast lodging, more specifically set out in this contract zoning agreement.

3. Fennimore's have petitioned to rezone the above described real property to Commercial use as set forth in Chapter 20.77 of the Wrangell Municipal Code.

COVENANTS

4. The parties hereto agree that the real property described in paragraph one (1) above, shall be rezoned for a period of ten (10) years from the effective date of the ordinance rezoning said property, with an option to renew for an additional ten (10) years as hereinafter set out.

5. Fennimore's agree that the real property subject to this agreement shall be used only for the operation of a Convenience Store and Bed & Breakfast lodging, and for uses clearly and directly incidental thereto, in addition to those uses permitted in the existing Single Family Residential zone.

6. The parties hereto agree that the real property described above is zoned as stated herein only so long as the property is used for the operation of a Convenience Store and Bed & Breakfast Lodging. Should said property cease to be so used for a period of more than six (6) months, the zoning classification of said property shall revert to Single Family Residential. In such event, all structures not permitted in the Single Family Residential zone shall be removed within ninety (90) days of said zone cessation.

7. The parties hereto agree that should the real property subject to this agreement be zoned Commercial or any other zoning classification which permits use of the property for a Convenience Store and Bed & Breakfast Lodging, then the provisions of this agreement restricting said property use shall be null and void. It is further agreed that should any petition or application be filed by Fennimore's, singly or jointly, with one or more adjoining property owners, to rezone the real property described above, no weight shall be given to the provisions of this agreement in considering such petition.

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

a. General hours of operation should be restricted to a period each day beginning at 8:00 A.M. and concluding at 6:00 P.M., so as to minimize conflicts with the adjacent residential zone, but allow openings specific for the ferries that arrive outside of these hours.

b. Any necessary outside lighting should not affect neighboring residential properties.

c. Two signs are allowed, not to exceed 9 square feet each.

d. Applicant must meet all building and firecode standards. Necessary approvals from the State Fire Marshall and building inspector should be in hand prior to opening and maintained throughout the term of this contract.

e. A minimum of 5 off-street parking spaces must be provided.

f. Should the applicants seek to change the short-term temporary lodging quarters to long term apartment rentals, they must seek a new permit or agreement with the City.

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

h. 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

9. 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.

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

a. A determination by the Planning and Zoning Commission and the City Council that all provisions of this agreement have been substantially complied with by Fennimore.

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 Fennimore's 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 Fennimore's at least thirty (30) days written notice specifying the particulars of any claimed violation. If at the end of such thirty (30) day period, Fennimore's have not remedied the cause of any claimed violation, then this contract

shall be terminated. It is specifically agreed that enforcement by termination shall be available to the City against Fennimore's during any period when the property has ceased to be used as required herein, or for any other period provided herein.

12. Fennimore's 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.

Ronald Fennimore
RONALD FENNIMORE

Evi Fennimore
EVI FENNIMORE

(City Seal)

CITY OF WRANGELL

By Tern Neumeier
Mayor

By Francette A. Vincent
City Clerk

Return to:
City of Wrangell
P.O. Box 531
Wrangell, AK 99929

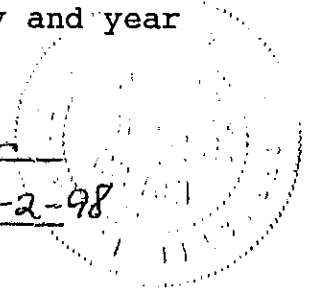
ACKNOWLEDGMENT

STATE OF ALASKA)
) ss.
FIRST JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on this 26th day of July, 1995, before me, a Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared RONALD FENNIMORE and EVI FENNIMORE, 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.

GIVEN UNDER MY HAND and official seal the day and year last above written.

Christie L. Jamieson
Notary Public for Alaska
My commission expires: 7-2-98



ACKNOWLEDGMENT

STATE OF ALASKA)
) ss.
FIRST JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on this 27 day of July, 1995, before me, a Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared FERN NEIMEYER, and FRANETTE A. VINCENT, to me known to be the Mayor and the 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 last above written.

Christie L. Jamieson
Notary Public for Alaska
My commission expires: 7-2-98



CITY OF WRANGELL, ALASKA

ORDINANCE NO. 610

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF WRANGELL, ALASKA BY REZONING PROPERTY HEREINAFTER DESCRIBED FROM MULTI-FAMILY RESIDENTIAL 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 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 Multi-family Residential to Single Family Residential.

Sec. 5. Property Rezoned: The property hereinafter described is hereby rezoned from Multi-family Residential to Single Family Residential.

Blocks 32 and 33, USS 1119, 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: July 11, 1995

PASSED IN SECOND READING: July 25, 1995

Fern Neimeyer
Fern Neimeyer, Mayor

ATTEST: Christie L. Jamieson
Christie L. Jamieson, Deputy City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 611

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING CHAPTER 14.12 PORT FACILITY REGULATIONS, SPECIFICALLY SECTION 14.12.050 (C) DOCK FACE OR BOAT RAMP MOORAGE; SECTION 14.12.060 (B) GRIDIRON FEES; AND SECTION 14.12.090 (D) (3) (b) STORAGE/FEES/SHOEMAKER BAY

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 be codified in the Wrangell Municipal Code.

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

Section 4. Public Hearing. A Public Hearing was held August 11, 1995, on the proposed rate, as provided in Wrangell Municipal Code Sec. 14.12.130.

Section 5. Wrangell Municipal Code Section 14.12.050 (C) Wrangell dock and barge ramp facilities, is hereby amended as follows:

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:

[VESSEL GROSS REGISTERED TONS	RATE
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]

\$1.90 per foot, with a minimum of \$250.00.

[VESSELS OVER TEN THOUSAND GROSS REGISTERED TONS SHALL BE CHARGED IN ADDITION TO THE FEE FOR TEN THOUSAND GROSS REGISTERED TONS, TWENTY-FIVE DOLLARS FOR EACH ADDITIONAL ONE THOUSAND GROSS TONS OR FRACTION THEREOF. IN ADDITION TO THE DAILY FEE, VESSELS USING THE BARGE RAMP SHALL BE CHARGED FIFTY DOLLARS PER HOUR FOR EACH HOUR OF USE OVER SIX HOURS.]

Section 6. Wrangell Municipal Code Section 14.12.060 (B) Gridiron Fees, is hereby amended as follows:

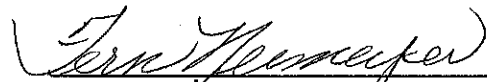
B. Fees. The gridiron may be used by any vessel without charge for up to two daily rental periods. [THE NEXT TWO DAYS THE FEE IS TWENTY CENTS PER FOOT PER DAY. THEREAFTER, THE FEE IS TWENTY CENTS PER FOOT PER DAY PLUS TEN DOLLARS FOR EACH ADDITIONAL CONSECUTIVE DAILY RENTAL PERIOD OR ANY FRACTION THEREAFTER. TRANSIENTS START OUT WITH TWENTY CENTS PER FOOT AND AFTER THREE DAYS THEY ARE CHARGED TWENTY CENTS PER FOOT PLUS TEN DOLLARS A DAY.] The fee for more than forty eight (48) hours shall be \$1.00 per foot per day.

Section 7. Wrangell Municipal Code Section 14.12.090 (D) (3) (b) Storage/Fees/Shoemaker Bay, is hereby amended as follows:

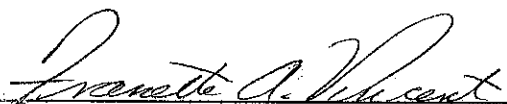
b. Shoemaker Bay. [THE FEE FOR STORAGE IS COMPUTED AT THE RATE OF ONE-HALF OF ONE CENT PER SQUARE FOOT PER DAY BASED ON THE OVERALL SQUARE FOOTAGE OF SURFACE AREA OCCUPIED BY THE ITEMS STORED, WITH A MINIMUM FEE OF SIX DOLLARS AND TWENTY-FIVE CENTS PER CALENDAR MONTH OR PORTION THEREOF. THIS SHALL BE A LONG-TERM STORAGE AREA.] There is no boat storage or fishing gear storage area available for lease.

PASSED IN FIRST READING: _____ August 22 _____, 1995

PASSED IN SECOND READING: _____ September 12 _____, 1995



Fern Neimeyer, Mayor

ATTEST: 

Franette A. Vincent, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 612

AN ORDINANCE ADDING SECTION 3.56.260
(SEXUAL HARASSMENT) TO CHAPTER 56
(PERSONNEL) OF TITLE 3 (ADMINISTRATION
AND PERSONNEL) OF THE WRANGELL MUNICI-
PAL CODE

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

Sec. 1. Classification. This ordinance shall be of a permanent nature and shall become a part of the City of Wrangell Code of Ordinances.

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. This ordinance adds Section 3.56.260 to Chapter 3.56 (Personnel Code), as follows:

Section 3.56.260 Sexual Harassment.

A. Sexual Harassment is defined in accordance with State and Federal law as may exist from time to time, and is currently defined as follows: Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating hostile, or offensive working environment. Examples of sexual harassment also include unwelcome sexual flirtations or propositions, verbal abuse of a sexual nature, subtle pressure or requests for sexual activities, unnecessary touching of an individual, graphic or verbal commentaries of a sexual nature about an individual's body, sexually degrading words used to describe an individual, a display in the work place of sexually suggestive objects or pictures, or explicit or offensive jokes of a sexual nature.

B. Any employee who feels that he or she is a victim of sexual harassment by any supervisor, management official, other employee, customer or any other person in connection with employment with the City should bring the matter to the immediate attention of the employee's

supervisor, department head or the City's personnel officer. The employee may also bring the matter to the attention of the Alaska Commission for Human Rights and the Federal Equal Employment Opportunity Commission.

C. Upon receiving notice of a sexual harassment complaint, the supervisor or department head should immediately notify the personnel officer, who will promptly investigate all allegations of harassment in a confidential manner and take appropriate corrective action, to include imposing discipline/adverse action, if warranted.

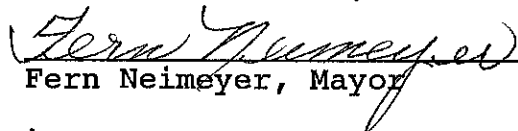
D. For handling sexual harassment matters that involve employees (to include "volunteers"), the personnel officer shall have the powers of a department head and shall follow the procedures set out for a department head to impose adverse action as stated in WMC Section 3.56.090. The employee subject to a sexual harassment claim shall have the rights and be subject to the limitations set forth in WMC Sections 3.56.090. For handling sexual harassment matters that involve customers and third-parties of the City, the personnel officer may make recommendations to the City Manager, who shall then act to resolve the complaint.

E. Any employee who is determined, after investigation, to have engaged in sexual harassment in violation of law will be subject to appropriate disciplinary action, up to and including discharge.

Sec. 4. Publication and Effective Date. This ordinance shall become effective immediately upon its adoption. Publication shall be by making copies available to the public, and further it shall be published by being printed and included in the Wrangell Municipal Code at its next regular supplementation and printing. Publication may also be made by posting a copy hereof on the City Hall bulletin board for a period of ten (10) days following its adoption. A notice of public hearing shall be given by such posting at least five (5) days before final passage.

PASSED IN FIRST READING: August 22, 1995

PASSED IN SECOND READING: September 12, 1995


Fern Neimeyer, Mayor

ATTEST: 
Christie L. Jamieson, Deputy City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 613

AN ORDINANCE ADDING A NEW CHAPTER 5.18
GRANTS ADMINISTRATION TO TITLE 05 FINANCE
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 general and 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 Charter and the Wrangell Municipal Code, and shall be effective thirty (30) days after final passage.

Sec. 4. Public Hearings. A Public Hearing was held September 12, 1995, on the proposed rate, as provided in Wrangell Municipal Code Sec. 14.12.130.

Sec. 5. Wrangell Municipal Code Chapter 5.18 Grants Administration is hereby added as follows:

Chapter 5.18

GRANTS ADMINISTRATION

Sections:

- 5.18.010 Purpose.
- 5.18.020 Definitions.
- 5.18.030 General Provisions.
- 5.18.040 Grant administration fee schedule.

5.18.010 Purpose. A. The purpose of this chapter is to set forth the procedures for handling pass-through grants, which are governed by AS 37.05.315. The procedures are designed to minimize any liability or loss to the city which may arise from administering said grants, while at the same time maximizing the amount of said grant funds brought to the purposes of the grants.

B. Loss or liability may arise out of the following: administrative costs, loss of interest, ineligible expenditures, and the grantee's failure to perform. Most administrative costs can be determined soon after the completion of construction or of the grant project. Ineligible expenditures can be determined only after a state audit. A grantee's failure to perform can only be

determined after a term equal to the practical life of the facility constructed with the grant funds.

5.18.020 Definition. A. "Administrative costs" means the costs to the city of administering the grant.

B. "Grant" means all grants to or administered by the city, to include without limitation, a state grant governed by AS 37.05.315, other state grants, federal grants or other grants; provided, however, the term grant excludes all grants for which the recipient or administering agency is prohibited by law from retaining or taking an administration fee.

C. "Grant agreement" means the contract document, including but not limited to rules, regulations and laws, pertaining to the grant between the city and the grantee.

5.18.030 General provisions. A. The city council may authorize the mayor or city manager to enter into grant agreements with grantees which set forth the terms and conditions of the grant and its administration.

B. The grant agreement with a grantee shall set forth all terms and conditions for administering the grant including but not limited to scope of work, payment and process schedule, state of Alaska-Municipal Grant Agreement, and such security devices as are deemed reasonable by the city manager.

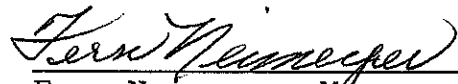
C. Grant funds are not to be disbursed until the city and grantee have entered into a grant agreement.

5.18.040 Grant administration fee schedule. To administer grants, the city shall retain fees from the grant funds computed as follows:

<u>Grant Amount</u>	<u>Base Amount</u>	<u>% Fee</u>
\$ 0 - \$10,000.00	\$ 0	+ 10%
10,001.00 - 50,000.00	1,000.00	+ 8% over 10,000.00
50,001.00 - 100,000.00	4,200.00	+ 6% over 50,000.00
100,001.00 - 150,000.00	7,200.00	+ 4% over 100,000.00
150,001.00 - 200,000.00	9,200.00	+ 2% over 150,000.00
200,001.00 - Upward	10,200.00	+ 1/2% over 200,000.00

PASSED IN FIRST READING: August 22, 1995

PASSED IN SECOND READING: September 12, 1995



Fern Neimeyer, Mayor

ATTEST: 

Christie L. Jamieson, Deputy City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 614

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING SECTION 14.16.020 (B) INTEREST ON DELINQUENT FEES, SPECIFICALLY PROVIDING INTEREST TO ACCRUE IF NOT PAID WITHIN THIRTY DAYS OF BILLING DATE

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 be codified in the Wrangell Municipal Code.

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

Section 4. Wrangell Municipal Code Section 14.16.020 (B) Interest on Delinquent Fees, is hereby amended as follows:

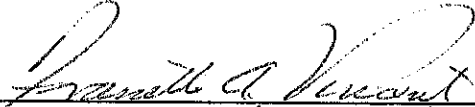
B. Interest on Delinquent Fees. Moorage, wharfage, storage, or service fees not paid with thirty days of the [DUE] billing date shall accrue interest at the rate of one and one-half percent per month, or the maximum rate allowable by law, whichever is less, until paid in full.

PASSED IN FIRST READING: September 12, 1995

PASSED IN SECOND READING: September 26, 1995



Fern Neimeyer, Mayor

ATTEST: 

Franette A. Vincent, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 615

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 3.56 PERSONNEL POLICY, SPECIFICALLY SECTION 3.56.110 (E) OVERTIME PAY

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 days after passage.

Sec. 4. Wrangell Municipal Code, Section 3.56.110 E, is hereby amended as follows:

E. Overtime pay. [PAY FOR OVERTIME SHALL BE EARNED FOR ALL TIME WORKED IN EXCESS OF FORTY HOURS PER WEEK OR EIGHT HOURS PER DAY.] For employees assigned to work 8-hour shifts per week, all time worked in excess of 8 hours per day or in excess of 40 straight time hours during any one week shall be considered overtime. Overtime pay shall be at the rate of one and one-half times the employee's regular rate of pay. A vacation day or a paid sick leave day shall not be counted as a day worked in the forty hour workweek.

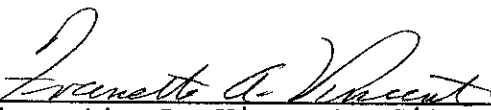
For employees assigned to work four 10-hour shifts per week, all time worked in excess of 10 hours per day or in excess of 40 straight time hours during any one week shall be considered overtime.

PASSED IN FIRST READING: October 10, 1995

PASSED IN SECOND READING: October 24, 1995



Mayor

ATTEST; 

Franette A. Vincent, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 616

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 14 PORT OF WRANGELL, SECTION 14.12.100 OTHER SERVICES, SPECIFICALLY 14.12.100 (C) VESSELS TAKING WATER AT THE PORT DOCK

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. 14.12.100 (C) Vessels taking water, is amended as follows:

C. Vessels taking water from the city main located at the cement port dock shall be charged a minimum fee of [SIXTEEN] twenty-five dollars and [NINETY] ninety-five cents for up to fifteen tons of water. Thereafter, an additional [FIFTY-FIVE] eighty cents shall be charged for each ton of water, or fraction thereof, exceeding fifteen tons.

PASSED IN FIRST READING: October 10, 1995

PASSED IN SECOND READING: October 24, 1995

Douglas Roberts
Mayor

ATTEST: Franette A. Vincent
Franette A. Vincent, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 617

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING CHAPTER 14.12 PORT FACILITY REGULATIONS, SPECIFICALLY SECTION 14.12.050 (C) DOCK FACE OR BOAT RAMP MOORAGE

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 be codified in the Wrangell Municipal Code.

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 Charter and the Wrangell Municipal Code, and shall be effective thirty days after passage.

Section 4. Public Hearing. A Public Hearing was held November 2, 1995, on the proposed rate, as provided in Wrangell Municipal Code Sec. 14.12.130.

Section 5. Wrangell Municipal Code Section 14.12.050 (C) Dock Face or Barge Ramp Moorage, is hereby amended as follows:

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:

[\$1.90 PER FOOT, WITH A MINIMUM OF \$250.00]

<u>Vessel Gross Registered Tons</u>	<u>Rate</u>
<u>Zero to 1,000 tons</u>	<u>\$ 25.00/day</u>
<u>1,001 to 1,500 tons</u>	<u>80.75/day</u>
<u>1,501 to 2,000 tons</u>	<u>87.50/day</u>
<u>2,001 to 2,500 tons</u>	<u>125.00/day</u>
<u>2,501 to 3,000 tons</u>	<u>162.50/day</u>
<u>3,001 to 7,000 tons</u>	<u>200.00/day</u>
<u>7,001 to 10,000 tons</u>	<u>300.00/day</u>

Vessels over ten thousand gross registered tons shall be charged in addition to the fee for ten thousand gross registered tons, twenty-five dollars for each additional one thousand gross tons or fraction thereof. In addition to the daily fee, vessels using the Barge Ramp shall be charged fifty dollars per hour for each hour of use over six hours.

PASSED IN FIRST READING November 28, 1995

PASSED IN SECOND READING December 12, 1995

Douglas W. Roberts
Douglas W. Roberts, Mayor

ATTEST: Franette A. Vincent
Franette A. Vincent, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 618

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 16, CHAPTER 12, DISPOSITION OF PUBLIC LANDS, SPECIFICALLY PROVIDING FOR PAYMENT TO BE MADE IN CASH OR WITH AN INSTALLMENT PURCHASE AGREEMENT, AND ESTABLISHING DEFAULT PROVISIONS

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 Wrangell Municipal Code and shall be effective thirty days after passage.

Sec. 4. Wrangell Municipal Code Section 16.12.030 Value assessment--Notice--Terms, is amended as follows:

16.12.030 Value assessment--Notice [OF] --Terms. A. Following approval by the council, 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 fifty thousand dollars, the city clerk shall thereafter give notice of the sale, lease, or other disposition by publication of notice in a newspaper of general circulation in the city at least thirty days before the date of the sale, lease, or disposition, and the notice shall be posted within that time in at least three public places in the city.

B. The 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 bids shall be opened in public, and that sealed bids may be submitted at any time prior to the opening; that the property may be sold, leased, or disposed to the highest responsible bidder, for cash or [BEST] terms [ESTABLISHED BY COUNCIL] as provided in Section 16.12.030(C); the City reserves the right to reject any and all bids [; AND ANY OTHER TERMS AND CONDITIONS FIXED BY THE COUNCIL].

C. Terms. Certified or Cashier's Check or cash equal to twenty-five percent (25%) of the bid MUST accompany the bid. Personal checks will not be accepted. Purchaser may choose to pay balance by cash or execute an installment purchase agreement with the City of Wrangell. Term of an installment purchase agreement shall not exceed four (4) years. Interest on unpaid balance will accrue at 11.5%.

Sec. 5. Wrangell Municipal Code Section 16.12.050 Effective date of resolution, is amended as follows:

16.12.050 Effective date of resolution. A resolution providing for the disposition of property shall become effective upon adoption by the Council. [THEREAFTER T] The City Attorney shall prepare a deed or other appropriate instrument of conveyance, to be executed by the Mayor and Clerk, and exchange same with the successful purchaser [FOR THE BID PRICE CASH.] when purchase price, plus any interest due, is paid in full.

Sec. 6. Wrangell Municipal Code Section 16.12.070 Over-the-counter sales, is amended as follows:

16.12.070 Over-the-counter sales. A. Lots or parcels of land offered for sale pursuant to Section 16.12.030 for which no responsive bids are received may, upon resolution of the council, be offered for public sale over the counter upon such terms and conditions as [THE COUNCIL MAY PRESCRIBE.] provided in Section 16.12.030(C).

B. The resolution shall specify the date and hour on which over-the-counter sales shall commence and an expiration date.

C. Such lots shall be offered by the city clerk over the counter at City Hall on a first-come first-served basis and be sold for the minimum bid value ([ASSESSED] appraised valuation).

D. The purchases shall be ratified by a resolution authorizing the mayor and clerk to subsequently issue an appropriate form of deed, upon payment in full.

Sec. 7. Wrangell Municipal Code Chapter 16.12 Disposition of Public Lands is amended by adding the following section:

16.12.075 Default provisions. The purchaser may choose to make installments which shall not exceed four years. Should any installment be more than three (3) months delinquent, the City will declare the purchaser in default and begin immediate proceedings. The purchaser may bring the installment current by paying delinquent principal and interest, plus a penalty of 8% prior to the City obtaining judgement. If the City obtains judgement, the purchaser's interest in the property is relinquished.

The City may sell any or all repossessed property. If the property is resold for more than the initial sale price, the initial buyer shall receive 100% of the principal paid. If the resale is for less than the initial sale price, the initial buyer shall receive 100% of the principal less the difference between the initial sales price and resale price.

Sec. 8. Wrangell Municipal Code Chapter 16.12.080 Construction as condition of sale--Generally, is amended as follows:

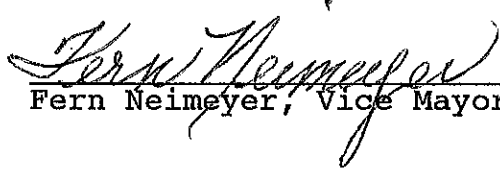
16.12.080 Construction as condition of sale--Generally. The Council or its agents may require the construction of certain improvements within a specified period of time as a condition to the conveyance of any city-owned real property by sale or other disposition. Whenever the contract of sale, [INSTALLMENT AGREEMENT,] and/or instrument of conveyance recites "construction" or "construction conditions" or similar language, or if the notice of sale pertaining or relating to the subject property recites the aforementioned terminology or similar language pertaining to construction requirements, all of the provisions of this section and Sections 16.12.090 through 16.12.130 shall be applicable thereto and become incorporated by reference in the transaction as if fully set forth.

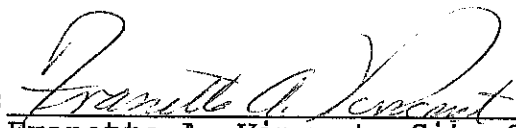
Sec. 9. Wrangell Municipal Code Chapter 16.12.090 Construction as condition of sale--term during which construction must begin, is amended as follows:

16.12.090 Construction as condition of sale--term during which construction must begin. Real property sold or otherwise disposed of by the city with the stipulation that construction shall be undertaken or otherwise subject to construction requirements or construction as a condition subsequent to vesting shall mean that construction shall occur within two years from the date of sale. The date of sale for the purposes of this section shall mean the effective date of the [ORDINANCE] resolution authorizing [OR RATIFYING] the conveyance of the subject property, [OR THE DATE ON WHICH THE DOWN PAYMENT IS RECEIVED BY THE CITY PURSUANT TO TERMS OF PAYMENT RECITED IN A CONTRACT OF SALE, INSTALLMENT PURCHASE AGREEMENT,] lease agreement, or other agreement evidencing the conveyance [AND REQUIRING INITIAL PAYMENT, WHICHEVER OF THE FOREGOING FIRST OCCURS].

PASSED IN FIRST READING December 12, 1995

PASSED IN SECOND READING January 9, 1996


Fern Neimeyer, Vice Mayor

ATTEST: 
Franette A. Vincent, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 619

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING WRANGELL MUNICIPAL CODE TITLE 5, PROPERTY TAX, SPECIFICALLY AMENDING SECTION 5.04.310 DIFFERENTIAL TAXATION ZONES -- DEFINED

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.

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 3 includes Lots 6 through 17 of Block 7, ASLS No. 83-7, Lots 24 through 42 of Block 2, ASLS No. 83-7, USS 3398, USS 2967, USS 2968, USS 2969, all of USS 3709 except Lot 1, USS 2922, USS 2921, USS 3000, USS 3534, USS 2589, USS 2900, ATS 604, ATS 973, USS 3403, USS 2096, ADM USS 9, ATS 651, USS 3753, USS 3705, USS 3747, and all taxable property not defined in Tax Differential Zones 1 and 4.

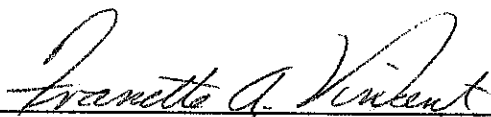
C. Tax differential Zone 4 includes USS 2321, USS 2905, USS 3701, USS 2904, USS 3709, USS 2905, USS 3402, USS 1336, USS 3010, USS 1518, USS 3823, USS 125, USS 1593, USS 1240, USS 1948, USS 2127, ATS 243 and ATS 83, USS 1119 and USS 1815.

PASSED IN FIRST READING January 9, 1996

PASSED IN SECOND READING January 23, 1996



Douglas W. Roberts, Mayor

ATTEST: 

Franette A. Vincent, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 620

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING WMC 5.12 IMPROVEMENTS AND ASSESSMENTS, SPECIFICALLY SECTION 5.12.160 METHODS OF DETERMINING PROPORTION OF BENEFITS AND ASSESSMENTS FOR LOCAL IMPROVEMENT DISTRICTS, AND SECTION 5.12.080 SPECIAL ASSESSMENT BY PETITION--NOTICE OF HEARING

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. Wrangell Municipal Code, Section 5.12.160 Methods of determining proportion of benefits and assessments, is amended to read as follows:

5.12.160 Methods of determining proportion of benefits and assessments. The following methods shall be used in determining the proportion of benefits and assessments to real properties specially benefited from improvements authorized and constructed under the authority of this chapter:

A. Street and Sidewalk Improvements, Squares, Benefited Areas. Except in the cases otherwise specifically provided for under this chapter, or unless provided for in the resolution ordering such improvement, "property benefited" shall mean and shall include all property abutting upon or adjacent to the street, avenue, alley, drive, square or other public place proposed to be improved. [PROVIDED, IN THE CASE OF UNPLATTED PROPERTY, THE AREA TO BE ASSESSED SHALL EXTEND BACK FROM THE MARGINAL LINES OF THE IMPROVED AREA THE SAME DISTANCE AS ADJACENT PLATTED LANDS WHICH ARE SPECIALLY BENEFITED BUT NOT MORE THAN ONE HUNDRED FEET.] "All of the property" shall be considered and held to be all the property specially benefited by such local improvement and shall be the property to be assessed to pay the cost thereof or such portion of the costs as are chargeable against the property specially benefited by such improvement, which cost and expense shall be assessed against all of such property so benefited in conformance to the special benefits so conferred on such property, [IN THE

FOLLOWING PROPORTIONS:] using one of the following methods for proportions:

1. [SIXTY] One hundred percent of the improvement assessable to such properties shall be distributed to each lot, tract or parcel of property in proportion to its area, [THE AREA TO BE ASSESSED TO A MAXIMUM OF ONE HUNDRED FEET IN DEPTH; AND]

2. [FORTY] One hundred percent of the costs assessable to such properties shall be distributed to each lot, tract or parcel of property in proportion to the frontage of that property on the improved street, avenue, alley, drive, square or other public place.

The total assessment thus determined shall be entered upon the assessment roll as the amount to be levied and assessed against each separate lot, tract or parcel of land or other property.

Corner lots shall be assessed on the same basis as above, except that where such lot is bounded by two streets which are being improved, the front footage basis shall be the full frontage of the longest side and one-half the frontage on the shortest side.

B. Sanitary Sewers and Storm Sewers. In spreading assessments, as set forth in Sec. 5.12.160 (A) (1 or 2), for sewers and drains, including storm drains, the cost shall be assessed in proportion to the area of each lot, tract or parcel that abuts upon, or is beneficially affected by such improvement although not abutting such improvement, such benefited area to be determined by the council by the resolution passed determining the necessity for such improvement.

C. Other Improvements. The council shall determine the method of proportioning the benefits, as set forth in Sec. 5.12.160 (A) (1 or 2), from other types of improvements at the time of declaring the necessity of the improvement, or upon creation of an improvement district.

D. Reserve for Delinquencies. In anticipation of delinquent assessments, there may be added to each separate assessment appearing on each assessment roll a sum not less than three percent nor greater than ten percent of such assessment. Said charge shall constitute a reserve to be used only if payment of assessments become delinquent to the extent that any amounts due on debt incurred by the city for financing the property owners' share of the local improvement district in question cannot be met as they become due. Any balance remaining in said reserve after all debts incurred relative to the L.I.D. in question have been repaid shall be refunded pro rata to such property owners within the L.I.D. on whose lots the assessments have been paid promptly during the full period of the payment schedule without being in default at any time. Any refunds due shall be paid to the then owner of the lot as shown on the tax roll for the year in which the refund is declared. No such refund shall be in an amount greater than the original percentage charged to that lot.

E. Government Properties. Assessments levied in any L.I.D. may be levied against properties of the United States of America, the State of Alaska, the borough, and the city as provided in this chapter and the assessments levied against any properties of the borough or the city shall have a lien thereon and shall be

collectible as assessments levied against properties of owners except where prohibited by law. Should it appear for any reason that the assessments levied against any properties of the United States of America or the State of Alaska are uncollectible, such assessments shall not be counted in the computation of the final assessment roll of any L.I.D. and, if any such assessments are collected, the same shall be paid into the fund of such L.I.D. as are all other assessments.

Sec. 5. Wrangell Municipal Code, Section 5.12.080 Special assessment by petition--Notice of hearing, is hereby amended as follows:

5.12.080 Special assessment by petition--Notice of hearing.

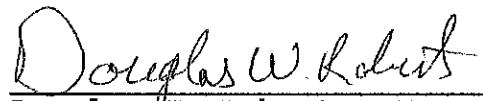
A. Notice of such hearing shall be published at least once a week for [THREE] four consecutive weeks in a newspaper of general circulation throughout the city [WITH THE FIRST PUBLICATION TO BE AT LEAST SIXTY DAYS] prior to the date set for such hearing. [IF SPECIAL ASSESSMENT BONDS ARE TO BE ISSUED. IF SPECIAL ASSESSMENT BONDS ARE NOT TO BE ISSUED TO PAY THE COST OF IMPROVEMENTS, THEN THE DATE OF FIRST PUBLICATION AND MAILING OF SUCH NOTICE MAY BE NOT LESS THAN TWENTY DAYS PRIOR TO SUCH HEARING DATE AND SUCH PUBLISHED NOTICE NEED ONLY BE PUBLISHED TWICE.]

B. The notice shall contain a statement of the following:

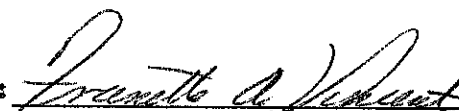
1. A general description of the improvements to be ordered and a description of the boundaries of the proposed L.I.D.;
2. A statement of the estimated cost of the proposed improvements and the estimated proportion of such cost to be borne by the property specially benefited thereby;
3. That a map or plat showing thereon the lots, tracts and parcels of land which will be specially benefited by the proposed improvement, the proposed assessment schedule and the proposed assessment against each such lot, tract or parcel of land is on file for public inspection at the office of the city clerk;
4. Whether special assessment district bonds will be issued and sold to provide funds to pay the cost of improvements;
5. The time, date and place of such hearing; and that the owners of any property within the proposed district may file a written objection to the creation of such district and the ordering of the work to be done therein with the city clerk up to the time of the hearing.

PASSED IN FIRST READING March 26, 1996

PASSED IN SECOND READING April 9, 1996



Douglas W. Roberts, Mayor

ATTEST: 

Franette A. Vincent, City Clerk

Affidavit of Publication

United States of America
State of Alaska
First Judicial District

SS

Before me, the undersigned, a notary public this day personally appeared Jodi Stephens, who, being first duly sworn, according to law, says that she is the Editor for the Wrangell Sentinel, a newspaper published at Wrangell, in said first Judicial District and State, and that the advertisement, of which the annexed is a true copy, was published in said paper on April 18, 1996, once each week thereafter for 6 consecutive weeks, the last publication appearing on April 18, 1996, and that the rate charged thereon is not in excess of the rate charged private individuals.

CITY OF WRANGELL

Pursuant to the City of Wrangell, Alaska, City Charter, SEC. 2-13, public notice is hereby given that the following ordinances listed by title only have been adopted by the City Council. Such ordinance is new and currently on file in the office of the City Clerk and may be inspected upon request.

ORDINANCE 620: AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING WMC 5.12 IMPROVEMENTS AND ASSESSMENTS, SPECIFICALLY SECTION 5.12.160 METHODS OF DETERMINING PROPORTION OF BENEFITS AND ASSESSMENTS FOR LOCAL IMPROVEMENT DISTRICTS, AND SECTION 5.12.080 SPECIAL ASSESSMENT BY PETITION — NOTICE OF HEARING

Franette A. Vincent, City Clerk
City of Wrangell, Alaska

publish April 18, 1996

Jodi Stephens

Subscribed and sworn before me this

6/17

, 1996

Seanne Gillen Saunders

Seanne Gillen Saunders

Notary Public for the State of Alaska

My Commission expires September 25, 1996

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 621

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING CHAPTER 11.68 SNOWMOBILES, SPECIFICALLY SECTION 11.68.010 DEFINED, SECTION 11.68.020 COMPLIANCE WITH STATE REGULATIONS, AND SECTION 11.68.040 OPERATION, AND SETTING A DATE FOR 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 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. Public hearing. A public hearing is scheduled for April 23, 1996.

Sec. 5. Wrangell Municipal Code, Section 11.68.010 Defined, is hereby amended as follows:

11.68.010 Defined. "Snow vehicle" and "snowmobile" shall be used interchangeably and mean a vehicle propelled by mechanical power, supported in part by skis, belts, or cleats, [OR LOW-PRESSURE TIRES,] and primarily designed to travel over ice or snow.

Sec. 6. Wrangell Municipal Code, Section 11.68.020 Compliance with State regulations is hereby deleted in its entirety and replaced with the following:

11.68.020 Compliance with State regulations. All snow machines and operators must comply with all State Regulations. Registration is required and will be valid for three years or until change of ownership. Registration fee will be five dollars (\$5.00) to cover cost of the decals. The registered owner is responsible for the following provisions:

1) Must obtain the registration decals provided by the City of Wrangell that are of a light reflective material and large enough to be seen at a distance of at least one hundred feet (100').

2) Numbered decals must be affixed on both sides of the cowling of the machine, or to a reflective flag prior to use.

Sec. 7. Wrangell Municipal Code, Section 11.68.040 Restricted operation area, is hereby deleted in its entirety and replaced with the following:

11.68.040 Operation. In addition to restricted areas of operation which may be prescribed from time to time by the State pertaining to snowmobile usage:

1. Snow machines shall not be operated:

- a. anywhere in the City without adequate snow cover;
- b. in a careless, reckless or negligent manner so as to endanger the safety of any person or property of any other person;
- c. while under the influence of intoxicating liquor, narcotics or drugs;
- d. to intentionally drive, chase, run over or kill any animal;
- e. within one hundred feet of any school or hospital, unless traveling directly to or from it;
- f. on or within one hundred feet of any skating area or ice rink;
- g. on the outdoor shooting range, City playground, Volunteer Park ball fields, or Little League ball fields;
- h. within seventy-five feet of designated sledding areas. Designated sledding area is the entire south end of the multi-purpose field/running track. Snow machines shall not to be operated seventy-five feet from top of the slope or seventy-five feet from bottom of the slope. Access for snow machines to the non-designated sledding area of the multi-purpose field/running track is provided on Second Street and Sales Street.

2. Snow machines may be operated upon the streets and alleys of the City, except areas from, and including, Front Street to the waterfront (Zimovia Straits), and if so operated:

- a. are limited to traveling from one place to another on the most reasonable direct route possible and no person shall use the streets for recreational purposes;

- b. shall be driven on the extreme right, in single file, and in accordance with all motor vehicle regulations;
- c. shall not pass any other moving vehicle while going in the same direction upon City streets;
- d. shall yield right-of-way to all other motor vehicles.

PASSED IN FIRST READING: April 9, 1996

PASSED IN SECOND READING: May 14, 1996

Douglas W. Roberts
Douglas W. Roberts, Mayor

ATTEST: Franette A. Vincent
Franette A. Vincent, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 622

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING WMC CHAPTER 3.36 SCHOOL BOARD, SPECIFICALLY ADDING SECTION 3.36.060 SCHOOL BUDGET

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.

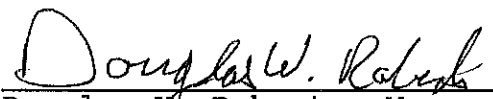
Sec. 3. Effective Date. This ordinance shall be published as provided by law and shall be effective thirty (30) days after passage.

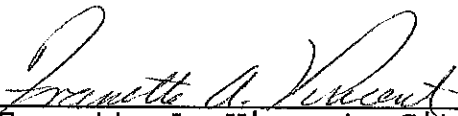
Sec. 4. Wrangell Municipal Code, Chapter 3.36 School Board is hereby amended by adding the following:

3.36.060 School Budget. The Wrangell School Board shall submit the annual school budget by May 1 of each year. The Council shall appropriate the amount to be made available from local sources from money available for the purpose by June 30 of each year.

PASSED IN FIRST READING: April 9, 1996

PASSED IN SECOND READING: May 14, 1996


Douglas W. Roberts, Mayor

ATTEST: 
Franette A. Vincent, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 623

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING WMC SECTION 5.06.020 IMPOSITION OF TRANSIENT OCCUPANCY TAX, SPECIFICALLY INCREASING TAX FROM THREE DOLLARS PER DAY TO FOUR DOLLARS PER DAY, AND SETTING DATE FOR PUBLIC HEARING

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. Public Hearing. A public hearing is scheduled for May 14, 1996.

Sec. 4. Effective Date. This ordinance shall be published as provided by law and shall be effective thirty (30) days after passage.

Sec. 5. Wrangell Municipal Code, Section 5.06.020 Imposition of transient occupancy tax, is hereby amended to read as follows:

5.06.020 Imposition of transient occupancy tax. A. There is enacted a tax on hotel room rentals to transients computed at a flat rate of three dollars per day, or portion thereof, per room, regardless of the number of occupants of such room. Effective January 1, 1997, this tax shall increase to four dollars 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.

APPROVED IN FIRST READING: _____ April 23 _____, 1996

APPROVED IN SECOND READING: May 14, 1996

Douglas W. Roberts
Douglas W. Roberts, Mayor

ATTEST: Franette A. Vincent
Franette A. Vincent, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 624

AN ORDINANCE of the City of Wrangell, Alaska, authorizing the City to borrow \$350,000 from the State of Alaska, Department of Community and Regional Affairs, Division of Energy to pay a portion of the costs of the West Line extension project, approving a form of Loan Agreement with respect to such loan and authorizing the issuance of the City's Electric Revenue Bond, 1996 to evidence such loan; fixing the date, form, terms and covenants of such bond; and providing the terms under which the City may issue future electric revenue bonds on a parity with such bond.

PASSED May 14, 1996

Prepared by:

PRESTON GATES & ELLIS

Seattle, Washington

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ORDINANCE NO. 624

AN ORDINANCE of the City of Wrangell, Alaska, authorizing the City to borrow \$350,000 from the State of Alaska, Department of Community and Regional Affairs, Division of Energy to pay a portion of the costs of the West Line extension project, approving a form of Loan Agreement with respect to such loan and authorizing the issuance of the City's Electric Revenue Bond, 1996 to evidence such loan; fixing the date, form, terms and covenants of such bond; and providing the terms under which the City may issue future electric revenue bonds on a parity with such bond.

WHEREAS, the City of Wrangell, Alaska (the "City"), a municipal corporation of the State of Alaska, owns, operates and maintains an electric utility system (the "Electric System"); and

WHEREAS, the City wishes to acquire, construct and equip an extension of the electric transmission facilities of the Electric System known as the West Line extension project (the "Project"); and

WHEREAS, the State of Alaska, Department of Community and Regional Affairs, Division of Energy (the "State"), has offered to lend the City \$350,000 from the Power Project Fund to pay a portion of the costs of the Project; and

WHEREAS, the City Council (the "Council"), by Resolution No. 08-95-603, adopted by the Council on August 22, 1995, submitted to the qualified electors of the City the question of whether or not the City should accept the State's loan and issue the City's electric revenue bond in an amount not to exceed \$350,000 to evidence such loan; and

WHEREAS, at an election held within the City on October 3, 1995; the qualified electors of the City approved the City's acceptance of the State's loan and the issuance of the City's electric revenue bond in an amount not to exceed \$350,000 to evidence such loan; and

WHEREAS, the Council deems it necessary and advisable to undertake the Project and to finance a portion of the costs of the Project by (i) accepting the State's loan on the terms and conditions set forth in a loan agreement prepared by the State and submitted with this ordinance and (ii) issuing the City's Electric Revenue Bond, 1996 in the principal amount of \$350,000 (the "Bond") to evidence such loan; and

WHEREAS, the City presently has no outstanding electric revenue bonds; and

WHEREAS, the City wishes to establish the terms and conditions for the issuance of additional electric revenue bonds on a parity with the Bond;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WRANGELL, ALASKA DO ORDAIN AS FOLLOWS:

Section 1. Definitions.

As used in this ordinance the following words and phrases shall have the meanings herein set forth unless the context shall clearly indicate that another meaning is intended.

"Additional Bonds" means any electric revenue bonds other than the Bond that are issued hereafter on a parity with the Bond pursuant to Section 14 of this ordinance.

"Adjusted Net Revenues" means Net Revenues as calculated pursuant to Section 14 hereof.

"Annual Debt Service" for any Fiscal Year means the sum of:

(a) the interest due in such Fiscal Year on all outstanding Parity Bonds, excluding interest to be paid from the proceeds of Parity Bonds,

(b) the principal of all outstanding Serial Bonds due in such Fiscal Year, and

(c) the Sinking Fund Requirement, if any, for such Fiscal Year (calculated as of the Sinking Fund Requirement Date for such Fiscal Year).

If the interest rate on any such Parity Bonds is other than a fixed rate, the rate applicable at the time of computation shall be used.

"Average Annual Debt Service" means the amount determined by dividing (a) the sum of all interest and principal to be paid on outstanding Parity Bonds from the date of determination to the last maturity date of such Parity Bonds, by (b) the number of Fiscal Years from and including the Fiscal Year in which the determination is made to the last Fiscal Year in which the sum of (i) the principal amount of Serial Bonds maturing in such Fiscal Year plus (ii) the Sinking Fund Requirement for such Fiscal Year exceeds 4% of the principal amount of Parity Bonds outstanding as of the date of determination.

If the interest rate on any such Parity Bonds is other than a fixed rate, the rate applicable at the time of computation shall be used.

"Bond" means the \$350,000 principal amount of the City's Electric Revenue Bond, 1996, authorized to be issued by this ordinance.

"Bond Fund" means the Electric System Revenue Bond Fund established pursuant to Section 11 of this ordinance to secure payment of the Parity Bonds.

"Bond Register" means the books or records maintained by the Bond Registrar for the purpose of registration of the Bond.

"Bond Registrar" means initially the Treasurer, and any successor person, firm or entity duly appointed to serve as Bond Registrar.

"City" means the City of Wrangell, Alaska, a municipal corporation of the State of Alaska.

"Code" means the federal Internal Revenue Code of 1986, as amended, and applicable regulations.

"Council" means the legislative body of the City as the same shall be duly and regularly constituted from time to time.

"Construction Account" means the Wrangell West Electrical Extension Construction Account created pursuant to Section 9 of this ordinance.

"Distribution and Transmission Facilities" means the electric utility properties and assets, real and personal, tangible and intangible, now owned and operated by the City and used or useful in the transmission, distribution or sale of electric current or electric service, and business incidental thereto, and any additions, improvements and betterments thereto and extensions thereof hereafter constructed or acquired. Distribution and Transmission Facilities shall not include Generating Facilities.

"Electric System" means the Distribution and Transmission Facilities and the Generating Facilities, but, at the City's option, such Electric System may exclude property and facilities hereafter acquired or constructed and established as a separate utility system and not financed from the Revenues.

"Finance Director" means the duly appointed and acting Finance Director of the City or the successor to such office.

"Fiscal Year" means the fiscal year used by the City at any time. At the time of the adoption of this ordinance, the Fiscal Year is the twelve-month period beginning January 1 of each year.

"Generating Facilities" means the electric utility properties and assets, real and personal, tangible and intangible, and used or useful in the generation of electric energy, now owned and operated by the City or hereafter acquired or constructed by the City and declared to be part of the Electric System, including any common undivided interest therein, related transmission facilities, and additions, improvements and betterments to and extensions of such properties and assets.

"Government Obligations" means direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States Government.

"Light Fund" means the fund of that name described in Section 10 of this ordinance.

"Loan Agreement" means the Loan Agreement between the City and the State authorized to be entered into pursuant to Section 17 hereof.

"Net Revenues" means, for any period, the excess of Revenues over Operating Expenses for such period, excluding from the computation of Revenues (a) any profit or loss derived from the sale or other disposition, not in the ordinary course of business, of investments or fixed or capital assets, or resulting from the early extinguishment of debt, and (b) insurance proceeds.

"Operating Expenses" means the City's expenses for operation and maintenance of the Electric System, and ordinary repairs, renewals, replacements and reconstruction of the Electric System, including all costs of delivering electric power and energy, including, without limiting the generality of the foregoing, all costs of purchased power, costs of transmission and distribution operation and maintenance expenses, rents, administrative and general expenses, engineering expenses, legal and financial advisory expenses, required payments to pension, retirement, health and hospitalization funds, and insurance premiums, all to the extent properly allocable to the Electric System. Operating Expenses shall not include any allowance for depreciation, any costs or expenses for new construction or other capital outlays, any payments for debt service or into reserve accounts, and any taxes by the City or payments in lieu of such taxes.

"Parity Bonds" means the Bond and any Additional Bonds. "Parity Bonds" may include bonds, notes, warrants, certificates of indebtedness or any other evidence of indebtedness secured by a pledge of Revenues.

"Professional Utility Consultant" means the independent person(s) or firm(s) selected by the City having a favorable reputation for skill and experience with generation, transmission and distribution systems of comparable size and character to the Electric System in such areas as are relevant to the purposes for which they are retained.

"Project" means the West Line extension project as authorized herein and in Resolution No. 08-95-603 of the City adopted by the Council on August 22, 1995.

"Qualified Insurance" means any non-cancelable municipal bond insurance policy or surety bond issued by any insurance company licensed to conduct an insurance business in any state of the United States (or by a service corporation acting on behalf of one or more such insurance companies), which insurance company or companies, as of the time of issuance of such policy or surety bond, are currently rated in one of the two highest rating categories by Moody's Investors Service, Inc. or Standard & Poor's Ratings Group or both Moody's Investors' Service, Inc., and Standard & Poor's Ratings Group if such institution is rated by both or their comparably recognized business successors.

"Qualified Letter of Credit" means any irrevocable letter of credit issued by a financial institution for the account of the City on behalf of the owners of one or more series of Parity

Bonds, which institution maintains an office, agency or branch in the United States and as of the time of issuance of such letter of credit is currently rated in one of the two highest rating categories by Moody's Investors Service, Inc. or Standard & Poor's Ratings Group or their comparably recognized business successors or both Moody's Investors Service, Inc. and Standard & Poor's Ratings Group if such institution is rated by both or their comparably recognized business successors.

"Revenues" means all income (including investment income), receipts and revenues derived by the City through the ownership and operation of the Electric System but shall not include:

(a) any income derived by the City through the ownership and operation of any facilities that may hereafter be purchased, constructed or otherwise acquired by the City as a separate utility system; or

(b) investment income restricted to a particular purpose inconsistent with its use for the payment of debt service, including investment income derived pursuant to a plan of debt retirement or refunding.

"Serial Bonds" means Parity Bonds other than Term Bonds.

"Sinking Fund Requirement" for any Fiscal Year means the principal amount of Term Bonds required to be purchased, redeemed or paid in such Fiscal Year as established by the ordinance of the City authorizing the issuance of such Term Bonds.

"Sinking Fund Requirement Date" means, for any Fiscal Year, the date by which the Sinking Fund Requirement for such Fiscal Year must be met, which with respect to the Bond shall be September 1.

"State" means the State of Alaska, Department of Community and Regional Affairs, Division of Energy, its successors and assigns.

"Term Bonds" means Parity Bonds of any principal maturity that are subject to mandatory redemption and for which mandatory sinking fund payments are required.

"Treasurer" means the duly qualified and acting City Treasurer of the City, or the officer succeeding to the duties of such office.

Section 2. Plan of Improvements.

A. The Improvements. The Council hereby approves and authorizes the acquisition, development and construction by the City of the improvements to the Electric System authorized by Resolution No. 08-95-603 of the City adopted by the Council on August 22, 1995 (the "Project"). The estimated cost of the Project is hereby declared to be not greater than \$400,000,

of which not more than \$350,000 shall be financed from the proceeds of sale of the Bond. Included in this estimated cost are funds for legal, engineering and financing costs.

B. Findings. The Council hereby finds and determines that the Revenues to be derived by the City from the operation of the Electric System at the rates to be charged for the electricity furnished thereby will be sufficient in the judgment of the Council to meet all Operating Expenses, and to permit the setting aside out of such Revenues into the Bond Fund such amounts as may be required to pay the principal of and interest on the Bond as the same become due and payable.

Section 3. Authorization of Bond. In accordance with the Loan Agreement and for the purpose of paying a portion of the costs of the Project and to pay costs of issuing the Bond, there is hereby authorized to be issued the City's Electric Revenue Bond, 1996, in the aggregate principal amount of \$350,000 (the "Bond"). The Bond shall be dated as of the date of its delivery to the State, shall be fully registered as to both principal and interest, and shall be numbered separately in such manner and with any additional designation as the Bond Registrar deems necessary for purposes of identification.

The Bond shall bear interest at a per annum rate of 2%. Principal and interest on the Bond shall be payable at such times and in such amounts as provided in the Loan Agreement.

Section 4. Registration, Payment and Transfer. The City Treasurer shall act as authenticating trustee, transfer agent, paying agent and registrar for the Bond (collectively, the "Bond Registrar"). Both principal of and interest on the Bond shall be payable in lawful money of the United States of America. Installments of the principal of and interest on the Bond shall be paid by check or draft of the Bond Registrar mailed on the date such interest is due to the registered owner or nominee at the address appearing on the Bond Register. Upon final payment of all installments and interest thereon, the Bond shall be submitted to the Bond Registrar for cancellation and surrender.

The Bond may be transferred only on the Bond Register maintained by the Bond Registrar for that purpose upon the surrender thereof by the registered owner or nominee or his/her duly authorized agent and only if endorsed in the manner provided thereon, and thereupon a new fully registered Bond of like principal amount, maturity and interest rate shall be issued to the transferee in exchange therefor. Such transfer or exchange shall be without cost to the registered owner or transferee.

Section 5. Prepayment. The Bond is subject to redemption at the option of the City at any time, at a price of par plus accrued interest to the date of redemption. The City shall give the State at least ten days notice of optional redemption of the Bond.

Section 6. Form of Bond. The Bond shall be in substantially the following form:

UNITED STATES OF AMERICA

NO. _____

\$350,000

STATE OF ALASKA

CITY OF WRANGELL

ELECTRIC REVENUE BOND, 1996

INTEREST RATE: 2%

REGISTERED OWNER: State of Alaska, Department of Community and Regional Affairs,
Division of Energy

PRINCIPAL AMOUNT: THREE HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS
(Drawn as provided herein)

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 assigns, the Principal Amount set forth above and to pay interest thereon the amounts and at the times set forth in the Loan Agreement.

Both principal and interest on this bond are payable in lawful money of the United States of America. Upon final payment of all installments of principal and interest thereon, this bond shall be submitted to the City Treasurer for cancellation and surrender.

This bond is issued pursuant to Ordinance No. 624 of the City (the "Bond Ordinance"), to provide financing for certain improvements to the Electric System of the City. Reference is hereby made to the Bond Ordinance for the definitions of capitalized terms used herein.

The Bond is subject to redemption at the option of the City at any time, at a price of par plus accrued interest to the date of redemption. The City shall give the State at least ten days notice of optional redemption of the Bond.

This bond is not a "private activity bond" as such term is defined in the Internal Revenue Code of 1986, as amended (the "Code"). The City has designated this bond as a qualified tax-exempt obligation under Section 265(b) of the Code for investment by financial institutions.

The City hereby covenants and agrees with the owner of this bond that it will keep and perform all the covenants of this bond and of the Bond Ordinance.

The City does hereby pledge and bind itself to set aside from Revenues and to pay into the Bond Fund and the accounts created therein the various amounts required by the Bond Ordinance

to be paid into and maintained in such fund and accounts, all within the times provided by the Bond Ordinance.

To the extent more particularly provided by the Bond Ordinance, the amounts so pledged to be paid from Revenues into the Bond Fund and accounts therein shall be a lien and charge thereon equal in rank to the lien and charge upon said Revenue of the amounts required to pay and secure the payment of any additional electric revenue bonds of the City hereafter issued on a parity with this bond and superior to all other liens and charges of any kind or nature, except the Operating Expenses of the System.

The City has further bound itself to maintain the Electric System in good repair, working order and condition, to operate the same in an efficient manner and at a reasonable cost, and to establish, maintain and collect rates and charges in each Fiscal Year that will make available, for the payment of the principal of and interest on Parity Bonds outstanding as the same shall become due, Net Revenues in an amount that will be equal to at least 1.25 times Annual Debt Service for such year.

The pledge of Revenues and other obligations of the City under the Bond Ordinance may be discharged at or prior to the maturity or redemption of this bond upon the making of provision for the payment thereof on the terms and conditions set forth in the Bond Ordinance.

Reference is made to the Bond Ordinance for a description of the Bond Fund and the covenants and declarations of the City and other terms and conditions upon which this bond has been issued and additional bonds ranking on a parity therewith may hereafter be issued and outstanding.

This bond is a special limited obligation of the City and is not an obligation of the State of Alaska or any political subdivision thereof other than the City, and neither the full faith and credit nor the taxing power of the City or the State of Alaska is pledged to the payment of this bond.

This bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Bond Ordinance until the Registration Certificate hereon shall have been manually signed by or on behalf of the Bond Registrar or its duly designated agent.

It is hereby certified that all acts, conditions and things required by the Constitution and statutes of the State of Alaska to exist, to have happened, been done and performed precedent to and in the issuance of this bond have happened, been done and performed and that the issuance of this bond 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 of Wrangell, Alaska, has caused this bond to be executed by the manual signatures of its Mayor and City Clerk as of this ____ day of _____, 1996.

CITY OF WRANGELL ALASKA

By _____
Mayor

ATTEST:

City Clerk

REGISTRATION CERTIFICATE

This bond is registered in the name of the Registered Owner on the books of the City, in the office of the City Treasurer, 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/her duly authorized agent in writing, and similarly noted hereon. All payments of principal of and interest on this bond shall be made by the City with full acquittance by the City Treasurer's check or warrant, made payable to the last Registered Owner as shown hereon and on the registration books of the City Treasurer and delivered to such owner or mailed to him at his/her address noted hereon and on the registration books of the City Treasurer.

Date of Registration	Name and Address of Registered Owner	Signature of Registrar
_____	_____	_____
_____	_____	_____
_____	_____	_____

The Bond shall have endorsed thereon the following form of assignment:

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned registered owner thereof hereby sells, assigns and transfers the within bond unto _____

DATED _____

In the presence of:

Section 7. Execution of Bond. The Bond shall be executed on behalf of the City with the manual or facsimile signature of the Mayor of the City and attested by the manual or facsimile signature of the City Clerk, and the seal of the City shall be impressed or imprinted on the Bond. In case either or both of the officers who shall have executed the Bond shall cease to be an officer or officers of the City before the Bond so signed shall have been authenticated or delivered by the Bond Registrar, or issued by the City, such Bond 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. The Bond also may be signed and attested on behalf of the City by such persons as at the actual date of execution of such Bond shall be the proper officers of the City although at the original date of such Bond any such person shall not have been such officer of the City.

Only such Bond as shall bear thereon a Registration Certificate 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 Registration Certificate shall be conclusive evidence that the Bond so authenticated has been duly executed, authenticated and delivered hereunder and are entitled to the benefits of this ordinance.

Section 8. Mutilated, Lost, or Destroyed Bond. If the Bond shall become mutilated, the Bond Registrar shall authenticate and deliver a new Bond of like amount, date, interest rate and tenor in exchange and substitution for the Bond so mutilated, upon the Registered Owner's paying the expenses and charges of the City and the Bond Registrar in connection therewith and upon surrender to the Bond Registrar of the Bond so mutilated. Every mutilated Bond so surrendered shall be cancelled and destroyed by the Bond Registrar.

In case the Bond shall be lost, stolen or destroyed, the Bond Registrar may authenticate and deliver a new Bond of like amount, date, and tenor to the Registered Owner thereof upon such Registered Owner's paying the expenses and charges of the City and the Bond Registrar in connection therewith and upon his or her filing with the Bond Registrar evidence satisfactory to

the Bond Registrar that such Bond was actually lost, stolen or destroyed and of his or her ownership thereof, and upon furnishing the City and the Bond Registrar with indemnity satisfactory to the Finance Director and the Bond Registrar.

Section 9. Construction Account; Application of Bond Proceeds. There is hereby authorized to be created in the office of the Treasurer a special account to be known as the "Wrangell West Electrical Extension Construction Account" (the "Construction Account") for the purpose of paying costs of the Project.

The proceeds of sale of the Bond shall be paid into the Construction Account. The money in the Construction Account shall be used for the sole purpose of paying the costs of the Project and all of the expenses incidental thereto, including expenses incidental to the issuance of the Bond, or, if necessary and proper, shall be used for the purpose of repaying any amounts that the City may have advanced for the purpose of paying part or all of the cost of the additions and improvements to and extensions of the System hereinbefore authorized.

The money in the Construction Account not immediately needed to pay any part or all of the above-described costs may be invested as permitted for City funds. All interest earned and/or income derived by virtue of any such investments shall be paid to the State in accordance with the Loan Agreement. Any money remaining in the Construction Account after all costs of the Project have been paid, to the extent allowed by the Loan Agreement, shall be repaid to the State in accordance with the Loan Agreement.

Section 10. Light Fund. A special fund of the City has heretofore been created for the Electric System pursuant to Section 8-1 of the City Charter and has been designated the "Light Fund." Said Light Fund shall be maintained and continued in existence, and shall be held and administered by the City. The City covenants and agrees that it will pay or cause to be paid all Revenues into the Light Fund as promptly as practicable after receipt thereof. Such deposited in the Light Fund shall be used only for the following purposes and in the following order of priority:

- (1) to pay Operating Expenses and to provide sufficient working capital for the operation of the Electric System;
- (2) to make all payments required to be made into the Interest Account in the Bond Fund for the payment of accrued interest on the next interest payment date;
- (3) to make all payments required to be made into the Principal Account in the Bond Fund for the payment of the principal amount of Serial Bonds next coming due, and into the Bond Retirement Account in the Bond Fund for the mandatory redemption of Term Bonds;
- (4) to make all payments required to be made into the Reserve Account in the Bond Fund created to secure the payment of the Parity Bonds; and

(5) to make all payments required to be made into any special fund or account created to pay or secure the payment of the principal of and interest on any revenue bonds, warrants or other revenue obligations of the City having a lien upon Revenues and money in the Light Fund junior and inferior to the lien thereon for the payment of the principal of and interest on the Parity Bonds; and

(6) to retire by redemption or purchase in the open market any outstanding electric revenue bonds, electric revenue warrants or other electric revenue obligations of the District, to make necessary additions, betterments, improvements and repairs to or extensions and replacements of the System, or for any other lawful District purposes.

Nothing contained in this Section 10 shall be construed to require the deposit into the Light Fund of any of the revenues, income, receipts or other money of the City derived by the City through the ownership or operation of any separate utility system hereafter created or established from funds other than the proceeds of Parity Bonds.

Section 11. Bond Fund. A special fund of the City is hereby authorized to be created and designated the "Electric System Revenue Bond Redemption Fund" (the "Bond Fund"). The Bond Fund shall be held in trust and used solely for the purposes of paying the principal of, premium, if any, and interest on the Bonds, and retiring the Bonds prior to maturity in the manner herein provided. The City hereby obligates and binds itself irrevocably to set aside and to pay (to the extent not otherwise provided) from money in the Light Fund into the Bond Fund, after paying or making provision for Operating Expenses and prior to the payment of any other charge or obligation against such Revenues, amounts sufficient to pay the principal of, premium, if any, and interest on all the Bonds from time to time outstanding as the same respectively become due and payable, either at the maturity thereof or in accordance with the terms of any Sinking Fund Requirement established for the retirement of Term Bonds. The fixed amounts to be paid into the Bond Fund, to the extent that such payments are not made from bond proceeds or from other money that may legally be available therefor, shall be as follows and in the following order of priority, to wit:

A. There is hereby authorized to be created in the Bond Fund, for the purpose of paying the interest on Bonds as the same becomes due and payable, a Bond Interest Account (the "Interest Account"). On or before each interest payment date of the Bond and any Additional Bonds, the City shall pay from the Light Fund into the Bond Fund to the credit of the Interest Account an amount equal to the installment of interest then falling due on the Bond and any Additional Bonds.

B. There is hereby authorized to be created in the Bond Fund, for the purpose of paying outstanding Serial Bonds as they mature and for the purpose of redeeming Term Bonds pursuant to the Sinking Fund Requirement pertaining to such Term Bonds, the following accounts, each of which shall be equal in priority:

(i) The Bond Principal Account, for the purpose of paying principal of the Bond and Additional Bonds that are Serial Bonds as they mature (the "Principal Account"). On

or prior to each principal payment date of the Bond and any Additional Bonds that are Serial Bonds, the City shall pay from the Light Fund into the Bond Fund to the credit of the Principal Account an amount equal to the principal amount then falling due of the Bond and any Additional Bonds that are Serial Bonds.

(ii) The Bond Retirement Account, for the purpose of redeeming Term Bonds pursuant to the Sinking Fund Requirement pertaining to such Term Bonds and to otherwise retire Bonds prior to maturity (the "Bond Retirement Account"). On or prior to the date of each Sinking Fund Requirement, the City shall pay from the Light Fund into the Bond Fund to the credit of the Bond Retirement Account an amount equal to the Sinking Fund Requirement for such date.

The City shall apply all the money paid into the Bond Fund for credit to the Bond Retirement Account to the redemption of Term Bonds on the next ensuing Sinking Fund Requirement Date (or may so apply such money prior to such Sinking Fund Requirement Date), pursuant to the terms of this ordinance or of the ordinance authorizing the issuance thereof. The City may also apply the money paid into the Bond Fund for credit to the Bond Retirement Account for the purpose of retiring Term Bonds by the purchase of such Bonds at a purchase price (including accrued interest and any brokerage charge) not in excess of the principal amount thereof, in which event the principal amount of such Bonds so purchased shall be credited against the next ensuing Sinking Fund Requirement.

C. There is hereby authorized to be created a "Bond Reserve Account" in the Bond Fund (the "Reserve Account"). In the event of the issuance of any Additional Bonds, the ordinance authorizing the issuance of such Additional Bonds shall provide for approximately equal annual payments into the Bond Fund for credit to the Reserve Account from the money in the Light Fund, in such amounts and at such times so that by no later than five years from the date of issuance of such Additional Bonds there will be credited to the Reserve Account an amount equal to the Average Annual Debt Service at the date of issuance of such Additional Bonds.

Subject to the two preceding sentences, the money and value of investments in the Reserve Account shall be determined as of the last business day of each Fiscal Year and maintained at an amount at least equal to the Average Annual Debt Service, except where it is necessary for the City to make a transfer therefrom to the Interest Account, Principal Account or Bond Retirement Account because of an insufficiency of money therein to make any required payment of principal of or interest on any Parity Bonds when due. The City shall make up any deficiencies in such account arising because of such transfer, or because of an insufficient value of money and investments in such account, in not more than three approximately equal consecutive annual installments into the Reserve Account.

If at any time the money and value of investments in the Reserve Account shall exceed the amount of money and value of investments then required to be maintained therein by 10%, such excess may be transferred to the Light Fund .

The City may elect to meet the requirements of this Section 11.C with respect to the Reserve Account through the use of a Qualified Letter of Credit, Qualified Insurance or other equivalent credit enhancement device currently rated in one of the two highest rating categories by Moody's Investors Service, Inc. or Standard & Poor's Ratings Group. The City may contract with the entity providing such Qualified Letter of Credit, Qualified Insurance or other equivalent credit enhancement device that the City's reimbursement obligation, if any, to such entity ranks on a parity of lien with the Parity Bonds.

In the event that the City elects additionally to secure any issue of Additional Bonds through the use of a Qualified Letter of Credit, Qualified Insurance or other equivalent credit enhancement device, the City may contract with the entity providing such Qualified Letter of Credit, Qualified Insurance or other equivalent credit enhancement device that the City's reimbursement obligation, if any, to such entity ranks on a parity of lien with outstanding Parity Bonds; provided, however, that the payments due under such reimbursement agreement are such that if such reimbursement obligation were a series of Additional Bonds, such Bonds could be issued in compliance with the provisions of Section 14 hereof.

In making the payments and credits to the Reserve Account required by this Section 11, to the extent that the City has obtained Qualified Insurance or a Qualified Letter of Credit for specific amounts required pursuant to this section to be paid out of the Reserve Account, such amounts so covered by Qualified Insurance or a Qualified Letter of Credit shall be credited against the amounts required to be maintained in the Bond Reserve Account by this Section 11.C to the extent that such payments and credits to be made are insured by an insurance company, or guaranteed by a letter of credit from a financial institution. Upon the expiration of any Qualified Letter of Credit or the termination of any Qualified Insurance, the Reserve Account shall be funded in accordance with the third paragraph of this Section 11.C as if the Parity Bonds that remain outstanding had been issued on the date of such notice of expiration or termination.

D. In the event that there shall be a deficiency in the Interest Account, Principal Account or Bond Retirement Account in the Bond Fund, the City shall promptly make up such deficiency from the Reserve Account by the withdrawal of cash therefrom for that purpose and by the sale or redemption of investments held in the Reserve Account, if necessary, in such amounts as will provide cash in the Reserve Account sufficient to make up any such deficiency. The City covenants and agrees that any deficiency created in the Reserve Account by reason of any withdrawal therefrom for payment into the Interest Account, Principal Account or Bond Retirement Account shall be made up from money in the Light Fund first available after making provision first for payment of Operating Expenses and then for the required payments into such Interest, Principal and Bond Retirement Accounts.

The Bond Fund shall be drawn upon solely for the purpose of paying the principal of, premium, if any, and interest on the Parity Bonds. Money set aside from time to time with the Paying Agents for such payment shall be held in trust for the owners of the Parity Bonds in respect of which the same shall have been so set aside. Until so set aside, all money in the Bond Fund shall be held in trust for the benefit of the owners of all Parity Bonds at the time outstanding equally and ratably. Whenever the assets of the Bond Fund shall be sufficient to provide money

to retire all Parity Bonds then outstanding, including such interest thereon as thereafter may become due and payable and any premiums upon redemption thereof, no further payments need be made into the Bond Fund. All money remaining in the Bond Fund after provision for the payment in full of the principal of, premium, if any, and interest on the Parity Bonds shall be returned to the Light Fund .

Section 12. 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 Bond are set aside in a special account of the City to effect such redemption and 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 for the payment of the principal of and interest on the Bond, and the Bond shall cease to be entitled to any lien, benefit or security of this ordinance except the right to receive the moneys so set aside and pledged, and the Bond shall be deemed not to be outstanding hereunder.

Section 13. Tax Covenants; Special Designation. The City hereby covenants that it will not make any use of the proceeds of sale of the Bond or any other funds of the City that may be deemed to be proceeds of such Bond pursuant to Section 148 of the Code that will cause the Bond to be an "arbitrage bond" within the meaning of said section. The City will comply with the requirements of Section 148 of the Code (or any successor provision thereof applicable to the Bond) and the applicable Regulations thereunder throughout the term of the Bond.

The City further covenants that it will not take any action or permit any action to be taken that would cause the Bond to constitute a "private activity bond" under Section 141 of the Code.

The City hereby designates the Bond as a "qualified tax-exempt obligation" for purchase by financial institutions pursuant to Section 265(b) of the Code. The City does not anticipate that it will issue more than \$10,000,000 in "qualified tax-exempt obligations" during calendar year 1996.

Section 14. Additional Bonds. The City hereby further covenants and agrees with the owner of the Bond for as long as such Bond remains outstanding, as follows:

A. That it will not issue any bonds with a lien on Revenues superior to the lien on such revenues of the Bond. The City may issue Additional Bonds for:

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

Second, the purpose of refunding or purchasing and retiring at or prior to their maturity any outstanding revenue bonds or other obligations payable out of Revenues;

and to pledge that payments be made into the Bond Fund for the payment of the principal thereof and interest thereon out of the Light Fund sufficient to pay the principal of and interest on such Additional Bonds and to maintain the reserves required therefor, which such payments may rank equally with the payments out of such Light Fund into the Bond Fund to pay and secure the payment of the principal of and interest on any Parity Bonds then outstanding, upon compliance with the following conditions:

(1) That at the time of the issuance of such Additional Bonds there is no deficiency in the Bond Fund.

(2) The principal of and interest on the Additional Bonds shall be payable out of the Bond Fund, and the ordinance authorizing their issuance shall further provide for payments into the Bond Fund to satisfy any Sinking Fund Requirement, all as required by Section 11 of this ordinance.

(3) Prior to the delivery of any Additional Bonds, the City shall have on file in the office of the Treasurer a certificate of a Professional Utility Consultant showing: that the Net Revenues determined and adjusted as hereafter provided for each Fiscal Year after the issuance of such Additional Bonds (the "Adjusted Net Revenues") will equal at least 1.25 times the Annual Debt Service for each such calendar or Fiscal Year for all Parity Bonds plus the Additional Bonds proposed to be issued.

The Adjusted Net Revenues shall be the Net Revenues for a period of any 12 consecutive months out of the 24 months immediately preceding the date of delivery of such proposed Additional Bonds as adjusted by such Professional Utility Consultant to take into consideration changes in Net Revenues estimated to occur under the following conditions for each year after such delivery for so long as any Parity Bonds, including the Additional Bonds proposed to be issued, shall be outstanding:

(i) the additional Net Revenues that would have been received if any change in rates and charges adopted prior to the date of such certificate and subsequent to the beginning of such 12-month period, had been in force during the full 12-month period;

(ii) the additional Net Revenues that would have been received if any facility of the Electric System that became fully operational after the beginning of such 12-month period had been so operating for the entire period; and

(iii) the additional Net Revenues estimated by such Professional Utility Consultant to be received as a result of any additions, betterments and improvements to and extensions of any facilities of the Electric System that are (a) under construction at the time of such certificate or (b) will be constructed from the proceeds of the Additional Bonds to be issued.

Such Professional Utility Consultant may rely upon, and his or her certificate shall have attached thereto, financial statements of the Electric System certified by the Treasurer showing income and expenses for the period upon which the same is based. The certificate of such

Professional Utility Consultant shall be conclusive and the only evidence required to show compliance with the provisions and requirements of this subsection (3).

B. Notwithstanding the foregoing requirement, if Additional Bonds are to be issued for the purpose of refunding at or prior to their maturity any part or all of the then outstanding Parity Bonds and the issuance of such refunding Additional Bonds will result in a debt service savings and does not require an increase of more than \$5,000 in any Fiscal Year for principal of and interest on such refunding Additional Bonds over and above the amount required in such year for the principal of and interest on the bonds being refunded thereby, the condition stated in subsection A(3) of this section need not be met.

C. Nothing herein contained shall prevent the City from issuing any revenue bonds, warrants or other obligations that are a charge upon the money in the Light Fund junior or inferior to the payments required by this ordinance to be made into the Bond Fund and the Reserve Account.

Section 15. General Covenants. The City covenants and agrees with the owner of the Bond, so long as such Bond is outstanding, as follows:

(a) Security for Parity Bonds. The Bond and any Additional Bonds are special limited obligations of the City payable from and secured solely by Revenues, and by other money and assets specifically pledged hereunder for the payment thereof. There are hereby pledged as security for the payment of the principal of, premium, if any, and interest on all Parity Bonds in accordance with the provisions of this ordinance, subject only to the provisions of this ordinance restricting or permitting the application thereof for the purposes and on the terms and conditions set forth in this ordinance: (i) the Revenues, and (ii) the money and investments, if any, credited to the Light Fund, the Construction Account and the Bond Fund, and the income therefrom. The Revenues and other money and securities hereby pledged shall immediately be subject to the lien of this pledge without any physical delivery thereof or further act, and the lien of this pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the City regardless of whether such parties have notice thereof.

All Parity Bonds now or hereafter outstanding shall be equally and ratably payable and secured hereunder without priority by reason of date of adoption of the ordinance providing for their issuance or by reason of their series, number or date of sale, issuance, execution or delivery, or by the liens, pledges, charges, trusts, assignments and covenants made herein, except as otherwise expressly provided or permitted in this ordinance and except as to insurance which may be obtained by the City to insure the repayment of one or more series or maturities within a series.

The pledge of the Revenue and of the amounts to be paid into and maintained in the funds and accounts described above in this section to pay and secure the payment of Parity Bonds is hereby declared to be a prior lien and charge on the Revenues and the money and investments in such funds and accounts, subject to provision for operating capital and to the payment of Operating Expenses as provided in Section 10 hereof, and superior to all other liens and charges of any kind or nature.

Parity Bonds shall not in any manner or to any extent constitute general obligations of the City or of the State of Alaska, or any political subdivision of the State of Alaska, or a charge upon any general fund or upon any money or other property of the City or of the State of Alaska, or of any political subdivision of the State of Alaska, not specifically pledged thereto by this ordinance.

(b) Rate Covenant - General. The City will establish, maintain and collect rates and charges for electric power and energy and other services, facilities and commodities sold, furnished or supplied through the facilities of the Electric System that shall be fair and nondiscriminatory and adequate to provide Revenues sufficient, together with other funds legally available therefor, for the punctual payment of the principal of, premium, if any, and interest on the Parity Bonds for which the payment has not otherwise been provided, for all payments that the City is obligated to make into the Bond Fund, and for the proper operation and maintenance of the Electric System, and all necessary repairs, replacements and renewals thereof, including the payment of all taxes, assessments or other governmental charges lawfully imposed on the Electric System or the Revenues therefrom, or payments in lieu thereof, and the payment of all other amounts that the City may now or hereafter become obligated to pay from the Revenues by law or contract.

(c) Rate Covenant - Debt Service Coverage. The City will also establish, maintain and collect rates and charges that shall be adequate to provide in each Fiscal Year Net Revenues in an amount equal to at least 1.25 times the Annual Debt Service on the then outstanding Parity Bonds in such Fiscal Year.

(d) Covenant to Maintain System in Good Condition. The City shall at all times maintain, preserve and keep, or cause to be maintained, preserved and kept, the properties of the Electric System and all additions and betterments thereto and extensions thereof and every part and parcel thereof, in good repair, working order and condition, and will from time to time make, or cause to be made, all necessary and proper repairs, renewals, replacements, extensions and betterments thereto so that at all times the business carried on in connection therewith shall be properly and advantageously conducted. The City will at all times operate such properties and the business in connection therewith or cause such properties and business to be operated in an efficient manner and at a reasonable cost.

(e) Disposal of Properties of Electric System. The City will not sell or otherwise dispose of the Electric System in its entirety unless simultaneously with such sale or other disposition, provision is made for the payment into the Bond Fund of cash or Government Obligations sufficient together with interest to be earned thereon to pay the principal of and interest on the then outstanding Parity Bonds, nor will it sell or otherwise dispose of any part of the useful operating properties of the Electric System unless such facilities are replaced or provision is made for payment into the Bond Fund of the greater of:

(1) An amount that will be in the same proportion to the net amount of Parity Bonds then outstanding (defined as the total amount of the Parity Bonds less the amount of cash and investments in the Bond Fund and accounts therein) that the Net Revenues from the

portion of the Electric System sold or disposed of for the preceding year bears to the total Net Revenues for such period; or

(2) An amount that will be in the same proportion to the net principal amount of Parity Bonds then outstanding that the book value of the part of the Electric System sold or disposed of bears to the book value of the entire Electric System immediately prior to such sale or disposition.

The proceeds of any such sale or disposition of a portion of the properties of the Electric System (to the extent required above) shall be paid into the Bond Fund.

Notwithstanding any other provision of this subsection, the City may sell or otherwise dispose of any of the works, plant, properties and facilities of the Electric System or any real or personal property comprising a part of the same with a value less than 4% of the net utility plant of the Electric System or which shall have become unserviceable, inadequate, obsolete or unfit to be used in the operation of the Electric System, or no longer necessary, material to or useful in such operation, without making any deposit into the Bond Fund.

(f) Insurance. The City shall either self-insure or, as needed, and to the extent insurance coverage is available at reasonable cost with responsible insurers, keep, or cause to be kept, the Electric System and the operation thereof insured, with policies payable to the City, against the risks of direct physical loss, damage to or destruction of the Electric System, or any part thereof, and against accidents, casualties or negligence, including liability insurance and employer's liability, at least to the extent that similar insurance is usually carried by electric utilities operating like properties.

(g) Books of Account. The City shall keep proper books of account as required by this ordinance in accordance with state law, and if no such rules or regulations are prescribed, then in substantial accordance with the uniform system of accounts prescribed by the Federal Energy Regulatory Council or other federal agencies having jurisdiction over electric public utility companies owning and operating properties similar to the electric properties operated by the City, whether or not the City is at that time required by law to use such system of accounts. The City shall cause its books of account to be audited in accordance with state law. The City will furnish a copy of the most recent audit report to any owner of Parity Bonds upon written request therefor.

(h) No Free Service. The City shall not furnish or supply or permit the furnishing or supplying of electric energy or any other commodity, service or facility furnished by or in connection with the operation of the Electric System free of charge to any person, firm or corporation, public or private, and the City will promptly enforce the payment of any and all accounts owing to the City and delinquent, by discontinuing service or by filing suits, actions or proceedings, or by both discontinuance of service and filing suit; provided, that to the extent permitted by law, the City may loan money and may provide commodities, services or facilities free of charge or at a reduced charge in connection with a plan of conservation of electric energy or senior citizen or indigent ratepayer discounts adopted by the Council.

(i) Taxes, Assessments and Other Claims. The City shall from time to time duly pay and discharge, or cause to be paid and discharged, when the same shall become due, all taxes, assessments and other governmental charges, or payments in lieu thereof, lawfully imposed upon the Electric System or the Revenues, and all claims for labor and materials and supplies which, if not paid, might become a lien or charge upon the Electric System, or any part thereof, or upon the Revenues, or which might in any way impair the security of the Parity Bonds, except taxes, assessments, charges or claims that the City shall in good faith contest by proper legal proceedings.

Section 16. Supplements and Amendments.

(a) The Council from time to time and at any time may adopt an ordinance or ordinances supplemental hereof, which ordinance or ordinances thereafter shall become a part of this ordinance, for any one or more or all of the following purposes:

(1) To add to the covenants and agreements of the City in this ordinance other covenants and agreements thereafter to be observed, which shall not adversely affect the interests of the owners of the Bond or any Parity Bonds in any material respect, or to surrender any right or power herein reserved to or conferred upon the City.

(2) To make such provisions for the purpose of curing any ambiguities or of curing, correcting or supplementing any defective provision contained in this ordinance in regard to such matters or questions as the Council may deem necessary or desirable and not inconsistent with this ordinance and which shall not adversely affect the interests of the owners of the Bond or any Parity Bonds in any material respect.

(3) To amend or supplement any provision contained in this ordinance for the purpose of obtaining or maintaining a rating on the Bonds so long as such amendment or supplement is not inconsistent with this ordinance and will not adversely affect the interests of the owners of the Bond or any Parity Bonds in any material respect.

So long as the Bond is outstanding and owned by the State, any supplemental ordinance shall require the written consent of the State, which consent shall not be unreasonably withheld. From and after such time as the Bond is no longer outstanding or is not owned by the State, any such supplemental ordinance of the Council may be adopted without the consent of the owners of the Bond or any Parity Bonds at any time outstanding, notwithstanding any of the provisions of subsection B of this section; provided, however, that the City shall obtain an opinion of nationally recognized bond counsel to the effect that such supplemental ordinance complies with this subsection A and will not adversely affect the interests of the owners of the Bond or any Parity Bonds in any material respect.

(b) With the consent of the owners of not less than 65% in aggregate principal amount of the Parity Bonds at the time outstanding, the Council may adopt an ordinance or ordinances supplemental hereto for the purpose of adding any provisions to or changing in any

manner or eliminating any of the provisions of this ordinance or of any supplemental ordinance; provided, however, that no such supplemental ordinance shall:

(1) Extend the fixed maturity of any Parity Bonds, or reduce the rate of interest thereon, or extend the time of payments of interest from their due date, or reduce the amount of the principal thereof, or reduce any premium payable on the redemption thereof, without the consent of the owner of each bond so affected; or

(2) Reduce the aforesaid percentage of bondowners required to approve any such supplemental ordinance, without the consent of the owners of all of the Parity Bonds then outstanding.

It shall not be necessary for the consent of bondowners under this subsection B to approve the particular form of any proposed supplemental ordinance, but it shall be sufficient if such consent shall approve the substance thereof.

C. Upon the adoption of any supplemental ordinance pursuant to the provisions of this section, this ordinance shall be deemed to be modified and amended in accordance therewith, and the respective rights, duties and obligations of the City under this ordinance and all owners of Bonds outstanding hereunder shall thereafter be determined, exercised and enforced thereunder, subject in all respects to such modification and amendments, and all the terms and conditions of any such supplemental ordinance shall be deemed to be part of the terms and conditions of this ordinance for any and all purposes.

Section 17. Approval of Loan Agreement and Delivery of Bond. The Loan Agreement between the City and the State in substantially the form attached as Exhibit A to this ordinance and incorporated herein by this reference is hereby accepted and approved. The Mayor is authorized on behalf of the City to sign said Loan Agreement. In accordance with the Loan Agreement and this ordinance, the proper officials of the City are hereby authorized and directed to do everything necessary for the prompt execution and delivery of the Bond to the State and for the proper application and use of the proceeds thereof.

Section 18. Severability. If any one or more of the covenants or agreements provided in this ordinance on the part of the City to be performed 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, and shall in no way affect the validity of the other provisions of this ordinance or of the Bond.

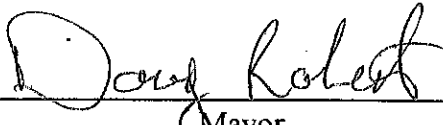
Section 19. General Authorization. The Mayor, City Manager, Finance Director and City Clerk and each of the other appropriate officers of the City are each hereby authorized and directed to take such steps, to do such other acts and things, and to execute such letters, certificates, agreements, papers, financing statements, assignments or instruments as in their judgment may be necessary, appropriate or desirable in order to carry out the terms and provisions of, and complete the transactions contemplated by, this ordinance.

Section 20. Prior Acts. All acts taken pursuant to the authority of this ordinance but prior to its effective date are hereby ratified and confirmed.

Section 21. Effective Date of Ordinance. This Ordinance shall be in effect one month after its final passage.

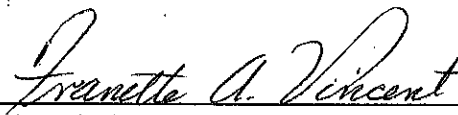
Section 22. Repealer. All ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

PASSED by the City Council of the City of Wrangell, Alaska, at a regular meeting thereof held this 14th day of May, 1996.



Mayor

Attest:



City Clerk

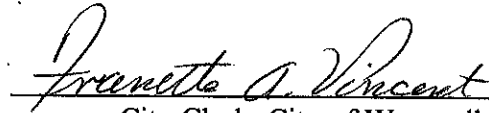
CLERK'S CERTIFICATE

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

1. That the attached is a true and correct copy of Ordinance No. 624 (the "Ordinance") of the City, duly passed at a regular meeting of the City Council (the "Council") of the City held on the 14th day of May, 1996.

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 passage of said Ordinance; that all other requirements and proceedings incident to the proper passage of said Ordinance have been fully 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 May, 1996.



City Clerk, City of Wrangell

EXHIBIT A

STATE OF ALASKA
DEPARTMENT OF COMMUNITY & REGIONAL AFFAIRS
DIVISION OF ENERGY

POWER PROJECT FUND
Agreement No. 40901048
WRANGELL WEST LINE EXTENSION

THIS Agreement, dated _____, 19_____, is entered into by the State of Alaska, Department of Community & Regional Affairs, Division of Energy (the "Division"), and the City of Wrangell, a home rule municipality (the "Borrower").

WHEREAS, the Division is authorized by AS 42.45.010 to loan funds from the Power Project Fund (the "PPF") to eligible Borrowers for transmission and distribution facilities; and

WHEREAS, upon review of the Borrower's application for a \$350,000 loan for the Project, the Division has determined that the Project and the Borrower are eligible under statutes governing the PPF; and

WHEREAS, on June 15, 1995, the Loan Committee established in AS 42.45.060 approved issuance of a \$350,000 loan for the Project; and

WHEREAS, the City of Wrangell voters in a general election held October 3, 1995 authorized the Borrower to accept a loan from the PPF and, to evidence such loan, issue its utility revenue bonds in the principal amount not to exceed \$350,000, bearing interest at a rate not to exceed 2% per annum, and maturing within a maximum of 16 years;

NOW THEREFORE, for and in consideration of the premises and the mutual covenants hereinafter contained, the parties hereto agree as follows:

WRANGELL WEST LINE EXTENSION
LOAN AGREEMENT 40901048 - 1

Section 1. Definitions, Representations and Interpretation.

All capitalized terms set forth in this Agreement have the same meaning as defined in Loan Ordinance of the Borrower except as set forth below:

1.1 Definitions. In this Agreement, the following terms shall have the respective meanings set forth in this Section:

(a) "Agreement" shall mean this Loan Agreement, including all amendments hereto.

(b) "Bond" shall mean the City of Wrangell Electric Revenue Bond, 1996.

(c) "Borrower" shall mean the City of Wrangell, Alaska.

(d) "Condemnation Award" shall mean any award or payment which may be made with respect to the Project as a result of the taking of all or a portion of the Project by the exercise of the right of eminent domain by any governmental body or by any person, firm, or corporation acting under governmental authority other than the City of Wrangell.

(e) "Date of Commercial Operation" shall mean the date on which engineers retained for this purpose by the Borrower have determined that the Project is fully available to be operated on a commercial basis, or the date as reasonably determined by the Division on which the Borrower begins to operate the Project on a commercial basis following a reasonable testing period.

(f) "Date of Determination of Non-Completion" shall mean the date on which the Division determines after consultation with Borrower that significant effort to construct the Project has been abandoned or indefinitely suspended, or that the Project can not or will not be completed by the Borrower in the foreseeable future.

(g) "Division" shall mean the Department of Community and Regional Affairs, Division of Energy, its agents, employees, and assigns.

(h) "Legal Rate of Interest" shall mean the maximum rate of interest set out under AS 45.45.010(a).

(i) "Loan" shall mean the Loan from the Division to the Borrower described in Section 3.1 hereof.

(j) "Loan Ordinance" shall mean the Borrower's Ordinance attached hereto as Appendix A which authorizes the issuance of the Bond.

(k) "Project" shall mean the electrical power distribution facilities described in Appendix B attached to this Loan Agreement and incorporated herein by this reference.

1.2 Borrower Representations. The Borrower represents and warrants that:

(a) it is a home rule municipality duly organized and existing under the constitution and laws of the State of Alaska;

(b) on August 22, 1995 its governing body adopted Resolution No. 08-95-603, approved by the City of Wrangell voters at a general election held October 3, 1995 and attached as Appendix C to this Agreement, duly approving execution of this Agreement in an amount not to exceed \$350,000 from the Power Project Fund administered by the Division and, to evidence the Loan, issuance of utility revenue bonds as set out in the resolution.

(c) it has full legal right, power and authority to enter into this Agreement and to carry out the obligations and consummate the transactions contemplated by this Agreement;

(d) to the best of Borrower's knowledge the execution and delivery of this Agreement and compliance with the provisions hereof does not: (i) violate any applicable law or administrative regulation of the State of Alaska or of the United States, or any applicable judgment or decree to which the Borrower is subject or; (ii) conflict with or constitute a breach of or default under any Loan Agreement, note, Ordinance, resolution, indenture, Agreement, contract or other instrument to which the Borrower is a party or is otherwise subject.

(e) it is not in default with respect to any debt or under any Loan Agreement or note;

(f) the proceeds of the Bond shall be used only as authorized herein;

(g) that it will use its best efforts to secure all additional financing necessary to ensure completion of the project.

(h) any and all acts required to be performed or conditions required to be met as a condition precedent to this Agreement have been performed or met.

1.3 Interpretation. In this Agreement, unless the context otherwise requires:

(a) The terms "hereby", "hereof," "hereto," "hereunder," "herein" and any similar terms used herein refer to this Agreement, and the term "hereafter" shall mean after, and the term "heretofore" shall mean before, the date of this Agreement.

(b) Words of the masculine gender shall mean and include correlative words of the feminine and neuter genders and words importing the singular number shall mean and include the plural number and vice versa.

(c) Words importing persons shall include firms, associations, partnerships (including limited partnerships),

trusts, corporations and other legal entities, including public bodies, as well as natural persons.

(d) Any headings preceding the text of the articles and sections of this Agreement, and any table of contents or marginal notes appended to copies hereof, shall be solely for convenience of reference and shall not constitute a part of this Agreement, nor shall they affect its meaning, construction or effect.

(e) Articles and sections mentioned by number only are the respective articles and sections of this Agreement so numbered.

Section 2. Construction of the Project.

2.1 Ownership of Project; Risk of Loss. The Project shall be owned by the Borrower and the Division shall have no title thereto or control thereof.

2.2 Alterations, Additions and Replacement. The Borrower may, at its own option and at its own cost and expense, at any time and from time to time, make such alterations, changes, replacements, improvements and additions to the Project or any portion thereof, as it may deem to be desirable for its uses and purposes, provided that the Borrower obtains written approval in advance from the Division for any material alteration of the Project proposed before a Date of Commercial Operation has been established. For purposes of this section, "material alteration" means a change in the Project which significantly deviates from the Project description in Appendix B.

2.3 Notices and Permits. The Borrower shall give or cause to be given all notices and comply or cause compliance with all laws, Ordinances, rules and regulations and requirements of public authorities applying to or affecting the construction and operation of the Project. Except for requirements solely of the Division, the Borrower will defend and save the Division, its officers, agents and employees, past, present, and future, harmless from all

consequences of failure to comply therewith. All permits and licenses necessary for the prosecution of the construction of the Project shall be procured by the Borrower.

Section 3. Financing the Project.

3.1 Purchase of the Bond.

(a) To satisfy part of the anticipated financing requirements for construction of the Project, the Division agrees to lend and the Borrower agrees to borrow, on the terms and conditions provided herein, a sum not exceeding \$350,000 (Three hundred fifty thousand dollars) subject to the availability of funds and the provisions of this Agreement. To evidence the Loan, the Division agrees to purchase the Bond on the terms and conditions set forth herein and in the Loan Ordinance.

3.2 Issuance of the Bond. The Bond shall be issued by the Borrower upon receipt of the Loan proceeds in accordance with Section 3.3 of this Agreement. Interest on the Bond shall commence on the Date of Determination of Non-Completion or when the Division establishes a Date of Commercial Operation, whichever is applicable, as set out in Section 4 hereof.

3.3 Disbursement of Proceeds.

(a) Upon its execution of this Agreement, the Borrower shall submit to the Division a budget for Project development broken down by major task and including expenditure of the Loan amount. The Division will approve or disapprove the budget in writing within five (5) working days. The Division's approval shall not be unreasonably withheld.

(b) In exchange for the Bond, the Division shall issue a check to the Borrower for \$350,000 within 10 working days of the effective date of the Loan Ordinance provided that the Division has approved the Project development budget as set

out in Section 3.3(a). Upon receipt of the \$350,000, the Borrower will deposit that amount in its central checking account. The Loan funds will be required to be kept in a separate fund and interest earned on the outstanding balance will be determined by the outstanding ending monthly balance of the fund times the average interest earned on all of the Borrower's accounts. The deposit must be in an account with a federally insured financial institution and the Borrower will provide the name of the institution, account number, and documentation showing that the account is a collateralized account, to the Division. The Borrower will refund accrued interest at 90 day intervals beginning the 90th day after deposit of the funds.

(c) On the first of each month, beginning with the month following execution of this Agreement, the Borrower shall submit documentation acceptable to the Division, of expenditures for Project costs broken down by major task categories corresponding to those set forth in the approved budget.

(d) The Borrower agrees that it will not expend Loan proceeds for any costs listed in Appendix D attached to this Agreement and incorporated herein by this reference, and that it will expend Loan proceeds only for project costs in accordance with the approved budget.

3.4 Audit; Additional Information. The Division, upon reasonable notice, may audit and review the Borrower's expenditures of Loan proceeds, together with all other financial records of the Borrower. Upon request, and within a reasonable time, the Borrower shall submit such other information and reports relating to its activities under this Agreement to the Division in such form and at such times as the Division may reasonably require.

Section 4. Repayment.

4.1 Repayment of Loan/Payments on Bond. The Borrower shall repay the Loan in the amounts and at the times set forth on Schedule One or Schedule Two to the Bond, as applicable. The Division shall inform the Borrower whether Schedule One or Schedule Two to the Bond apply in accordance with the terms of this Agreement. Each payment shall have a principal component and an interest component. Payments shall be due annually.

(a) In the event the Division establishes a Date Determination of Non-Completion, then any Loan monies which the Borrower has not spent shall be returned to the Division. The principal amount of this Loan and the Bond shall be reduced if necessary to reflect a principal balance equal to the amount of Loan proceeds spent by the Borrower. The repayment schedule set forth in Schedule One to the Bond shall be revised to cause a sum equal to the amount spent by the Borrower under this Agreement to be repaid over a period of five (5) years, including interest at two percent (2%) per annum from the Date of the Determination of Non-Completion through that date which is five years thereafter.

(b) In the event the Division establishes a Date of Commercial Operation, then any Loan monies which the Borrower has not spent shall be returned to the Division. The principal amount of this Loan and the Bond shall be reduced if necessary to reflect a principal balance equal to the amount of Loan proceeds actually spent by Borrower. The repayment schedule set forth in Schedule Two to the Bond shall be revised, if necessary, to cause a sum equal to the amount spent by the Borrower under this Agreement to be repaid over a period of fifteen (15) years, including interest at two percent (2%) per annum from the Date of Commercial Operation through that date which is fifteen years thereafter.

4.2 Optional Redemption by Borrower. The Bond shall be subject to redemption at the option of the Borrower, at any time in whole or in part. The Finance Director, Mayor and the City Manager of the Borrower are hereby authorized to cause such redemption to occur if

they deem the terms of such redemption to be advantageous to the Borrower. Funds for such redemption may come from any source. No premium or penalty shall be charged in the event of a prior redemption. The Bond shall be redeemed at par plus accrued, unpaid interest.

4.3 No Defense or Set-Off. The obligations of the Borrower to make payments on the Bond shall be absolute and unconditional without defense or set-off by reason of any default by the Division under this Agreement or under any other Agreement between the Borrower and the Division or for any other reason, including without limitation, failure to complete the Project, any acts or circumstances that may constitute failure of consideration, destruction of or damage to the Project, commercial frustration of purpose, or failure of the Division to perform and observe any Agreement, whether express or implied, or any duty, liability or obligation arising out of or connected with this Agreement, it being the intention of the parties that the payments required hereunder will be paid in full when due without delay or diminution whatever.

4.4 Assignment of Division's Rights. The Division may assign the Bond and all the Division's rights under this Agreement and the Loan Ordinance. The Borrower consents to such assignment and agrees to make payments on the Loan directly to the Division's assignee without any defense or set-off.

Section 5. Covenants of the Borrower.

5.1 Incorporation of Loan Ordinance Covenants. The Borrower hereby covenants with the Division that it will comply with the provisions of this Agreement and with the covenants of the Loan Ordinance which are hereby incorporated into this Agreement.

5.2 Maintenance and Operation of Project. The Borrower, at its expense, will maintain and operate the Project as long as any indebtedness is owed by the Borrower under this Agreement. The Borrower covenants that during the term of this Agreement, it will

pay all costs and expenses of maintaining and operating the Project and will keep the same in good condition and repair. The Borrower further covenants that it will not commit or suffer any waste of the Project. The Borrower may make changes in or modifications of the Project necessary or desirable to maintain or improve operating performance, subject to limitations set forth in Subsection 2.2 hereof.

5.3 Indemnity Against Claims. To the extent permitted by law, the Borrower shall indemnify the Division and its officers, agents, and employees, past, present, and future, against claims arising out of this Agreement, the construction, acquisition, maintenance, or operation of the Project, other than claims arising from willful misconduct or negligence of the Division. If any such claim is asserted, the Division will give prompt notice to the Borrower and the Borrower will assume the defense thereof.

5.4 Insurance. The Borrower shall keep and maintain the Project at all times insured against such risks and in such minimum amounts, with such deductible provisions, as are customary in connection with the construction and operation of facilities of a type, size, and location comparable to the Project. The determination of what is customary within the meaning of the preceding sentence shall be made by the Division. The Division assumes no liability for the adequacy of insurance maintained for the Project by making such determination.

All risk policies of insurance required under this Section, if any, shall be written in the name of the Borrower and an endorsement will be issued in favor of the Division as a named insured as its interest may appear. These policies shall provide that the proceeds of such insurance shall be payable to the Division by means of a standard mortgage clause. The policies of liability insurance required under this Section shall be endorsed to show the Division as an additional insured.

5.5 Financial Statements. Within six (6) months after the end of its fiscal year, or as soon thereafter as such statements are

available, the Borrower will furnish to the Division a copy of its annual financial statements, audited by a certified public accountant.

5.6 Extension of Electric System.

The Borrower will not expend any money for any extension or betterment of the Electric System which is not in its best judgment economically sound and which will not contribute to the operation of the Electric System in an efficient and economical manner.

5.7 Project Accounting. The Borrower will maintain Project books and accounts in accordance with generally accepted accounting principles and practices applied on a consistent basis.

5.8 Information Provided to the Division. The Borrower will provide the Division with information related to the Project within a reasonable time after such information becomes available, and will cooperate with designated Division staff, as follows:

(a) The Borrower shall submit to the Division an overview of Project design including drawings and specifications when available.

(b) The Borrower will provide the Division a copy of all Project-related professional service Agreements, including budgets and plans, and all subsequent amendments thereto.

(c) The Borrower will provide the Division a copy of all Project-related construction contracts, including budgets and plans, and all subsequent amendments thereto.

(d) The Borrower will provide the Division with quarterly written progress reports describing for each task the work that has been accomplished, the work that remains to be accomplished, and any significant information on the status of Project development. Progress reports shall be due not later than January 15, April 15, July 15, and October 15 each year, with a final report due ninety

(90) days after the Date of Commercial Operation or the Date of Determination of Non-Completion.

(e) The Borrower will provide the Division with a copy of all significant Project-related correspondence, notify the Division of all significant Project-related meetings, and allow the Division's designated staff representative to attend such meetings; provided, however, that the Division shall pay its expenses associated with its attendance at such meetings. The purpose of this provision is to keep the Division informed of major Project issues and developments. This requirement is not intended to include copies of correspondence or notification of meetings that are not important in serving this objective.

Section 6.0 Damage or Condemnation of Project.

Damage to, or destruction of or condemnation of all or a portion of the Project shall not terminate this Agreement or cause any abatement of or reduction in the payments to be made by the Borrower or otherwise affect the respective obligations of the Division or the Borrower, except as set forth in this Agreement.

Section 7.0 Security.

The Borrower agrees to secure the Bond with a pledge of revenues and other money and securities as set out in Section 15 of the Loan Ordinance.

Section 8. Default.

(a) If the Borrower knows of or has reason to know that it is in violation of this Agreement or the covenants of the Loan Ordinance, the Borrower shall furnish to the Division written notice of such occurrence, together with a statement duly executed by any officer of the Borrower describing the action, if any, which the Borrower proposes to take with respect thereto.

(b) In case of default in the payment of any amount due under this Agreement, the Bond, or the Loan Ordinance, then upon demand of the Division, the Borrower will pay an amount equal to the reasonable costs and expenses of collection, and any expenses or liabilities incurred by the Division as a result of such default in payment; provided, however, that the obligation of the Borrower hereunder can only be satisfied from revenues and other money and assets pledged as security for the Borrower's obligations as provided in the Loan Ordinance.

(c) If the Division shall have proceeded to enforce any right under this Agreement, the Bond, or the Loan Ordinance and such proceedings shall have been determined adversely to the Division, the Borrower and the Division shall be restored to their respective positions and rights hereunder, and all rights, remedies and powers of the Borrower and the Division shall continue as though no such proceeding had been taken, unless such adverse determination provides otherwise in which case the terms of the adverse determination shall govern.

(d) In the case of an Event of Default, all sums due and owing shall bear interest at the Legal Rate of Interest from the date of default, as determined by the Division, until paid in full.

Section 9. Cumulative Rights.

No remedy of the Division under this Agreement is exclusive of any other remedy or remedies, but each and every such remedy shall be cumulative and shall be in addition to every other remedy given under this Agreement, the Bond, or the Loan Ordinance, or now or hereafter existing at law or in equity or by statute. No waiver by the Division or the Borrower of any breach of any of their obligations, Agreements or covenants under this Agreement, the Bond, or the Loan Ordinance shall be a waiver of any subsequent breach, and no delay or omission to exercise any right or power shall impair any such right or power or shall be construed to be a waiver thereof, but any such right and power may be exercised from time to time and as often as may be deemed expedient.

Section 10. Opinion of Counsel of Borrower.

Concurrent with the execution of this Agreement, the Borrower will provide an opinion of counsel, acceptable to the Division and its legal counsel, that:

(a) The Loan is properly authorized by the Borrower.

(b) The Borrower's APUC certificate of public convenience and necessity authorizing the Borrower to furnish electric service in the area to be served by the Project is still in full force and effect;

(c) No litigation or administrative proceedings or other proceeding is pending or threatened to enjoin the execution of this Agreement, or the Bond.

(d) The person or persons executing this Agreement, and the Bond are fully authorized to do so; and

(e) Confirms the representations of the Borrower under Section 1.2 hereof.

Section 11. Limitation of Liability of the Parties.

11.1 No obligation of the Division hereunder shall be deemed to constitute a pledge of the full faith and credit or taxing power of the State of Alaska or of any political subdivision thereof.

11.2 No obligation of the Borrower hereunder shall be deemed to constitute a pledge of the full faith and credit or taxing power of the Borrower.

Section 12. Miscellaneous.

12.1 Severability. Any provision of this Agreement deemed invalid by a court of competent jurisdiction shall not invalidate the remaining provisions of the Agreement.

12.2 Integration. This instrument and all appendices and amendments hereto, and the Bond embody the entire Agreement of the parties. There are no promises, terms, conditions or obligations other than those contained in the documents described above; and such documents shall supersede all previous communications, representations or Agreements, either oral or written, between the parties hereto.

12.3 Amendment. This Agreement shall be amended, modified or changed only in writing, executed by authorized representatives of the parties with the same formality as this Agreement was executed, and any such written amendment shall be attached to this contract as an appendix.

12.4 Notices. Notice hereunder shall be given in writing, either by certified mail, deemed effective upon receipt, or by telegram or telephone call, deemed effective when made provided written confirmation follows within twenty-four (24) hours, addressed as follows:

If to the Division: Dept. of Community and Regional Affairs
Division of Energy
333 West 4th Avenue, Suite 220
Anchorage, AK 99501-2341
Attention: Director

If to the Borrower: City of Wrangell
P.O. Box 531
Wrangell, AK 99929
Attention: City Manager

Each party shall notify the other in writing of any change of address.

12.5 Applicable Law. This Agreement is to be construed according to the laws of the State of Alaska. Any civil action arising from this Agreement shall be brought in the Superior Court for the Third Judicial District of the State of Alaska at Anchorage.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized representatives as of the day and year first hereinabove set forth.

CITY OF WRANGELL

By: *Scott W. Seabury*

Name: Scott W. Seabury

Title: City MANAGER

STATE OF ALASKA)
) ss.
FIRST JUDICIAL DISTRICT)

On this 31st day of MAY, 1996, before me, a Notary Public in and for the State of Alaska, personally appeared Scott W. Seabury, to me known to be the City MANAGER of the City of Wrangell, the municipality that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said municipality for the uses and purposes therein mentioned and on oath stated that s/he was authorized to execute said instrument.

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

Ernest A. Vincent
Notary Public in and for Alaska
My commission expires: 10-24-98

STATE OF ALASKA
Department of Community
and Regional Affairs

Division of Energy

By: _____

Name: _____

Title: _____

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

On this ____ day of _____, 1996, before me, a Notary Public in and for the State of Alaska, personally appeared _____, to me known to be the _____ of the State of Alaska, Department of Community and Regional Affairs, Division of Energy, the public entity that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said public entity for the uses and purposes therein mentioned and on oath stated that s/he was authorized to execute said instrument.

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

Notary Public in and for Alaska
My commission expires: _____

APPENDIX A (COPY OF LOAN ORDINANCE)

APPENDIX B

PROJECT DESCRIPTION

The Project consists of an electrical distribution line extension along the Zimovia Highway beginning approximately at mile 9 and ending at approximately mile 13. The Project will provide access to utility power for existing residences and vacant subdivided property situated along the route, and for an existing sawmill and industrial area at the end of the route.

APPENDIX C (COPY OF RESOLUTION NO. 08-95-603)

CITY OF WRANGELL, ALASKA

RESOLUTION NO. 08-95-603

A RESOLUTION OF THE CITY OF WRANGELL, ALASKA PROVIDING FOR THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY AT THE REGULAR ELECTION TO BE HELD THEREIN ON OCTOBER 3, 1995, OF THE PROPOSITION OF WHETHER OR NOT THE CITY SHOULD BORROW NOT TO EXCEED \$350,000 FROM THE STATE OF ALASKA POWER PROJECT FUND AND, TO EVIDENCE SUCH LOAN, ISSUE ITS UTILITY REVENUE BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$350,000 FOR THE PURPOSE OF PROVIDING FUNDS TO MAKE IMPROVEMENTS TO THE ELECTRIC UTILITY FACILITIES OF THE CITY

WHEREAS, it is deemed necessary for the public welfare and benefit that the City of Wrangell, Alaska (the "City") design, acquire, construct, equip and install certain improvements to the electric utility facilities at the City; and

WHEREAS, the cost of such improvements is estimated as not greater than (\$400,000); and

WHEREAS, in order to provide the funds required for such improvements the City has received an offer from the State of Alaska, Department of Community and Regional Affairs, of a loan of \$400,000 from the Power Project Fund; and

WHEREAS, it is in the best interest of the City and ratepayers of the electric utility for the City to accept the offer of such loan and, to evidence such loan, to issue to the Power Project Fund the City's utility revenue bonds in the principal amount of not to exceed \$350,000; and

WHEREAS, the Charter of the City requires that the question of whether or not the City may borrow such money and issue such bonds for such purposes must be submitted to the qualified voters of the City for their ratification or rejection;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, as follows:

Sec. 1. It is hereby found and declared that the public welfare and benefit require that the City design, acquire, construct, equip and install the following improvements to the electric supply and distribution facilities of the City:

A. Extension of approximately 3.6 miles of new distribution lines along the Zimovia Highway (from 9 mile to 13 mile).

The cost of all necessary design, engineering and other consulting services, inspection and testing, and other costs

incurred in connection with the making of the foregoing improvements shall be deemed a part of the costs of such improvements. The City shall determine the application of available funds with respect to the Project so as to accomplish, as nearly as may be, all improvements described or provided for in this section.

It is estimated that the costs of such improvements will not exceed (\$400,000.00).

Sec. 2. For the purpose of providing funds necessary to pay the costs of the improvements specified in Section 1 of this resolution, the City shall accept the offer of a loan of not to exceed \$350,000 from the Power Project Fund administered by the Department of Community and Regional Affairs of the State of Alaska and, to evidence such loan, shall issue to the Power Project Fund electric utility revenue bonds of the City in the principal amount of not to exceed \$350,000. Such bonds shall be issued in an amount not exceeding the amount approved by the qualified electors of the City as required by the Charter of the City.

Sec. 3. The bonds provided for in Section 2 hereof shall be issued to the Power Project Fund in such amounts and at such time or times as deemed necessary and advisable by the City Council and as permitted by law in accordance with the terms of the loan. Such bonds shall bear interest at a rate not to exceed 2% and shall mature in such amounts and at such times, in ten or more years (within a maximum term of 15 years from date of issue), as authorized by the City Council and as permitted by law and in accordance with the terms of the loan. Both principal of and interest on all of such bonds shall be payable out of revenues derived from the electric utility of the City.

In the event the proceeds of the sale of said bonds, plus any other money available therefor, are insufficient to make all of the capital improvements hereinbefore provided for, the City shall use the available funds for paying the cost of those improvements for which bonds were approved deemed most necessary and in the best interests of the City by the Council and in accordance with the terms of the loan.

Sec. 4. The proposition of whether or not the City shall enter into such loan and issue said bonds for the purposes described in Section 1 hereof shall be submitted to the qualified voters of the City for their ratification or rejection at the regular election to be held within the City on the 3rd day of October, 1995. Said proposition shall be in substantially the following form.

PROPOSITION NO. _____

ELECTRIC UTILITY IMPROVEMENT
LOAN - \$350,000

For the purpose of acquiring and constructing an electrical line extension along the Zimovia Highway, from Mile 9 to Mile 13, shall the City of Wrangell, Alaska, accept a loan from the State of Alaska Power Project Fund and, to evidence such loan, issue its utility revenue bonds in the principal amount of not to exceed \$350,000, bearing interest at a rate not to exceed 2% per annum, maturing within a maximum of 16 years, all as more fully provided in Resolution 08-95-603 of the City?

BONDS, YES _____/___/

BONDS, NO _____/___/

Sec. 5. Notice of such election shall be published and posted in the manner required by law. The proper City officials are hereby authorized and directed to do everything necessary to ensure that such election will be conducted as provided by law.

Sec. 6. Severability. In the event any one or more of the provisions of this resolution shall for any reason be held to be invalid, such invalidity shall not affect or invalidate any other provision of this resolution or the bonds, but this resolution and the bonds shall be construed and enforced as if such invalid provision had not been contained herein; provided, that any provision which shall for any reason be held by reason of its extent to be invalid shall be deemed to be in effect to the extent permitted by law.

ADOPTED: _____ August 22 _____, 1995

Fern Neimeyer
Fern Neimeyer, Mayor

ATTEST: *Christie L. Jamieson*
Christie L. Jamieson, Deputy City Clerk

Certified a true and correct copy of the original filed in my office.
Lawrence A. Vincent
City Clerk
City of Wrangell

APPENDIX D

UNALLOWABLE COSTS

The following costs are unallowable under this Loan Agreement.

1. Bad debts of the Borrower, including the Borrower's expenses of collection.

2. Bonuses, commissions and similar compensation under any other name, which provides compensation to an employee in excess of reasonable compensation for the services rendered, or are in connection with obtaining or negotiating for a State of Alaska Loan or grant, or a modification thereto.

3. Contingency reserves and provisions.

4. Entertainment expenses. All entertainment expenses are disallowed without regard to the purpose. State employees are not to be entertained by the Borrower for any business or social purpose.

5. Fines and penalties, including assessed interest, resulting from violation of, or failure of, the Borrower to comply with Federal, State, or local laws or regulations.

6. Insurance premiums (including any provision of a self-insurance reserve) on the life of any person.

7. Legal, accounting, and consulting services and related costs incurred in connection with prosecution of claims of the Borrower against the Division or the State of Alaska or contesting actions or proposed actions of the Division or State of Alaska against the Borrower.

8. Lobbying expenses of the Borrower and agents of the Borrower.

9. Maintenance, depreciation, and other costs incidental to the Borrower's idle or excess facilities (including machinery and equipment) other than reasonable standby facilities.

10. Membership in trade, business, and professional organizations.

11. Operating Costs of the Borrower not related to design and construction of the Project.

12. Patronage capital credits or other capital distributions of the Borrower.

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 625

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, DELETING WMC CHAPTER 14 PORT OF WRANGELL IN ITS ENTIRETY, AND REPLACING WITH CHAPTER 14 WRANGELL HARBOR AND PORT FACILITIES, AND SETTING A DATE 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 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. Public hearing. A public hearing is scheduled for May 28, 1996.

Sec. 5. Wrangell Municipal Code, Chapter 14 Port of Wrangell, is hereby deleted in its entirety and replaced with the attached Title 14 Wrangell Harbor and Port Facilities.

Title 14

HARBOR AND PORT FACILITIES

Chapters:

<u>14.01</u>	<u>General Provisions</u>
<u>14.03</u>	<u>Administration</u>
<u>14.05</u>	<u>Moorage</u>
<u>14.07</u>	<u>Port Operations and Other Services</u>
<u>14.11</u>	<u>Fees and Penalties</u>
<u>14.13</u>	<u>Impoundment of Vessels</u>
<u>14.15</u>	<u>Impoundment of Cargo and/or Stored Property</u>

Chapter 14.01

GENERAL PROVISIONS

Sections:

14.01.005	Purpose
14.01.010	Policy
14.01.015	Interpretation
14.01.020	Implied Agreement from Use of Facilities
14.01.025	Tariff for Use by Common Carriers
14.01.030	Definitions

14.01.005 Purpose. The purposes of this title are:

A. To maximize the safe and efficient use of harbor and port facilities.

B. To provide for the orderly management, development, and control of harbor and port facilities.

C. To protect and preserve the lives, health, safety, and well-being of persons who use, work or maintain property in the harbor and port facilities.

D. To protect public and private property.

E. To prevent and abate nuisances and fire or health hazards.

F. To prevent and discourage the use of harbor or port facilities by vessels that have been abandoned or are derelict.

G. To assess reasonable fees for the use of harbor and port facilities.

H. To promote the widest possible public use of the Port of Wrangell.

14.01.010 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 derelict or nuisances.

14.01.015 Interpretation. This title shall be construed, to

the greatest extent reasonable, in such a manner as to be consistent with applicable federal and state law and regulation and any conveyances or agreements from or with the state pertaining to the harbor and port facilities.

14.01.020 Implied Agreement from Use of Facilities. The use of the harbor and port facilities or the presence of a vessel therein shall constitute an agreement by the owner, operator, master and managing agent to conform to the provisions of this title and any rule, regulation or order made pursuant thereto and to pay all fees and charges provided by this title. The City of Wrangell does not assume responsibility or liability for loss or damage to property, or injury to persons within or upon its harbor or port facilities. All persons visiting or using the harbor or port facilities do so at their own risk.

14.01.025 Tariff for Use by Common Carriers. This ordinance does not govern use of harbor or port facilities by a common carrier by water within the meaning of 46 U.S.C. Sec. 801 and Sec. 1702 unless it is filed with the Federal Maritime Commission. If this ordinance is not so filed, a separate tariff approved by the council ordinance and filed with Commissioner shall govern such uses.

14.01.030 Definitions. Whenever the words, terms, phrases and their derivations set forth in this section are used in this title, they shall have the meaning set forth in this section.

A. "Anchor" means 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. "Heritage Harbor Moorage Area" (Definition awaiting review.)

C. "Charter Vessel" means any vessel that is for hire.

D. "Daily Rental Period" means that period of time occurring between 8:00 a.m. on the first calendar day and 8:00 a.m. on the next calendar day.

E. "Derelict" means any vessel which is or appears to be forsaken, abandoned, deserted or cast away, or which in the opinion of the harbormaster is unsound, unseaworthy, and unfit for its trade or occupation.

F. "Distress" means a state of disability or a present or obvious imminent danger which, if unduly prolonged, could endanger life or property.

G. "Emergency" means a state of imminent or proximate danger to life or property in which time is of the essence.

H. "Float" means any floating structure that is 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.

I. "Gridiron" means all facilities maintained, leased, or owned by the City of Wrangell for use while repairing, maintaining, bottom scraping, or painting vessels, or by allowing said vessels to go dry on low tides.

J. "Harbormaster" means the individual described in section

14.03.005 and any assistant harbor master or other person designated by the harbor master to act in his place.

K. "Moor" means to secure a vessel other than by anchoring.

L. "Moorage" means the process of mooring or the state of being moored and, when context requires, the fees for being moored imposed by this title.

M. "Nuisance," when applied to a vessel, means a vessel that is derelict, unfit or unseaworthy, is not kept and regularly pumped free of excess water inside its hull, is submerged, creates a fire, health, pollution, safety or navigation hazard, or, in the opinion of the harbor master, constitutes a fire, health, pollution, safety, or navigation hazard. A vessel shall be presumed to constitute a nuisance if:

1. The vessel is sunk or in immediate danger of sinking, or is obstructing a waterway, or is endangering life or property and has been left unattended for a continuous period of twenty-four (24) hours; or

2. The vessel has been moored or otherwise left in the harbor 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 record of the United States Coast Guard, the State of Alaska or the City of Wrangell; or

b. The last registered owner of record disclaims ownership and the current owner's name or address cannot be determined; or

c. The vessel identification number or other means of identification has been obliterated or removed in a manner that nullifies or precludes efforts to locate or identify the owners; or

d. Vessel registration records of the United States Coast Guard, State of Alaska or City of Wrangell contain no record of the vessel ever having been registered or documented, and the owner's name cannot be determined; or

3. The vessel does not clear the harbor at least three times per year; or

4. The vessel constitutes a pollution hazard or risk of a pollution hazard.

N. "Person" means any natural person, partnership, corporation, association or governmental agency. A natural person and a corporation may be considered the same if the former has control over the latter.

O. "Qualifying interest" in a vessel means the interest of a person who owns, leases, or bare-boat or demise charters the vessel. The person who transfers title to a vessel or enters into a charter or lease of the vessel ceases to have a qualifying interest in the vessel.

P. "Seaplane float" means a separate float set apart for the exclusive use of seaplanes and float planes.

Q. "Shoemaker Bay Harbor: means that particular body of water and uplands located at Shoemaker Bay, Wrangell, Alaska, being more particularly described as follows:

Beginning at the most Northeasterly 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 degrees 10'E a distance of 1163.99 feet; thence continuing along a curve to the right a distance of 442.77 feet with the chord bearing S 47 degrees 56'15"E a distance of 442.66 feet; thence S 53 degrees 16'30"W a distance of 205.29 feet; thence N 84 degrees 45'W a distance of 135.00 feet; thence S 50 degrees 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 degrees 15'W a distance of 820.00 feet; thence N 47 degrees 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 degrees 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 degrees 32'W a distance of 92.21 feet; thence N 30 degrees 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.

R. "Summer Float means the seasonal wooden floats placed on the inside face of the Wrangell city dock.

S. "Transfer of Cargo" means all types of loading, unloading, movement, and containerization of any kind of cargo.

T. "Ton" means and is equal to two thousand (2,000) pounds.

U. "Two Mile Moorage Area (Definition awaiting review)

V. "Vessel" means any ship, boat, skiff, barge, or craft of every kind and description, pleasure and commercial, other than seaplanes, capable of being used as a means of marine transportation on or through the water.

W. "Wharf" means and embraces every structure to which a vessel may make fast, or on to which merchandise may be discharged or from which merchandise may be loaded.

X. "Wrangell Dock and Barge Ramp Facility" means the upland and improvements within the submerged lands, to include the Wrangell Dock, Barge Ramp and Appurtenances 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. 1119 and Alaska Tidelands Survey No. 83, as per the recorded plat No. 80-1, filed in the city on April 21, 1980, being more particularly 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 degrees 23'00"E a distance of 128.10 feet; thence S 62 degrees 29'46"E a distance of 202.46 feet; thence S 40 degrees 24'36"E a distance of 133.85 feet; thence S 48 degrees 50'00"W a distance of 624.89 feet; thence N 37 degrees 49'45"W a distance of 496.79 feet; thence N 29 degrees 30'00"W a distance of 113.91 feet; thence N 48 degrees 50'00"E a distance of 343.34 feet; thence N 81 degrees 03'00"E a distance of 152.47 feet to a point on the Southwesterly right-of-way of Front Street; thence continuing along the right-of-way of Front Street, S 08 degrees 57'E a distance of 29.00 feet; thence N 80 degrees 11'22"E a distance of 131.98 feet to

the point and place of beginning of the Wrangell Dock and Barge Ramp facility.

Y. "Wrangell Inner Harbor" means 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 particularly 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 degrees 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 degrees 24' 30" E a distance of 305.36 feet, more or less, to the navigational light, thence N 65 degrees 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 degrees 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.

Z. "Wrangell Outer Harbor" means 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 Wrangell City Clerk's office, being more particularly described as follows:

Beginning at the intersection of fort Street and Stikine Avenue, thence S 71 degrees 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 degrees 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 degrees 30' E a distance of 652.00 feet, more or less, to Corner 5; thence S 36 degrees 49' 45" E a distance of 938.38 feet, to Corner 6; thence S 17 degrees 18' W a distance of 525.00 feet; thence S 72 degrees 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 Degrees 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 degrees 00' W a distance of 548.00 feet; thence N 60 degrees 00' E a distance of 790.00 feet; thence S 61 degrees 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.

AA. "Work Float" means a separate float set apart for the exclusive use of vessels while working on the vessel or gear.

Chapter 14.03

ADMINISTRATION

Sections:

- 14.03.005 Harbormaster and employees
- 14.03.010 Harbormaster powers and duties
- 14.03.015 Disclaimer of Liability
- 14.03.020 Wrangell Port Commission
- 14.03.025 Commission Authority
- 14.03.030 Absence from meetings
- 14.03.035 Election of chairperson
- 14.03.040 Quorum/Voting
- 14.03.045 Regular meetings
- 14.03.050 Special meetings
- 14.03.055 Executive session
- 14.03.060 Authority

14.03.005 Harbormaster and employees. A. The City Manager, with advice and consent of the Wrangell Port Commission, shall appoint, and may discharge, a Harbormaster who shall administer the harbor with the powers provided by this title. As a peace officer of the city, the Harbormaster is empowered to enforce the provisions of this title. The Harbormaster may issue regulations not inconsistent with this title for the operation and use of the harbor.

B. The City Manager shall appoint, and may discharge, such technical and administrative employees as shall be necessary to carry on the functions of Wrangell Harbor and Port facilities.

C. 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.

14.03.010 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 in his opinion, constitutes a fire hazard, a nuisance, or a threat to the safety or welfare of other vessels or persons who use harbor and port facilities. When harbor and/or port facilities are overcrowded, the Harbormaster may refuse moorage to any vessel.

14.03.015. Disclaimer of Liability. The authority granted to the Harbormaster shall not create an obligation or duty requiring the Harbormaster to take any action to protect or preserve any vessel or property located within or utilizing or attempting to use Wrangell harbor and port facilities. The City of Wrangell shall

not be liable for any loss or damage to real or personal property in the port or harbor resulting from fire or other casualty, theft, or vandalism.

14.03.020 Wrangell Port Commission. 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 council persons, 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^m 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.

14.03.025 Absence from meetings. If any port commissioner is absent from more than one-half of all meetings, regular and special, held within any period of four consecutive months, the port commissioner shall thereupon cease to hold office.

14.03.030 Election of chairperson. The port 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.

14.03.035 Quorum/Voting. Three port commissioners shall constitute a quorum. Any number less than a quorum may adjourn to a later date. An affirmative vote of a majority of the port commission is required for a subject's passage or enactment.

14.03.040 Regular meetings. Regular meetings of the port commission shall be held on the first Thursday of each month at 7:00 p.m. at 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.

14.03.045 Special meetings. Special meetings of the commission may be called by the chairperson, any two port commissioners, or the Harbormaster. Notice of special meetings shall be given in the same manner as special council meetings.

14.03.050 Executive session. The port 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 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.

14.03.060 Authority. The Port Commission shall advise the Harbormaster and City Council on all matters regarding supervision and control of Wrangell harbor and port facilities. The Port Commission shall recommend regulations, rates and charges for use of all harbor and port facilities to the City Council. The City Council may adopt the Port Commission's proposed regulations, rates and charges by ordinance.

Chapter 14.05

MOORAGE

Sections:

- 14.05.005 Registration Required
- 14.05.010 Transient Moorage
- 14.05.015 Reserved Moorage
- 14.05.020 Customer Service Moorage
- 14.05.025 General Moorage Conditions and Restrictions
- 14.05.030 Refusal of Moorage
- 14.05.035 Required Equipment
- 14.05.040 Utilities
- 14.05.045 Electrical Service to Vessels
- 14.05.050 Authority of Harbormaster to Board and Move Vessels
- 14.05.055 Forfeiture of Space

14.05.005 Registration Required. Every owner, master or managing agent of a vessel using the harbor is required to register with the Harbormaster within two (2) hours after such vessel first enters the harbor. Registration information required will include the person's name, address and phone number, the vessel owners name, address and phone 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. Said owner, master or managing agent shall promptly notify the Harbormaster of any changes in registration information.

14.05.010 Transient Moorage. A. Availability. Transient moorage space is available within the harbor at locations designated or assigned by the harbormaster which may include temporary use of reserved moorage space. A written and signed application for such space on a form provided by the Harbormaster shall be provided to the Harbormaster within the time allowed for registration. Prepayment of fees for such moorage may be required. Approval of such application by the Harbormaster confers no rights in the land or water constituting the space. The applicant shall promptly notify the Harbormaster of any changes in the information set forth on the application.

B. 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 five (5) days transient moorage in any calendar month will be charged on a monthly basis. Annual transient moorage must be requested in advance. Annual transient moorage will not be granted unless and until the person requesting annual 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 moorer requesting annual moorage after the start of the fiscal year will be charged a pro-rated annual fee.

C. Grace Period. From November 1 to April 30 vessels may moor in designated transient moorage space without any charge for any time during the first daily rental period. 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.

D. No Preferential Right. The transient moorage user receives the privilege of occupying designated or assigned transient moorage space 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.

E. Rafting. Rafting of vessels in transient moorage space shall be permitted at locations from time to time as designated by the Harbormaster. Vessels moored in such locations are subject to yet another vessel mooring alongside. Each vessel must have at least one line to the float, alternating ends.

F. 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 use available space. Dinghies, skiffs or other auxiliary vessels may not be tied along side of vessels in transient moorage space.

G. Prepayment. Users of daily transient moorage space qualify for a discount, if moorage fees due are paid prior to vessel departure. Fees shall be assessed as listed in Section 14.11.005.

14.05.015 Reserved Moorage. A. Availability. Reserved moorage space is available within the harbor at locations designated or assigned by the harbormaster. Reserved moorage space shall be assigned on a first-come, first-served basis to those who have provided to the Harbormaster a written and signed application for such space on a form provided by the Harbormaster.

B. Assignment of Reserved Moorage. Reserved moorage space shall be assigned by the Harbormaster to ensure the maximum use of space available. The Harbormaster will establish minimum and maximum vessel sizes for each space or class of spaces.

C. Wait List. If there are more applications received than there are spaces available, the Harbormaster shall establish and maintain a reserved moorage wait list as follows:

1. Application. Applications will be placed on wait

list in the order in which they are received. Application shall include the sign-up date, the name, address and telephone number of the applicant, the vessel's name, home port, official number or state registration number, color, overall length, breadth and draft or if applicant does not currently own a vessel, the proposed dimensions of the vessel to be acquired and any location preferences. To be placed on the wait list, an applicant's fines and fees must be paid to date.

2. Deposit Required. A non-refundable, non-interest bearing deposit shall be required to place an application on the list. The deposit shall be applied against the applicant's reserved moorage fees following assignment of reserved moorage space.

3. Changes. The applicant shall promptly notify the Harbormaster of any changes in the information set forth on the application. Any change in overall length, breadth, or draft of a vessel previously placed on the wait list may require reapplication if such changes require a different stall size than that which the applicant previously requested. No additional deposit will be required.

4. Transfer. Wait list priority may not be transferred except between husband and wife or to an applicant's heir or devisee upon death.

5. Retention of Wait List Priority. If an applicant chooses not to accept a reserved moorage space when offered or does not respond to a notice by the Harbormaster, the applicant does not forfeit any priority on the wait list for subsequent space. 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 and the applicant will be removed from the wait list and his deposit forfeited. To retain wait list priority, an applicant must remain current on harbor fees and fines.

6. Notice of Space Availability. 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.

D. Two Space Limit. As long as there are applicants on the wait list awaiting assignment of reserved moorage space, no person who 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 the applicant.

E. Preference. Approval of an application for reserved moorage space and assignment of space by the harbormaster confers only the privilege of occupying the assigned moorage space on a preferential basis and does not convey any rights in the land or water constituting the space.

F. Temporary Use by Other Vessels. The harbor master 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.

G. Duration. A holder's right to reserved moorage space, once assigned, continues until the holder voluntarily or involuntarily relinquishes the space.

H. Retention When Vessel is Sold, Lost, Destroyed or Stolen. A reserved moorage holder must promptly notify the Harbor master if the holder ceases to have a qualifying interest in the vessel assigned to reserved moorage space. The holder may retain the reserved moorage space if the holder obtains a qualifying interest in another vessel of the appropriate size with six (6) months and registers the new vessel with the Harbor master pursuant to 14.05.005. The harbor master 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 minimum vessel size established by the harbor master 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 harbor master for the assigned space, the holder will not be permitted to use the space for the larger vessel. 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.

I. Death. In the case of the death of the holder of reserved moorage space, the space may be transferred to the heir or devisee who obtains ownership of the vessel if a request is made to the Harbor master with appropriate documentation.

J. Relinquishment. A reserved moorage space holder may voluntarily relinquish reserved moorage at any time by notifying the Harbor master in writing.

14.05.020 Customer Service Moorage. A. Availability. Customer service moorage space is available within the harbor at locations designated or assigned by the Harbor master. Customer service moorage space shall be assigned on a first-come, first-served basis to those who have provided to the Harbor master a written and signed application for such space on a form provided by the Harbor master.

B. Assignment of Customer Service Moorage. Customer service moorage space shall be assigned by the Harbor master to ensure the maximum use of space available. The Harbor master will establish minimum and maximum vessel sizes for each space or class of spaces.

C. Wait List. If there are more applications received than there are spaces available, the Harbor master shall establish and maintain a customer service moorage wait list as follows:

1. Application. Any bona fide vessel maintenance business may apply for customer service moorage by completing an

application form provided by the Harbormaster. Wait list information provided by the applicant shall include the sign-up date, the applicant's name, address, and telephone number, the business name, address, telephone number and current Alaska business license number; the proposed dimensions of the vessels to be serviced and any location preference. Applications will be placed on wait list in the order in which they are received. To be placed and to remain on the wait list, an applicant's fines and fees must be paid to date.

2. Deposit Required. A non-refundable, non-interest bearing deposit shall be required to place an application on the list. The deposit shall be applied against the applicant's customer service moorage fees following assignment of a customer service moorage space.

3. Changes. The applicant shall promptly notify the Harbormaster of any changes in the information set forth on the application. Any change in overall length, breadth, or draft of a vessel previously placed on the wait list may require reapplication if such changes require a different stall size than that which the applicant previously requested. No additional deposit will be required.

4. Transfer. Wait list priority for customer service moorage shall not be transferred.

5. Retention of Wait List Priority. If an applicant chooses not to accept a customer service moorage space when offered or does not respond to a notice by the Harbormaster, the applicant does not forfeit any priority on the wait list for subsequent space. If an applicant refuses to accept a customer service 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, and the applicant will be removed from the wait list and his deposit forfeited. To retain priority on the wait list, the applicant must remain current on harbor fees and fines.

6. Notice of Space Availability. When space becomes available, the Harbormaster shall notify the applicant who first applied for customer service 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.

D. One Space Limit. As long as there are applicants on the wait list awaiting assignment of customer service moorage space, no person, business, partnership, corporation, or government agency which is currently a holder of a customer service moorage space may be assigned an additional customer service moorage space.

E. Preference. Approval of an application for customer service moorage space and assignment of space by the Harbormaster confers only the privilege of occupying the assigned moorage space on a preferential basis and does not convey any rights in the land or water constituting the space.

F. Temporary Use by Other Vessels. The harbormaster shall

have full discretionary authority to allow other vessels to occupy an empty customer service moorage space any time the space is vacant for more than five (5) days, without compensation to the customer service moorage holder.

G. Duration. A holder's rights to reserved moorage space, once assigned, continues until the holder voluntarily or involuntarily relinquishes the space.

14.05.025 General Moorage Conditions and Restrictions.

A. Qualified Interest Required. Moorage may only be assigned to an applicant with a qualified interest in the vessel to which space is to be assigned.

B. No Unpaid Charges. Moorage may only be assigned to an applicant who has no delinquent fees or unpaid fines.

C. One Space. No vessel may be assigned to more than one transient or reserved moorage space, or to both a transient and a reserved space.

D. Use by Assigned Vessel Only. Reserved moorage space may only be used by the holder for the assigned vessel.

E. No Assignment or Transfer. Moorage space shall not be assigned or transferred by the holder thereof and does not transfer with the sale or other disposition of the vessel except as provided in 14.05.015(I). Moorage space shall not be involuntarily assigned or transferred by operation of law except as expressly provided in this title.

14.05.030 Refusal of Moorage. The Harbormaster may refuse moorage to any vessel or applicant who the Harbormaster has probable cause to believe has not complied, or is not in compliance, with this title.

14.05.035 Required Equipment. All vessels moored in the harbor shall carry the equipment required by any applicable United States laws or regulations, and shall be numbered or designated in accordance with any applicable United States laws or regulations. 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.

14.05.040 Utilities. Electric and water utility service may be provided to vessels moored in the harbor in such locations and according to such specifications as the Harbormaster may specify by regulation. The Harbormaster may require that a moored vessel utilize harbor electric service in lieu of self-generation.

14.05.045 Electric Service to Vessels. Vessels using harbor electric service must comply with the following:

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 splices or taps.

C. Cords, attachment plugs and connector bodies shall not be smaller than required for the rated current of the attached cord or connected equipment. Maximum allowable current-carrying capacity

of flexible cords is as follows:

AWG	AMPs
14	15
12	20
10	25
8	35
6	45
4	60

D. Attachment plugs shall be of the weatherproof type.

E. Infrared heating lamps may only be used with porcelain-type sockets.

F. Any heater capable of causing a fire if overturned must be equipped with a safety switch that will disconnect electric current to the heater if overturned.

G. The following power cord types are approved for use: SO, ST, STO, POW, K, S.

H. The following power cord types are not approved for use: SP3, SPT3, TP, TPT, TS, TST, AFC, AFPO, AFPD, CFC, CFPO, CFPD, PO1, PO2, PO, SPT1, SPT2, SP1, C, PD, P1, P2, P, PW1, PW2, SV, SVT, SJ SJO, SJT, SJTO.

I. Any cord*not listed must be inspected and approved by the Harbormaster prior to its use.

14.05.050 Authority of Harbormaster to Board and Move Vessel.

In the event of a vessel obstructing a harbor facility, fire, pollution or risk of pollution, or other cause affecting the safety of persons and property in the harbor, the Harbormaster may board, replace inadequate mooring lines on, pump water out, and move any vessel within the harbor, or take other action with respect to such vessels to prevent loss of life or property or to abate pollution or the risk of pollution and to ensure the safe and efficient operation of harbor facilities. This section creates no duty or obligation of the Harbormaster to take any such action, nor any liability for any such action taken.

14.05.055 Forfeiture of Space. A moorage space holders's right to an assigned space shall be involuntarily forfeited and his right to use the assigned space terminated if:

A. The holder supplies misleading or false information in the space application;

B. The holder fails to pay all fees as provided by this title without prior written agreement to pay such fees on other terms acceptable to the harbormaster;

C. The holder fails to maintain a qualified interest in the assigned vessel or substitute qualified vessel within the period allowed;

D. The holder fails to use the space for the assigned vessel at least two months each calendar year;

E. The holder fails, upon request of the Harbormaster, to provide proof of a qualifying interest in the vessel assigned to the space;

F. The holder fails to maintain on the vessel the equipment required by section 14.05.035 above; or

G. The vessel to which the space is assigned becomes a

nuisance.

Chapter 14.07

PORT OPERATIONS AND OTHER SERVICES

Sections:

- 14.07.005 Wrangell Dock and Barge Ramp Facilities
- 14.07.010 Wharfage and Transfer of Cargo
- 14.07.015 Impoundment of Cargo or Stored Property
- 14.07.020 Storage
- 14.07.025 Gridiron
- 14.07.030 Launch Ramps
- 14.07.035 Parking
- 14.07.040 Services of the Harbormaster
- 14.07.045 Electrical Service
- 14.07.050 Water Supplied from Wrangell Dock
- 14.07.055 Hoists
- 14.07.060 Work Float
- 14.07.065 Gear Float
- 14.07.070 Vendor Shelter
- 14.07.075 Fish Processing
- 14.07.080 Signs
- 14.07.085 Seaplane Float

14.07.005 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 Harbormaster 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 Harbormaster with the following information prior to any operation:

1. The gross tonnage and overall length of vessel;
2. The tonnage of any cargo transferred, if any; and
3. The name 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. Wrangell Dock and Barge Ramp Facilities Moorage. The moorage fee for use of any Wrangell Dock or Barge Ramp Facility is in addition to all other fees assessed in this chapter, and shall be assessed against all vessels as listed in section 14.11.005.

D. 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 fee is in addition to other fees assessed in this chapter, and shall be assessed as listed in

section 14.11.005.

E. Summer Float and Dock Transient Moorage. Vessels that otherwise would be qualified to moor within Wrangell harbor and are assigned transient moorage space at the City Dock or Summer Float will be charged moorage pursuant to section 14.11.005(A).

14.07.010 Wharfage and Transfer of Cargo. A. Location. The transfer of cargo may occur at the Wrangell dock and barge ramp facility, and other areas as designated by the Harbormaster.

B. Application. Berths at the Wrangell dock and barge ramp facilities shall be assigned by the Harbormaster upon application. No cargo may be transferred within the harbor without prior written application and approval by the Harbormaster, on such form as the harbormaster shall specify, of the berth and quantity and kind of cargo to be transferred. Transfers which occur on a regular basis may be approved in advance on such basis.

C. Payment. Wharfage fees shall be charged for all cargo coming into or out of the Wrangell dock and barge ramp facility, or other areas designated by the harbormaster as listed in section 14.11.005.

D. Prepayment. The Harbormaster may require prepayment of the estimated fees due under this title prior to any cargo transfer.

E. Refusal of Cargo. The Harbormaster may refuse to permit the transfer of any cargo whose volume, weight, hazardous nature, or other characteristics would present a risk to the safety of persons or property, private or public, within the harbor or whose value is less than the fees due under this title.

F. Manifests. A complete copy of the manifest showing all the cargo unloaded or discharged at the harbor may be required by the harbormaster. In lieu of manifest, freight bills containing all information as required in this section may be accepted.

G. Persons Responsible for Fees. Vessels, their owners, agents, masters, and shippers and/or consignees of cargo transferred within the harbor shall be jointly and severally liable for all fees due for activities described in this section notwithstanding any contrary provisions, any bills of lading, charter party agreements, contracts, or other agreements.

H. Cargo on Which Fees Have Become Delinquent. Cargo on which fees have become delinquent may be impounded pursuant to section 14.07.015.

I. Liability and Indemnity. All risk of loss from theft, fire, or other casualty to cargo shall be assumed by the parties to the shipping agreement and not the City of Wrangell. The person making application for the berth shall defend, indemnify, and hold the City of Wrangell harmless from all claims arising from the transfer of cargo within the harbor.

14.07.015 Impoundment of Cargo or Stored Property. Cargo and/or stored property may be impounded and sold in accordance with the provisions of Chapter 15.

14.07.020 Storage. A. Availability. Storage space may be available within the Wrangell dock and barge facility. A person

may apply to use storage space by completing an application on a form provided by the Harbormaster.

B. Assignment of Storage. Storage space shall be assigned on a first-come, first-served basis by the Harbormaster. A person desiring to rent a particular storage area on a long term basis may negotiate an agreement with the Harbormaster subject to Port Commission approval.

C. Rental Period. Storage shall be computed on a daily basis. The daily rental period is 8:00 a.m. on the first calendar day to 8:00 a.m. on the next calendar day. Items may be placed in the storage area for up to three (3) days without charge, but all items left in storage area beyond that period will be charged for storage beginning on the next daily rental period.

D. Specific Types of Storage. The following requirements apply to the kind of storage indicated:

1. Storage Containers. Storage containers must be:
 - a. Completely enclosed with four walls (one of which is able to function as a door), a roof, and a floor;
 - b. In good condition and repair;
 - c. Neat, safe and clean; and
 - d. Not attached or affixed permanently to any storage space but 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. The contents shall be 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. Other Cargo. Incoming and outgoing cargo and commodities of a size and type not suitable for containerized storage may be neatly stored in the open at areas designated by the Harbormaster.

E. Markings. Items placed in a storage area, including goods on pallets, shall be clearly marked with the name of the owner or responsible person, mailing address, telephone number, and a general description of the item.

F. Liability and Indemnity. The user of storage space in the harbor assumes all risk of loss from theft, fire, or other casualty. Storage areas in the harbor may not be guarded or fenced. The user shall defend, indemnify, and hold the City of Wrangell harmless from all claims arising from storage within the harbor.

14.07.025 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. Payment. The gridiron use shall be computed on a daily

basis. The daily rental period is 8:00 a.m. on the first calendar day to 8:00 a.m. on the next calendar day. Vessels may use the gridiron for two (2) days without charge but all vessels left on the gridiron beyond that period will be charged beginning on the next daily rental period. Fees charged are listed in section 14.11.005.

C. 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.

D. Vessel Limits. The gridiron may only be used by a vessel within the following limits:

1. The vessel actual weight, not registered tonnage, and keel configuration must be such that the vessel load on each bent (cross timber) is less than fifteen thousand (15,000) pounds. For example, if the keel of a vessel bears on three bents, the actual weight of the vessel shall not exceed forty five thousand (45,000) pounds.

2. The overall bearing surface of the vessel resting on the gridiron shall not extend beyond the width of the bent.

E. 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 the protection of the Port of Wrangell.

14.07.030 Launch Ramps. A. Availability. Launch ramps within Wrangell port and harbor facilities are available on a first-come, first-served basis.

B. Conditions and Restrictions of Use. The harbormaster may place reasonable restrictions and conditions of use on any launch ramp operated by the Port of Wrangell by posting a notice of such restrictions or conditions of use on a sign at that launch ramp.

C. Payment. Persons using a launch ramp shall be charged according to fees listed in section 14.11.005.

14.07.035 Parking. The City 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 this code.

14.07.040 Services of the Harbormaster. The Harbormaster is granted power and authority, from time to time, without any obligation or duty to do so, and without liability therefor; to board any vessel, replace inadequate mooring lines on any vessel, pump water out of any vessel in danger of sinking, and move any vessel within the harbor which has been improperly located, and take any other action with respect to any vessel to prevent loss of life or property or to abate pollution or risk of pollution. Whenever any act above is performed, fees as listed in section 14.11.005 shall be charged.

14.07.045 Electrical Service. Vessels using Wrangell port and harbor facilities may connect to designated electrical service on an interruptible temporary basis not to exceed twenty-one (21)

days. Vessels shall comply with requirements as listed in section 14.05.045. A fee as listed in section 14.11.005 shall be charged for each daily rental period or portion thereof. Fees collected for the use of electrical service by vessels connected to a meter in reserved moorage space with approval of the holder shall be credited to the holder's electrical account. The Harbormaster may disconnect any vessel causing disruption to the electrical system, using inadequate equipment for service connections or for which payment has not been received. This section does not constitute resale of electrical energy pursuant to section 15.12.080 of this code.

14.07.050 Water Supplied From Wrangell Dock. Water is available to vessels qualified to moor at Wrangell dock for the fee listed in section 14.11.005.

14.07.055 Hoists. All hoists in the harbor have a two-hour time limit per vessel for each twenty-four (24) hour period. Each hour beyond that period shall be charged according to section 14.11.005. Hoists have an operational limit of two thousand (2,000) pounds. Users of the hoists do so at their own risk and shall defend, indemnify, and hold the City of Wrangell harmless from claims arising from use of the hoist.

14.07.060 Work Float. The work float is available on a first-come, first-served basis to any vessel qualified for repairs and maintenance to that vessel. There is no charge for the first daily rental period for holders of reserved moorage. Transient moorage vessels will be charged pursuant to section 14.05.010. All vessels are subject to a trespass fee, as listed in section 14.11.005, if the vessel occupies the work float more than one daily rental period without permission of the Harbormaster.

14.07.065 Gear Float. The gear float located in the center of the in-town harbors is available for repair and maintenance of fishing gear on a first-come, first-served basis. There is no charge for the first thirty-six (36) hours of use. Gear float users are subject to a trespass fee, as listed in section 14.11.005, for each daily rental period or portion thereof.

14.07.070 *Vendor Shelter. The port vendor shelter is available on a first-come, first-served basis. Persons may apply for vendor shelter space on a form provided by the Harbormaster. The Harbormaster may place reasonable restrictions and conditions on the use of the vendor shelter. Users of vendor shelter space shall be charged pursuant to section 14.11.005.

14.07.075 Fish Processing. Fish or shellfish may be cleaned or processed within the harbor only in areas, and with equipment and provision for waste disposal, approved by the Harbormaster.

14.07.080 Signs. Signs or other printed matter shall not be placed on any part of the harbor without the prior approval of the Harbormaster.

14.07.085 Seaplane Float. A. Availability. Moorage exists at the Seaplane float for seaplanes and floatplanes on a first-come, first-served basis.

B. Application. A person may apply for moorage at the Seaplane float by completing an application form provided by the harbormaster. Information provided by the applicant shall include the sign-up date, the applicant's name, mailing address, telephone number, aircraft description and aircraft registration number.

C. Payment. Seaplanes and floatplanes mooring at the Seaplane float shall be charged according to fees listed in section 14.11.005.

Chapter 14.09

PROHIBITED PRACTICES

Sections:

- 14.09.005 Speeding
- 14.09.010 Operating Under the Influence
- 14.09.015 Hazard to Navigation
- 14.09.020 Failure to Register
- 14.09.025 Improper Mooring
- 14.09.030 Inadequate Equipment
- 14.09.035 Improper Use of Facilities
- 14.09.040 Improper Waste Disposal
- 14.09.045 Improper Petroleum Product Disposal
- 14.09.050 Improper Care and Control of Animals
- 14.09.055 Water Sports
- 14.09.060 Negligent Operation
- 14.09.065 Improper Use of Seaplane Float
- 14.09.070 Improper Use of a Loading Zone
- 14.09.075 Improper Use of Fire Equipment
- 14.09.080 Improper Use of Utilities
- 14.09.085 Tampering and Defacing Signs
- 14.09.090 Nuisance
- 14.09.095 Failure to Comply with Rules, Regulations or Procedures
- 14.09.100 Obstruct or Impede Use of any Boat Launch Ramp
- 14.09.105 Tampering with Impounded Vessels

14.09.005 Speeding. No person shall operate or cause to be operated a vessel within the harbor in excess of three (3) miles per hour or in a manner which causes an excessive wave.

14.09.010 Operating Under the Influence. No person may operate a vessel within the harbor while under the influence of alcohol or other drugs to the extent that it would be unlawful to operate a vessel under state law in such a condition.

14.09.015 Hazard to Navigation. No person shall create, or fail to remove after request from the Harbormaster, a hazard to navigation within the waters of the harbor.

14.09.020 Failure to Register. No person shall fail to register a vessel operated by that person with the Harbormaster within two (2) hours of entering the harbor.

14.09.025 Improper Mooring. No person shall moor a vessel:

- A. In reserved moorage space assigned to another;
- B. In any area not designated for transient moorage;
- C. Without permission of the Harbormaster;
- D. In an area not designated for that size vessel; or
- E. Without otherwise complying with chapter 5 of this title.

14.09.030 Inadequate equipment. No person shall operate or moor a vessel within the harbor that does not have the equipment specified by section 14.05.035.

14.09.035 Improper Use of Facilities. No person may use portions of the harbor for purposes or in a manner not authorized by chapter 7 of this title.

14.09.040 Improper Waste Disposal. No person shall dispose of trash, garbage, refuse, human or animal waste, or any similar substance into the water of the harbor or on the harbor grounds except in receptacles or locations designated by the Harbormaster. Any person causing any waste to be introduced into the waters of the harbor in any manner, must immediately remove the waste.

14.09.045 Improper Petroleum Product Disposal. No person shall release any fuel, oil, their derivatives, wastes or by-products, or other petroleum products into the waters or onto the lands of the harbor.

14.09.050 Improper Care and Control of Animals. No person shall have or bring a dog or animal within the harbor unless the dog or animal is on a leash or confined to a vessel. The owner or other person in charge of the dog or animal must immediately remove any waste on floats or other harbor property caused by the dog or animal.

14.09.055 Water Sports. No person shall engage in swimming, diving, water skiing, or other sports where the body of the person comes into contact with the water within the harbor except after notice to and with the permission of the Harbormaster. Diving for the purpose of vessel repair and inspection or for law enforcement purposes is not prohibited by this section.

14.09.060 Negligent Operation. No person shall 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 would constitute a deviation from the standard of care that a reasonable person would observe in that situation.

14.09.065 Improper Use of Seaplane Float. No person shall moor or land a vessel at the seaplane float.

14.09.070 Improper Use of a Loading Zone. No person shall moor a vessel in a loading or unloading zone for more than four (4) hours.

14.09.075 Improper Use of Fire Equipment. No person shall use firefighting equipment for any purpose other than fighting fires, or tamper with any public or private firefighting equipment.

14.09.080 Improper Use of Utilities. No person shall 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.

14.09.085 Tampering and Defacing Signs. No person shall 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 of the Harbormaster.

14.09.090 Nuisance. No person shall create or maintain any nuisance within the Port of Wrangell, or cause any disturbance or other action contrary to Federal, State and/or local law, statute or ordinance.

14.09.095 Failure to Comply with Rules, Regulations or Procedures. No person shall, 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.

14.09.100 Obstruct or Impede Use of Any Launch Ramp. No person shall obstruct or impede the use of any launch ramp.

14.09.105 Tampering with Impounded Vessels. No person shall tamper with, move, or attempt to move any vessel which has been impounded by the Harbormaster or by the U.S. Marshal.

Chapter 14.11

FEES AND PENALTIES

(Current)

Sections:

- 14.11.005 Fee Schedule
- 14.11.010 Fee Collection
- 14.11.015 Penalties
- 14.11.020 Public Hearing

14.11.005 Fee Schedule. The following fees shall be charged for the uses indicated:

<u>Use</u>	<u>Fee</u>
A. Transient Moorage 14.05.010	
Daily - Prepaid	\$0.25 per foot
Daily - Invoiced	\$0.35 per foot
Monthly	\$0.90 per foot
Annual (Must be qualified for wait list)	\$7.50 per foot
B. Reserved Moorage 14.05.010	
Wait list deposit	\$50.00 each
Annual	\$7.50 per foot
C. Customer Service Moorage 14.05.015	
Wait list deposit	\$50.00 each
Annual	\$0.65 per square foot
D. Electric Utility Service 14.07.040	
Daily	\$3.00/rental period
E. Outside Dock Face Moorage 14.07.005C	
1. 0-1000 tons	\$25.00/day
2. 1001-1500 tons	\$80.75/day
3. 1501-2000 tons	\$87.50/day
4. 2001-2500 tons	\$125.00/day
5. 2501-3000 tons	\$162.50/day
6. 3001-7000 tons	\$200.00/day
7. 7001-10,000 tons	\$300.00/day
8. 10,000+tons	\$300.00/day + \$25.00 per 1000 tons over 10,000 tons/day
F. Inside Dock Face Moorage 14.07.005C	
1. 1-40 feet	\$5.00
2. 41-75 feet	\$10.00
3. 75-100 feet	\$20.00
G. Barge Ramp Facility Moorage 14.07.005C	
Daily (\$25.00 minimum)	\$0.025 per gross ton
H. Net and Gear Work on Dock 14.07.005D	
First two rental periods	\$25.00
Each additional rental period	\$20.00

Chapter 14.11

FEES AND PENALTIES

(Effective January 1, 1997)

Sections:

- 14.11.005 Fee Schedule
- 14.11.010 Fee Collection
- 14.11.015 Penalties
- 14.11.020 Public Hearing

14.11.005 Fee Schedule. The following fees shall be charged for the uses indicated:

<u>Use</u>	<u>Fee</u>
A. Transient Moorage 14.05.010	
Daily - Prepaid	\$0.25 per foot
Daily - Invoiced	\$0.35 per foot
Monthly	\$0.90 per foot
Annual (Must be qualified for wait list)	\$7.50 per foot
B. Reserved Moorage 14.05.010	
Wait list deposit	\$50.00 each
Annual	\$7.50/foot
C. Customer Service Moorage 14.05.015	
Wait list deposit	\$50.00 each
Annual	\$0.65/square foot
D. Electric Utility Service 14.07.040	
Daily	\$3.00/rental period
E. Outside Dock Face Moorage 14.07.005C	
1. 00-99 Feet	\$0.65/foot
2. 100-199 Feet	\$0.90/foot
3. 200-299 Feet	\$1.05/foot
4. 300-399 Feet	\$1.15/foot
5. 400 Feet and over	\$1.30/foot
F. Inside Dock Face Moorage 14.07.005C	
1. 00-99 Feet	\$0.65/foot
2. 100-199 Feet	\$0.90/foot
3. 200-299 Feet	\$1.05/foot
4. 300-399 Feet	\$1.15/foot
5. 400 Feet and Over	\$1.30/foot
G. Barge Ramp Facility Moorage 14.07.005C	
Daily (\$25.00 minimum)	\$0.025 per gross ton
H. Net and Gear Work on Dock 14.07.005D	
First two rental periods	\$25.00
Each additional rental period	\$20.00

Chapter 14.11

FEES AND PENALTIES

(Effective January 1, 1998)

Sections:

- 14.11.005 Fee Schedule
- 14.11.010 Fee Collection
- 14.11.015 Penalties
- 14.11.020 Public Hearing

14.11.005 Fee Schedule. The following fees shall be charged for the uses indicated:

	<u>Use</u>	<u>Fee</u>
A.	Transient Moorage 14.05.010	
	Daily - Prepaid	\$0.25/foot
	Daily - Invoiced	\$0.35/foot
	Monthly	\$0.90/foot
	Annual (Must be qualified for wait list)	\$7.50/foot
B.	Reserved Moorage 14.05.010	
	Wait list deposit	\$50.00 each
	Annual	\$7.50/foot
C.	Customer Service Moorage 14.05.015	
	Wait list deposit	\$50.00 each
	Annual	\$0.65/square foot
D.	Electric Utility Service 14.07.040	
	Daily	\$3.00/rental period
E.	Outside Dock Face Moorage 14.07.005C	
	1. 00-99 Feet	\$0.75/foot
	2. 100-199 Feet	\$1.00/foot
	3. 200-299 Feet	\$1.15/foot
	4. 300-399 Feet	\$1.35/foot
	5. 400 Feet and over	\$1.50/foot
F.	Inside Dock Face Moorage 14.07.005C	
	1. 00-99 Feet	\$0.75/foot
	2. 100-199 Feet	\$1.00/foot
	3. 200-299 Feet	\$1.15/foot
	4. 300-399 Feet	\$1.35/foot
	5. 400 Feet and over	\$1.50/foot
G.	Barge Ramp Facility Moorage 14.07.005C	
	Daily (\$25.00 minimum)	\$0.025/gross ton
H.	Net and Gear Work on Dock 14.07.005D	
	First two rental periods	\$25.00

I.	Wharfage 14.07.010C	
	General cargo	\$2.50/ton
	Vehicles	\$2.50/ton
	Explosives	\$6.25/ton
	Lumber	\$1.00/tmbf
	Empty containers	\$3.75 each
	Sand and gravel	\$1.00/ton
	<500 tons	\$500.00 +
	501-1500 tons	\$0.20/ton for each ton over 500
	1500+ tons	\$800.00 + \$0.05/ton for each ton over 1500
J.	Storage 14.07.015B	
	First ninety (90) days (\$6.25 minimum)	\$0.005/square foot
	After ninety (90) days (\$6.25 minimum)	\$0.01/square foot
K.	Gridiron 14.07.020B	
	Daily (after first two rental periods)	\$1.00/foot
L.	Launch Ramps 14.07.025	
	No charge	\$0.00
M.	Parking 14.07.030	
	No charge	\$0.00
N.	Services of the Harbormaster 14.07.035	
	Replace mooring lines	\$10.00+cost of line
	Moving boat (minimum \$20.00)	\$1.00/foot
	Pumping	\$25.00 plus labor
	Labor	\$22.00/hour
	Raising of boats	\$150.00 plus cost of materials and professional services
O.	Water Supplied from Dock 14.07.045	
	Fifteen ton minimum	\$25.95 for 15 tons
	Each additional ton	\$0.80/ton
P.	Hoists 14.07.050	
	After first two (2) hours	\$25.00/hour
Q.	Work float 14.07.055	
	Trespass fee	\$50.00/rental period
R.	Gear float 14.07.060	
	Trespass fee	\$100.00/rental period
S.	Vendor Shelter 14.07.065	
	Reserved for entire season	\$62.25/month
	Month to month	\$72.25/month
	Day to day	\$14.45/day
T.	Seaplane Float 14.07.085	
	No charge	\$0.00
U.	Impoundment Storage 14.13.025	
	Minimum of \$50.00 per month	\$0.01/sq. ft. per day
V.	Impoundment Fee 14.13.025	
	This fee is in addition to other related costs	\$100.00

14.11.010 Fee Collection and Lien. A. Invoicing. Invoices for fees shall be due on the fifth day after they are sent or delivered. Invoices may be delivered personally or on a monthly or

other basis to the last address provided to the Harbormaster. It is the harbor user's obligation to notify the Harbormaster in writing of any changes in address.

B. Refunds

1. Transient Moorage. 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 is received.

2. Reserved and Customer Service Moorage. 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 fees computed from the end of the calendar month in which the request is received, less any cost incurred by the Port of Wrangell including legal and administrative costs of processing the involuntary forfeiture.

C. Delinquent Fees and Fines. Fees are delinquent when they are more than thirty (30) days past due. Fines are delinquent on the day after they are imposed by the court unless the court provides otherwise. The Harbormaster may, but need not, give notice of any delinquent fees or fines.

D. Interest on Delinquent Fees and Fines. Delinquent fees and fines under this title 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, from the date they were due until paid in full.

E. Collection Action. The City Manager is authorized to commence suit or exercise any other legal remedy to collect any delinquent fee or fine. In the event such suit is commenced, the person obligated to pay the fee or fine shall, in addition to any other liability imposed by this title, be liable for the City of Wrangell's actual, reasonable attorney's fees and court costs associated with the collection.

F. Lien for Unpaid Fees. In addition to all other remedies available by law, the City of Wrangell shall have a lien for any fees and interest provided by this title and costs of collection, including attorney's fees, upon any vessel (including all equipment, tackle, and gear) and property giving rise to such fees. The lien may be enforced by the procedure set forth in chapter 13 of this title and by any procedure otherwise provided by law.

14.11.015 Penalties. A. Non-mandatory Appearance Fine Schedule. The following penalties shall be imposed for the violation indicated:

<u>Section</u>	<u>Violation</u>	<u>Fine</u>
14.09.015	Hazard to Navigation	\$100.00
14.09.020	Failure to Register	\$25.00
14.09.025	Improper Mooring	\$25.00
14.09.030	Inadequate Equipment	\$50.00
14.09.035	Improper Use of Facilities	\$50.00
14.09.040	Improper Waste Disposal	\$50.00

14.09.045	Improper Petroleum Product Disposal	\$100.00
14.09.050	Improper Care and Control of Animals	\$25.00
14.09.055	Water Sports	\$25.00
14.09.060	Improper Use of Seaplane Float	\$50.00
14.09.065	Improper Use of a Loading Zone per Hour	\$2.00
14.09.070	Improper Use of Fire Equipment	\$100.00
14.09.075	Improper Use of Utilities	\$50.00
14.09.080	Tampering and Defacing Signs	\$25.00
14.09.085	Nuisance	\$100.00
14.09.090	Obstruct or Impede Use of any Boat Launch Ramp	\$50.00
14.09.095	Tampering with Impounded Vessels	\$100.00

B. Mandatory Appearance Fine Schedule. The following penalties shall be determined by the court pursuant to this schedule:

14.09.005	Speeding	Up to \$300.
14.09.010	Operating Under the Influence	Up to \$500.
14.09.065	Negligent Operation	Up to \$300.
14.09.100	Failure to Comply with Rules, Regulations and Procedures	Up to \$300.

C. Citation. A person committing a violation of this title shall be issued a citation, unless otherwise required by law or the immediate circumstances. A copy of the form of citation is found at the end of this chapter as Appendix "A".

D. Mail-In Fine Procedure. If the violation for which the citation is issued is one which does not require a mandatory appearance, the person to whom it is issued may plead no contest or guilty to the offense without a court appearance by signing the appropriate blank on the citation and paying the specified fine in person or by mail within five (5) days of the date of the citation, to the City Accounting Clerk, at Wrangell City Hall, 205 Brueger Street, Post Office 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.

E. 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. 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 the violation and the accused shall be proceeded against in a manner prescribed by law.

14.11.020 Public Hearing. A. The Port Commission, subject to approval by the City Council, shall fix the rates, charges and classifications to be charged for the use of any and all harbor, port, terminal or transportation facilities constructed on property under its jurisdiction, including charges assessed against vessels,

their owners, agents or operators for use of facilities and services within areas of the commission's jurisdiction; charges for berthage while loading or discharging passengers or cargo; charges for administrative expenses in serving users; charges for freight-handling operations; moorage, wharfage, handling, loading, unloading, services provided; and wharf demurrage rates.

B. Such rates, charges and classifications shall be just and reasonable and shall be established and modified at a public hearing conducted by the Port Commission. Notice specifying the time and place of hearing shall be given by at least one publication in a newspaper of general circulation in the city at least fifteen (15) days prior to the hearing.

C. At the hearing, all persons affected by or interested in the matters to be heard may be present and may be represented by counsel. At the conclusion of the hearing, the parties interested may make such arguments before the Port Commission either in person or by an attorney regarding the matters at issue, and thereafter the Port Commission shall proceed to prepare a schedule of rates to be submitted to the City Council at its next regular meeting.

D. The City Council may adopt the Port Commission's proposed schedule of rates by ordinance, but the date upon which the rates fixed or regulated go into effect may not be less than ten (10) days after its passage and approval.

Chapter 14.13

IMPOUNDMENT OF VESSELS

Sections:

- 14.13.005 Vessels Which May be Impounded
- 14.13.010 Notice to Owner
- 14.13.015 Hearing
- 14.13.020 Decision
- 14.13.025 Impoundment
- 14.13.030 Notice of Impoundment
- 14.13.035 Sale
- 14.13.040 Emergency Impoundment

14.13.005 Vessels Which May be Impounded. The Harbormaster is authorized to impound a vessel under any of the following circumstances:

A. The vessel is within the harbor and is a derelict or a nuisance as defined in this title;

B. The fees for which the City of Wrangell has a lien on the vessel are delinquent;

C. The vessel is located in the harbor and is in violation of any rule or regulation of the harbor; or

D. 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.

14.13.010 Notice to Owner. A. Contents. Prior to impounding any vessel, except with exigent circumstances, the Harbormaster shall prepare a written notice of intent to impound the vessel. The notice shall contain:

1. The name and/or official number or state registration number of the vessel;

2. The name and address, if known, of the owner, operator, master or managing agent, the location of the vessel; and

3. The basis of the impoundment.

B. Distribution. The notice of intent to impound shall be, at least twenty (20) days before impoundment,

1. Mailed by certified mail, return receipt requested, to the last known owner and to the master, or managing agent of the vessel at their last known addresses; and

2. Posted on the vessel, at the Harbormaster's office, and in the United States Post Office at Wrangell, Alaska.

14.13.015 Pre-impoundment Hearing. A. Demand for 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. Any such person desiring a hearing shall file a written demand with the Wrangell City Clerk within ten (10) days after mailing and posting of the notice of the notice of intent to impound.

B. Hearing procedure. The hearing shall be conducted 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 hour period. The hearing officer shall be designated by the City Manager and shall be someone other than the Harbormaster. 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 are grounds for impounding the vessel. 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. 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.

C. Decision. At the conclusion of the hearing, the hearing officer shall prepare a written decision. 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. A copy of the decision shall be provided to the person demanding the hearing, and to the owner of the vessel, if that owner is not the person requesting the hearing. The hearing officer's decision shall in no way affect any criminal charges involved in such 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.

D. Bond as Substitute for Impoundment. If the sole cause for impound is for unpaid fees, fines or other charges accrued against the vessel and the hearing officer determines there is probable cause to impound, the hearing officer may allow the owner, operator, master or managing agent to post a cash bond as substitute for impound. The amount of the cash bond must be no less than the total charges accrued against the vessel including but not limited to interest, costs and attorney's fees. The cash bond must be posted with the City Clerk within ten (10) days from the date of the hearing. The act of posting a bond does not constitute an admission of liability for the debt or fine.

14.13.025 Impoundment. In the event the hearing officer determines there is probable cause to impound the vessel, the Harbormaster may proceed immediately with impoundment of the vessel. The Harbormaster may 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 and an impound fee, pursuant to the schedule listed in section 14.11.005, to be borne by the owner of such vessel. At any time prior to the sale of the vessel, 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, and by correcting any cause cited for impoundment, as described within this chapter.

14.13.030 Notice of Impoundment. A. Contents. Prior to the sale of any impounded vessel, the Harbormaster shall prepare a written notice of impoundment and sale of the vessel. The notice shall contain:

1. The name and/or official number or state registration number of the vessel;
2. The name and address of the owner, if known;
3. Description and location of the vessel;
4. The date, time and place of sale; and
5. The fees, interest, and costs which are due against the vessel and the bidding terms provided by section 14.13.035.

B. Distribution. The notice of impoundment and sale shall be, at least thirty (30) days before the sale:

1. Mailed by certified mail, return receipt requested, to the last known owner, and to the master, or managing agent of the vessel at their last known addresses;
2. Posted on the vessel, at the Harbormaster's office, the United States Post Office in Wrangell, Alaska; and
3. Published in a newspaper of general circulation in the City at least once.

14.13.035 Sale. A. Method of Sale. Sales will be by public outcry auction. Sealed bids will be accepted and will be read aloud at commencement of the sale.

B. Bids. The minimum acceptable bid shall be a sum equal to

all fees against the vessel, including interest and costs to be paid in cash at time of sale. The proceeds of such sale shall be applied to the cost of sale, then to interest, then to fees accrued, and the balance, if any, shall be held in trust by the City for the owner of the vessel to claim. If such balance is not claimed within two (2) years, the balance shall be forfeited to the City. Upon sale being made, the City shall make and deliver its bill of sale, without warranty, conveying the vessel to the buyer.

C. No Bids. If at the public sale there are no acceptable bids for the vessel, the City may destroy, sell at a private sale, or otherwise dispose of the vessel. The dispossession is to be made without liability to the owner, master or managing agent, person in possession of the vessel, or lienholder of the vessel.

14.13.040 Emergency Impoundment. A vessel causing a threat to health or property, pollution hazard or flight to avoid prosecution or debt may be impounded immediately without hearing. Notice of Impoundment and a notice of right to a post impoundment hearing will be given following procedures in section 14.20.030. The owner, operator, master or managing agent or any other person in lawful possession of the vessel has the right to a post impoundment hearing. The hearing procedure in section 14.13.015 will apply to vessels impounded under this section.

Chapter 14.15

IMPOUNDMENT OF CARGO OR STORED PROPERTY

Sections:

- 14.15.005 Cargo or Stored Property Which may be Impounded
- 14.15.010 Notice of Impoundment
- 14.15.015 Hearing
- 14.15.020 Sale

14.15.005 Cargo or Property Which may be Impounded. The Harbormaster is authorized to impound cargo or property under any of the following circumstances:

- A. Cargo or property on which fees have become delinquent.
- B. Cargo or property which is causing or is at risk of causing a safety or pollution hazard.
- C. Cargo or property transferred or stored without prior written application pursuant to section 14.07.010(B).

14.15.010 Notice of Impoundment. A. Contents. Prior to the sale of impounded cargo or property, the Harbormaster shall prepare a notice of impoundment and sale of the cargo or property. The notice shall contain:

1. The name and address of the owner, managing agent or other responsible person, if known;
2. The description and location of the cargo or property;

3. The date, time and place of sale;
4. Notice of right to hearing provided by section 14.15.015; and
5. The fees, interest and costs which are due against the cargo or property and the bidding terms provided by section 14.15.025.

B. Distribution. The notice of impoundment and sale shall be, at least thirty (30) days before the sale,

1. Mailed by certified mail, return receipt requested, to the owner if known, and to the agent or other person responsible for the cargo or property;

2. Posted on the cargo or property, at the Harbormaster's office, the United States Post Office in Wrangell, Alaska; and

3. Published in a newspaper of general circulation in the City at least once.

14.15.015 Hearing. A. Demand for Hearing. The owner, agent or other person responsible for cargo or property which has been impounded has the right to an administrative hearing to determine whether there is probable cause to impound the cargo or property. Any person desiring a hearing shall file a written demand with the Wrangell City Clerk within ten (10) days after mailing and posting of the notice of impound.

B. Hearing Procedure. The hearing shall be conducted 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 designated by the City Manager and shall be someone other than the Harbormaster. The sole issue before the hearing officer shall be whether there is probable cause for impounding of the cargo or property. "Probable cause to impound" shall mean such a state of facts as would lead a reasonable person exercising ordinary prudence to believe there are grounds for impounding the cargo or property. 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 cargo or property. The harbormaster shall have the burden of establishing there is probable cause to impound the cargo or property. Failure of the owner, agent or other responsible person to request or attend a scheduled impoundment hearing shall be deemed a waiver of the right to such a hearing.

C. Decision. At the conclusion of the hearing, the hearing officer shall prepare a written decision. The hearing officer shall only determine that as to the cargo or property in question, either that there is probable cause to impound the cargo or property or that there is no such probable cause. A copy of the decision shall be provided to the person demanding the hearing, and to the owner of the cargo or property, if the owner is not the person requesting the hearing. The hearing officer's decision shall in no way affect any criminal charges involved in such proceedings in connection with the impoundment 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.

D. Bond as Substitute for Impoundment. If the sole cause for impound is for unpaid fees, fines or other charges accrued against the cargo or property and the hearing officer determines there is probable cause to impound, the hearing officer may allow the owner, agent or other person responsible for the cargo or property to post a cash bond as substitute for impound. The amount of the cash bond must be no less than the total charges against the cargo or property including but not limited to interest, costs and attorney's fees. The cash bond must be posted with the City Clerk within ten (10) days from the date of the hearing. The act of posting a bond does not constitute an admission of liability for the debt or fine.

14.15.020 Sale. A. Method of Sale. Sales will be by public outcry auction. Sealed bids will be accepted and will be read aloud at commencement of the sale.

B. Bids. The minimum acceptable bid shall be a sum equal to all fees against the cargo or property, including interest and costs to be paid at time of sale. The proceeds of such sale shall be applied to the cost of sale, then to interest, then to the fees accrued, and the balance, if any, shall be held in trust by the City without interest, for the owner of the cargo or property to claim. If such balance is not claimed within two (2) years, the balance shall be forfeited to the City. Upon sale being made, the City shall make and deliver its bill of sale, without warranty, conveying the cargo or property to the buyer.

B. No Bids. If at the public sale there are no acceptable bids for the cargo or property, the City may destroy, sell at private sale, or otherwise dispose of the cargo or property. The dispossession is to be made without liability to the owner, agent or other person responsible for the cargo or property.

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
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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____.)
_____)
_____)

(Signature of Complainant)

(Notary)

(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)

APPROVED IN FIRST READING _____, 1996

APPROVED IN SECOND READING _____, 1996

Douglas W. Roberts, Mayor

ATTEST: _____
Franette A. Vincent, City Clerk

APPROVED IN FIRST READING May 14, 1996

APPROVED IN SECOND READING June 25, 1996

Douglas W. Roberts
Douglas W. Roberts, Mayor

ATTEST: Franette A. Vincent
Franette A. Vincent, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 626

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
WRANGELL, ALASKA, AMENDING THE OFFICIAL ZONING
MAP OF THE CITY OF WRANGELL BY CONTRACT ZONING

WHEREAS, a petition for contract zoning for certain real property described below, have been filed and processed in accordance with Chapter 20.77 of the Wrangell Municipal Code; and

WHEREAS, the procedures set forth in Chapter 20.77 of the Wrangell Municipal Code have been followed; 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. Contract 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 12-1 and Lot 12-3, Zimovia View Subdivision

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 June 25, 1996

PASSED IN SECOND READING July 23, 1996

Douglas W. Roberts

Douglas W. Roberts, Mayor

ATTEST: *Franette A. Vincent*
Franette A. Vincent, City Clerk

CONTRACT ZONING AGREEMENT

THIS AGREEMENT made this ___ day of May, 1996 by and between JIM and WILMA E. LESLIE, referred to herein as "Leslies'", whose address is P. O. Box 1978, Wrangell, Alaska 99929, and the CITY OF WRANGELL, referred to herein as "City" whose address is P. O. 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. Leslies' are the owners of Lots 12-1 and 12-3, Block 83, Zimovia View Sub-division located in the City of Wrangell, Alaska.

2. Both lots are currently zoned light industrial and the Leslies' desire to develop a Recreational Vehicle Park on said lots. The use of the property as a Recreational Vehicle Park would and does require a modification of the existing zoning classification from Light Industrial to Open Space/Public.

3. The Leslies' have petitioned the Planning & Zoning Commission to allow them a limited zone change for a period of years.

4. The Planning & Zoning Commission met on April 24, 1996 and has recommended that the City approve the contract zone change incorporated herein.

5. This contract zoning change shall become effective upon the execution of this agreement and the ratification and approval of same by the City Council.

COVENANTS

6. The parties hereto agree that the real property described above shall be rezoned for a period of ten (10) years from the effective date of the ordinance rezoning said property subject to the condition that Leslies' further develop the property only for the operation of a Recreational Vehicle Park.

7. Leslies' agree that the real property subject to this agreement shall be used only for the operation of a Recreational Vehicle Park, and for uses clearly and directly incidental thereto, in addition to those uses permitted in the existing zone.

8. The parties hereto agree that the real property described above is zoned as stated herein only so long as the property is used for the operation of a Recreational Vehicle Park. Should said property cease to be so used for a period of more than eighteen (18) months, the classification of said property shall revert to Light Industrial. In such event, all structures, not permitted in the light industrial district shall be removed within ninety (90) days of said cessation of use.

9. The parties hereto agree that should the real property subject to this agreement be zoned to any other zoning classification which permits use of the property for a Recreational Vehicle Park, then the provisions of this agreement restricting said property use shall be null and

void. It is further agreed that should any petition or application be filed by Leslies', singly or jointly with one or more adjoining property owners, to rezone the real property described above, no weight shall be given to the provisions of this agreement in considering such petition.

10. The parties additionally agree that limitations will be and hereby are placed upon the use of the above described property as follows:

a) The contract zone is for an RV park with short term boat/RV storage during the winter months. The approval of this contract zone does not permit a long term storage facility.

b) RV guests utilizing the site should have their own built-in waste receptacles, unless applicant provides restroom facilities (ie. port-o-potty, or office) for patrons without their own waste receptacle (ie. campers without a bathroom, tent campers etc).

c) At minimum, one waste dumping station should be provided for patrons.

d) The operation of the Recreational Vehicle Park shall be done in such a manner as to not create loud or obnoxious noises or odors.

e) The owners or persons in control of the subject property shall maintain all required permits and licenses.

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

g) All zoning and building requirements and regulations applicable to open space/Public districts shall have full force and effect regarding the subject property to the extent that such are consistent with this agreement. Those that are more restrictive than this agreement shall take precedent.

h) The Planning & Zoning Commission finds that:

1) The proposed use shall not affect the policies of the comprehensive plan - the area is currently zoned light industrial allowing for more impactive uses - surrounded by residential property.

2) The area shall not be adversely impacted by the proposed use. The residential area is separated from the lots by a road and a vegetative buffer on the residential side. Five RV's, even daily should not create such additional traffic as to impact the adjacent residents. The proposed use is less impactive than typical Light industrial uses.

ADMINISTRATION AND ENFORCEMENT

11. 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.

12. 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 Leslies' 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 Leslies' at least thirty (30) days written notice specifying the particulars of any claimed violation. If at the end of such thirty (30) day period, Leslies' have not remedied the cause of any claimed violation, then this contract shall be terminated and the provisions of paragraph 9 above shall apply. It is specifically agreed that enforcement by termination shall be available to the City against Leslies' during any period when the property has ceased to be used as required herein, or for any other period provided herein.

13. Leslies' 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.

14. 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.

15. 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.

JIM LESLIE

WILMA E. LESLIE

CITY OF WRANGELL

By *Doug Roberts*
MAYOR

By _____
CITY CLERK

STATE OF ALASKA)
) ss:
FIRST JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on this ___ day of _____, 1996, before me, a Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared JIM LESLIE and WILMA E. LESLIE, 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.

NOTARY PUBLIC FOR ALASKA
My Commission Expires: _____

STATE OF ALASKA)
) ss:
FIRST JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on this ___ day of _____, 1996, before me, a Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared DOUGLAS ROBERTS and FRANETTE VINCENT, to me known to be the 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.

NOTARY PUBLIC FOR ALASKA
My Commission Expires: _____

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 627

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING SECTION 5.18.040 GRANT ADMINISTRATION FEE SCHEDULE, SPECIFICALLY CHANGING THE FEE SCHEDULE

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) ^{AV} days after passage.

Sec. 4. Wrangell Municipal Code Section 5.18.040 Grant Administration Fee Schedule, is amended as follows:

5.18.040 Grant Administration Fee Schedule. To administer grants, the city [SHALL] may retain [FEES FROM] a fee of up to 10% from the grant funds [COMPUTED AS FOLLOWS:].

[GRANT AMOUNT	BASE AMOUNT & FEE
\$ 0 - \$ 10,000.00	\$ 0 + 10% \$
10,001.00 - 50,000.00	1,000.00 + 8% OVER 10,000.00
50,001.00 - 100,000.00	4,200.00 + 6% OVER 50,000.00
100,001.00 - 150,000.00	7,200.00 + 4% OVER 100,000.00
150,001.00 - 200,000.00	9,200.00 + 2% OVER 150,000.00
200,001.00 - UPWARD	10,200.00 + 1/2% OVER 200,000.00]

PASSED IN FIRST READING July 9, 1996

PASSED IN SECOND READING July 23, 1996

Douglas W. Roberts
Douglas W. Roberts, Mayor

ATTEST: Franette A. Vincent
Franette A. Vincent, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 628

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING WMC 3.56.080 (B) TYPES OF APPOINTMENTS, SPECIFICALLY WHEN TEMPORARY EMPLOYEES BECOME PERMANENT EMPLOYEES

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 3.56.0-80 (B), is amended as follows:

3.56.080 (B) TEMPORARY. An employee hired as an interim replacement, or for temporary or seasonal work. A temporary employee may be separated from the service, demoted, or suspended with or without cause in the full discretion of the appointing authority. Temporary employees shall not receive or accrue any employment benefits, to include, but not limited to annual leave and sick leave. If employees hired on a temporary basis become permanent employees, they are entitled to sick leave and annual leave accruals retroactive to their [LAST] first day of continuous hire. They shall not be entitled to any accruals for previous temporary employment which terminated prior to their last temporary appointment.

PASSED IN FIRST READING October 22, 1996

PASSED IN SECOND READING November 12, 1996

Douglas W. Roberts
Douglas W. Roberts, Mayor

ATTEST: Franette A. Vincent
Franette A. Vincent, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 629

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING WMC SECTION 3.56.070, GENERAL RULES OF EMPLOYMENT, SPECIFICALLY SECTION 3.56.070 (I) NEPOTISM

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.

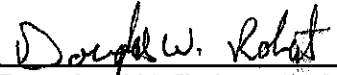
Sec. 3. Effective Date. This ordinance shall be published as provided by law and shall be effective thirty (30) days after passage.

Sec. 4. Wrangell Municipal Code Section 3.56.070 (I) General Rules of Employment (Nepotism), is hereby amended as follows:

3.56.070 (I) Nepotism. No persons may be employed in a position supervised by another family member. If an employee and their supervisor should marry, they shall elect which employee may continue with the department and which employee shall terminate or transfer, if other positions are available. Family member shall mean [SPOUSE, FATHER, MOTHER, BROTHER, SISTER, CHILD] any relationship by affinity or consanguinity within the third degree.

PASSED IN FIRST READING October 22, 1996

PASSED IN SECOND READING November 12, 1996


Douglas W. Roberts, Mayor

ATTEST: 
Franette A. Vincent, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 630

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
WRANGELL, ALASKA, AMENDING WMC CHAPTER 5.08
SALES TAX, SPECIFICALLY SUSPENDING SALES TAX
ON FOOD PRODUCTS AND UTILITIES

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. WMC Chapter 5.08 Sales Tax, is hereby amended by adding Section 5.08.055 entitled Suspension-Sales of Food Products for Human Consumption and Utility Services Rates, as follows:

5.08.55 Suspension - Sales of Food Products for Human Consumption and Utility Services Rates. A. The sales tax imposed by this chapter on retail sales of food products for human consumption and on utility services rates is suspended through December 31, 1998, with the suspension on utility services rates to commence with the February, 1997 billing period.

B. For purpose of this section, "food products" means any food or food product intended for human consumption, except alcoholic beverages, tobacco, and hot foods and hot-food products prepared for immediate consumption.


C. Subsection A of this section does not apply to sales of food or food products intended for individual public service and consumption where the food or food product is provided completely prepared and whether consumption is on or off the premises, or to sales by restaurants, take-out or to-go operations, taverns, bars, and delicatessen type operations. Subsection A of this section also does not apply to sales of food or food products prepared by the seller or prepared on the


seller's premises, such as prepared sandwiches, deli trays and salad bars, except that Subsection A does apply to:

1. Raw meat prepared by persons who slaughter, process or harvest animals, including fish and fowl, or dress or wrap slaughtered raw meat, including fish and fowl, such as fish mongers, butchers, or meat wrappers;
 2. Cold meat and cheese sliced and/or wrapped in any quantity determined by the buyer, sold by sellers such as meat markets, delicatessens, and grocery stores;
 3. Bakeries which sell only baked goods or combination bakery businesses to the extent that sales of baked goods are separately accounted for and the baked goods are not sold as part of meals or with beverages in unsealed containers; and
 4. Bulk food products sold from bins or barrels, including but not limited to flour, fruits, vegetables, sugar, salt, candy, chips and cocoa.
- D. For purposes of Subsection A "utility services rates" means garbage service rates under Sections 9.04.070 and 9.04.095, water service rates under Section 15.04.640, sewer service rates under Section 15.08.240 and electric service rates under Sections 5.12.180 through and including Section 5.12.230 and under Section 5.12.250

PASSED IN FIRST READING _____ December 10 _____, 1996

PASSED IN SECOND READING _____ December 13 _____, 1996


Douglas W. Roberts, Mayor

ATTEST: 
Franette A. Vincent, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 631

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WRANGELL, ALASKA, AUTHORIZING THE CREATION OF A PORT AUTHORITY UNDER AS 29.35.600 - 29.35.730 WHICH AUTHORITY SHALL BE KNOWN AS THE INTER-ISLAND FERRY AUTHORITY AND SHALL HAVE THE PURPOSE, POWERS, AND OTHER ATTRIBUTES AS SET FORTH IN THIS ORDINANCE, CALLING A REFERENDUM ON THE PROPOSITION OF CREATING SAID PORT AUTHORITY, AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the development of an efficient and effective transportation network serving Prince of Wales Island communities, Ketchikan, Wrangell and Petersburg is vital to the present and future economic well-being of all the residents of those communities; and

WHEREAS, the development and operation of a locally-owned and managed ferry system and related transportation facilities and services to facilitate the movement of persons, goods and services to and from those communities has been identified as a high priority; and

WHEREAS, the overall need for and feasibility of such a ferry system is well documented in the following three studies:

- *Reconnaissance Design of Passenger/Vehicle Ferry Vessels and Terminals - Prince of Wales Island Ferry Project*, prepared by Kent Miller, Elliott Bay Design Group, Ltd., and Peratrovich, Nottingham & Drage, Inc., January, 1996.
- *Project Plan: Kassin Bay and Whale Pass Ferries*, prepared by C.L. Cheshire, DePue & Associates, Kent Miller and James A. Van Altvorst, August, 1994.
- *An Alternative Ferry for Prince of Wales*, prepared by C.L. Cheshire, Kent Miller and James A. Van Altvorst, March, 1994; and

WHEREAS, a ferry operating authority represents an efficient and effective means to develop such a transportation system, and to thereby facilitate local and regional economic growth and development; and

WHEREAS, Article X, Section 13, of the Constitution of the State of Alaska authorizes municipalities to enter into agreements for cooperative or joint administration of functions or powers; and, under that authority, two or more municipalities may by agreement establish such a ferry operating authority; and

WHEREAS, the Alaska Municipal Port Authority Act (AS 29.35.600 - 29.35.730) more specifically allows one or more municipalities to establish such a ferry operating authority with express powers, including the power to issue revenue bonds, and to acquire, construct, and operate transportation facilities and services such as the proposed ferry system; and

WHEREAS, the City of Wrangell which approved a parallel ordinance as provided for in Section 2 of this ordinance, desires to establish and develop a more efficient ferry transportation system and to thereby generally promote the health, security, economy and general welfare of all of the people of the City and the other municipalities identified in this ordinance; and

WHEREAS, in furtherance of that purpose, the City of Wrangell, in concert with any of the Other Municipalities which approve a parallel ordinance as provided for in Section 2 of this ordinance, desires to establish a port authority, to be known as the "Inter-island Ferry Authority," with express powers, including the power to issue revenue bonds, to acquire, construct, and operate ferries and ferry system-related facilities and services as a means to facilitate local and regional transportation related commerce.

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

Section 1. Creation. The City Council of the City of Wrangell, hereby authorizes the creation of a port authority to be known as the Inter-island Ferry Authority pursuant to the Alaska Municipal Port Authority Act (AS 29.35.600 - 29.35.730), said authority to be a public corporation of the City of Wrangell and the other Participating Municipalities identified in this ordinance.

Section 2. Participating Municipalities. (a) Subject to the approval of the Development Plan approved by the Inter-island Ferry Authority in accordance with Section 10(b) below, and subject to approval of parallel ordinances by the local governing authority and approval by a majority of the qualified voters of each municipality, one or more of the following municipalities may join with the City of Wrangell as "Other Municipalities" participating in the authorization and creation of the Inter-island Ferry Authority:

- (1) City of Coffman Cove
- (2) City of Craig
- (3) City of Hydaburg
- (4) City of Kasaan
- (5) City of Klawock
- (6) City of Petersburg
- (7) City of Thorne Bay

(b) The City of Wrangell and the Other Municipalities shall, for the purposes of this Ordinance, be known individually as a "Participating Municipality" and shall be known collectively as the "Participating Municipalities."

Section 3. Purpose. The Inter-island Ferry Authority is authorized and created to develop an efficient and effective network of ferries and ferry-related facilities and services and to otherwise provide the ferry system infrastructure essential or otherwise appropriate to

1. serve the various ferry transportation needs of residents of Prince of Wales Island, Ketchikan, Wrangell and Petersburg,
2. develop commerce and industry throughout Prince of Wales Island, Ketchikan, Wrangell and Petersburg areas by meeting their various ferry transportation services needs; and
3. promote the general health, security, and welfare of the residents of Prince of Wales Island, Ketchikan, Wrangell and Petersburg by meeting their various ferry transportation services needs.

Such infrastructure shall include, but is not limited to, those facilities and equipment necessary to provide scheduled and charter ferry service to, from, and between Prince of Wales Island, Ketchikan, Wrangell and Petersburg for transportation of persons, baggage, vehicles and the contents of such vehicles, equipment and freight.

Section 4. Boundaries of the Inter-island Ferry Authority. The boundaries of the Inter-island Ferry Authority shall be the boundaries of the real property, including terminals and all related ferry-system support facilities owned, leased or otherwise operated and controlled by the Inter-island Ferry Authority in the conduct of its business consistent with its purpose as set forth in Section 3 hereof.

Section 5. Powers and Limitations. The Inter-island Ferry Authority may

- (1) sue and be sued;
- (2) have a seal and alter it at pleasure;
- (3) acquire an interest in transportation facilities, equipment or services as necessary or appropriate to provide financing for the one or more transportation facilities, equipment or services, whether by purchase, gift, or lease;
- (4) lease to others one or more transportation facilities, equipment or services acquired by it and upon the terms and conditions the Inter-island Ferry Authority may consider advisable, including, without limitation, provisions for purchase or renewal;
- (5) sell, by installment sale or otherwise, exchange, donate, convey, or encumber in any manner by mortgage or by creation of another security interest, real or personal property owned by it, or in which it has an interest, including one or more transportation facilities, equipment or services, when, in the judgment of the Inter-island Ferry Authority, the action is in furtherance of the Inter-island Ferry Authority's purposes;
- (6) accept gifts, grants, or loans, under the terms and conditions imposed under the gift, grant, or loan, and enter into contracts, conveyances or other transactions with a federal agency or an agency or instrumentality of the state, a municipality, private organization, or other person;
- (7) deposit or invest its funds, subject to agreements with bondholders;
- (8) purchase or insure loans to finance the costs of transportation facilities, equipment or services;
- (9) provide security within the boundaries of the Inter-island Ferry Authority;
- (10) enter into loan agreements with respect to one or more transportation facilities, equipment or services upon the terms and conditions of the Inter-island Ferry Authority considers desirable;
- (11) acquire, manage, and operate one or more transportation facilities, equipment or services as the Inter-island Ferry Authority considers necessary or appropriate to serve the Inter-island Ferry Authority's purposes;

- (12) assist private lenders to make loans to finance the costs of one or more transportation facilities, equipment or services through loan commitments, short-term financing, or otherwise;
- (13) charge fees or other forms of remuneration for the use or possession of one or more transportation facilities, equipment or services in accordance with the agreements described in this section, other agreements relating to the transportation facilities, equipment or services, covenants, or representations made in bond documents relating to the transportation facilities, equipment or services, or regulations of the Inter-island Ferry Authority relating to the transportation facilities, equipment or services;
- (14) defend and indemnify a current or former Director, employee, or agent of the Inter-island Ferry Authority against all costs, expenses, judgments, and liabilities, including attorney fees, incurred by or imposed upon that person in connection with civil or criminal action in which the person is involved as a result of the person's affiliation with the Inter-island Ferry Authority if the person acted in good faith on behalf of the Inter-island Ferry Authority and within the scope of the person's official duties and powers.
- (15) purchase insurance to protect and hold harmless its employees, agents, and Directors from an action, claim, or proceeding arising out of the performance, purported performance, or failure to perform in good faith, of duties for, or employment with the inter-island Ferry Authority and to hold them harmless from expenses connected with the defense, settlement, or monetary judgments from that action, claim, or proceeding; the purchase of insurance is subject to the discretion of the Board; insurance purchased under this paragraph may not be considered compensation to the insured person; and
- (16) protect its assets, services, and employees by purchasing insurance or providing for certain self-insurance retention; an authority may also maintain casualty, property, business interruption, marine, boiler and machinery, pollution liability, and other insurance in amounts reasonably calculated to cover potential claims against the Inter-island Ferry Authority or the Participating Municipalities for bodily injury, death or disability, and property damage that may arise from or be related to authority operations and activities.

Section 6. Debt. Subject to the provisions of AS 29.35.625 - 29.35.655, as amended, the Inter-island Ferry Authority may borrow money and may issue bonds on which the principal and interest are payable

- (1) exclusively from the income and receipts of, or other money derived from, one or more transportation facilities, equipment or services financed with the proceeds of the bonds;
- (2) exclusively from the income and receipts of, or other money derived from, designated transportation facilities, equipment or services or other sources whether or not they are financed, insured, or guaranteed in whole or in part with the proceeds of the bonds; or
- (3) from its income and receipts generally or a designated part or parts of them.

Section 7. Administration of the Inter-island Ferry Authority. (a) The Inter-island Ferry Authority shall be governed by a Board of Directors ("Board"), which shall exercise the powers of the Inter-island Ferry Authority.

(b) The Board shall appoint a chief executive officer of the Inter-island Ferry Authority who serves at the pleasure of the Board.

Section 8. Board of Directors. (a) Directors shall be apportioned and appointed as set forth in this Section.

(b) The Board shall be apportioned as follows:

- (1) In the event that the Inter-island Ferry Authority is comprised of a single Participating Municipality, the Board shall be comprised of one (1) Director appointed to represent that Participating Municipality, and two (2) At-large Directors. One of the two (2) At-large Directors shall be designated to serve the duration of his or her term, or until such time as one or more additional municipalities join the Inter-island Ferry Authority as Participating Municipalities and the total number of At-large Directors is reduced from two (2) to one (1), whichever term is lesser.
- (2) In the event that the Inter-island Ferry Authority is comprised of two or more Participating Municipalities, the Board shall be comprised of one (1) Director appointed to represent each Participating Municipality, and one (1) At-large Director.
- (3) The Board shall be apportioned in accordance with the following table:

Number of Participating Municipalities	Appointed Board Members per Municipality	At-large Board Members	Total Board
1	1	2	3
2	1	1	3
3	1	1	4
4	1	1	5
5	1	1	6
6	1	1	7
7	1	1	8
8	1	1	9

(c) An individual appointed as a Director shall,

- (1) in the case of a Participating Municipality, be a qualified voter residing within the Participating Municipality; and
- (2) in the case of the at-large member, be a qualified voter residing within any Participating Municipality.

(d) The mayor of each Participating Municipality shall, with the concurrence of its City Council, appoint the Director(s) representing the Participating Municipality.

(e) The Board shall appoint the At-large Director(s) from names submitted by the mayors of all Participating Municipalities. In the event that the Board cannot reach a decision with regard to the proposed appointment(s) to the At-large Director position(s), the Board shall submit the names of not more than two candidates for each At-large position to the mayors of all Participating Municipalities, a majority of whom shall then, with the concurrence of their respective City Councils, appoint the At-Large Director(s).

(f) Directors shall serve four-year terms, provided, however, that the directors first appointed after the creation of the Inter-island Ferry Authority shall be randomly assigned to one of three groups, each group to be as nearly equal in number as possible. The Directors assigned to one such group shall serve two-year terms; the Directors assigned to the second such group shall serve three-year terms, and the Directors assigned to the third such group shall serve four-year terms.

(g) Each director shall hold office for the term of appointment and until a successor has been appointed and qualified.

(h) If otherwise qualified, a Director is eligible to be appointed to the Board for more than one term.

(i) A vacancy on the Board shall be promptly filled by appointment as provided in this Section.

Section 9. Bylaws and Regulations. (a) The Board shall adopt bylaws to carry out the purposes and functions of the Inter-island Ferry Authority as soon after the establishment of the Inter-island Ferry Authority as possible and may, from time to time, amend those bylaws. The bylaws may contain any provision not in conflict with law for the management of the business of the Inter-island Ferry Authority and for the conduct of the affairs of the Inter-island Ferry Authority, including

- (1) the time, place, and manner of calling, conducting, and giving notice of meetings of the board and committees of the Board, if any;
- (2) the allowance for per diem and for travel and other necessary and reasonable expenses incurred by Directors in the conduct of the business of the Inter-island Ferry Authority, if any;
- (3) the appointment and authority of committees of the Board, if any;
- (4) the appointment, duties, compensation, and tenure of officers, Directors, chief executive officer, and other employees, if any;
- (5) procedures for adopting regulations;
- (6) procedures for adopting bylaws;
- (7) procedures for making annual reports and financial statements;
and
- (8) other matters for the conduct of business by the Board.

(b) The Board shall adopt regulations necessary or appropriate to carry out the purposes of the Inter-island Ferry Authority and to facilitate the day-

to-day administration, operation and other functions of the Inter-island Ferry authority. The Board may amend those regulations from time to time.

Section 10. Development Plan. (a) The Inter-island Ferry Authority shall prepare, and shall maintain and keep current by amendment from time to time as necessary or appropriate, an Inter-island Ferry Authority Development Plan ("Development Plan"). The Development Plan shall contain for each proposed project,

- (1) a general project description which shall identify the need for the project, development phases, if any, a description of any existing improvements in the project area to be affected by the project, a description of real and personal property, including municipal real and personal property, proposed to be conveyed or leased to or from the Inter-island Ferry Authority, and any other information necessary to adequately describe the project's purpose and scope;
- (2) a development schedule including phases, if any;
- (3) the estimated development cost, including the estimated development cost of project phases, if any;
- (4) the estimated cost of operation;
- (5) the proposed method of financing the improvements
- (6) identification of anticipated revenues from use fees, leases or other contractual arrangements with respect to each project; and
- (7) any other information which the Board deems necessary or appropriate to adequately describe the intent, purpose, schedule, and cost.

(b) The Inter-island Ferry Authority shall submit the Development Plan and all amendments to that Development Plan to the governing body of each of the Participating Municipalities for review and approval by resolution.

(c) The Inter-island Ferry Authority shall not undertake any project which is not consistent with the Development Plan, as amended, which has been approved by all the municipalities participating in the Inter-island Ferry Authority.

Section 11. Annual Report. Within ninety (90) days following the end of the fiscal year of the Inter-island Ferry Authority, the Board shall distribute to the governing body of each Participating Municipality a report describing the operations and financial condition of the Inter-island Ferry Authority during the preceding fiscal year. The financial report must itemize the cost of providing each category of service offered by the Inter-island Ferry Authority and the income generated by each category. The financial report may include suggestions for legislation relating to the structure, powers, or duties of the Inter-island Ferry Authority or operation of facilities of the Inter-island Ferry Authority.

Section 12. Audits. (a) The Board shall have the financial records of the Inter-island Ferry Authority audited at least once annually by an independent certified public accountant.

(b) To make the audits the Board shall designate a public accountant who has no personal interest, direct or indirect, in the fiscal affairs of the Inter-island Ferry Authority.

(c) Copies of the annual and any additional audits shall be available to the public upon request.

(d) The Inter-island Ferry Authority shall make all of its financial records available to auditors appointed by Participating Municipalities for examination.

Section 13. Fidelity Bond. The Inter-island Ferry authority shall obtain a fidelity bond in an amount determined by the Board for the members of the Board, and each executive officer responsible for accounts and finances of the Inter-island Ferry Authority. Each such fidelity bond shall be in effect during the entire tenure in office of the bonded person.

Section 14. Taxation. (a) Because the Inter-island Ferry Authority, exercising the powers granted by this enabling ordinance under AS 29.35.600 - 29.35.730 as amended, is in all respects for the benefit of the people of the Participating Municipalities and the people of the state in general for their well-being and prosperity, and for the improvement of their social and economic condition, the real and personal property of the Inter-island Ferry Authority and its assets, income, and receipts are exempt from all taxes and special assessments of the state, or a political subdivision of the state, including but not limited to the Participating Municipalities.

(b) Notwithstanding the provisions of (a) of this Section, the Inter-island Ferry Authority may in its sole discretion enter into agreements under which the Inter-

island Ferry Authority shall agree to pay to one or more Participating Municipalities payments in lieu of taxes and special assessments on real and personal property of the Inter-island Ferry Authority within the taxing jurisdiction of that municipality.

(c) Nothing in this Section creates a tax exemption with respect to the interests of a business enterprise or other person, other than the Inter-island Ferry Authority, in property, assets, income, or receipts of that business enterprise or other person, whether or not financed under the provisions of As 29.35.600 - 29.35.730 as amended.

Section 15. Withdrawal of participating Municipality. (a) A Participating Municipality may withdraw from and no longer participate in the Inter-island Ferry Authority by an affirmative vote of at least two-thirds of the members of its governing body on a withdrawal ordinance and approval of that ordinance by a majority of the qualified voters within that municipality voting on the question.

(b) A municipality's withdrawal from the Inter-island Ferry Authority shall not cause the dissolution of the Inter-island Ferry Authority unless the remaining Participating Municipalities act to dissolve the Inter-island Ferry Authority.

Section 16. Dissolution of Inter-island Ferry Authority. (a) Participating Municipalities may dissolve the Inter-island Ferry Authority. Dissolution of the Inter-island Ferry Authority requires an affirmative vote of at least two-thirds of the members of the governing body of each of the Participating Municipalities on a dissolution ordinance and approval by a majority of the qualified voters of each of the Participating Municipalities of that dissolution ordinance, provided, however, that

- (1) all holders of any revenue bonds issued by the Inter-island Ferry Authority and then outstanding are fully repaid including interest, or payment has been fully provided for; and
- (2) all creditors of the Inter-island Ferry Authority, including but not limited to lenders and trade creditors are fully paid including interest, if any, or other provision has been made for that payment; and
- (3) all other obligations, agreements and commitments of the Inter-island Ferry Authority, including but not limited to agreements with customers of the Inter-island Ferry Authority, have been satisfied, or other provisions have been made for that satisfaction.

- (b) The dissolution ordinance shall include, but is not limited to:
- (1) schedules and procedures for terminating inter-island Ferry Authority functions and services;
 - (2) schedules and procedures for disposing of all Inter-island Ferry Authority assets, including distributing those assets of the Inter-island Ferry Authority which must be re-conveyed in accordance with the provisions of As 29.35.610(b) to the Participating Municipalities; and
 - (3) schedules and procedures for meeting or otherwise satisfying all other obligations, agreements and commitments of the Inter-island Ferry Authority as set forth in (a) of this Section; and
 - (4) provisions for those other matters deemed necessary and prudent by the Board for the proper and business-like dissolution of the Inter-island Ferry Authority

Section 17. Further Acts. The Mayor or the Mayor's designee is authorized to execute those documents and take those actions necessary to establish the Inter-island Ferry Authority as set out in this ordinance, and to otherwise enter into agreements with the Inter-island Ferry Authority, the Other Municipalities and others within the scope and the purpose of the Inter-island Ferry Authority.

Section 18. Referendum and Effective Date. This ordinance shall not go into effect until and unless the creation of the Inter-island Ferry Authority is first approved by a majority of the qualified voters voting on the question at a regular election to be held on October 7, 1997. The ballot proposition shall be substantially in the following form:

PROPOSITION NO. _____

Creation of the Inter-island Ferry Authority

"Shall the City of Wrangell participate with any or all of the "Other Municipalities" identified in Section 2 of Ordinance No. 631 of the City of Wrangell pursuant to As 29.35.600 - 29.35.730 to create a port authority to be known as the Inter-island Ferry Authority having the purposes, powers, and other attributes as set forth in Ordinance No. 631 of the City of Wrangell?"

YES.....

NO.....

PASSED IN FIRST READING January 28, 1997

PASSED IN SECOND READING February 25, 1997

Douglas W. Roberts
Douglas W. Roberts, Mayor

ATTEST: Franette A. Vincent
Franette A. Vincent, City Clerk

Affidavit of Publication

United States of America
State of Alaska
First Judicial District

ss

Before me, the undersigned, a notary public, this day personally appeared Joy McCormack, who, being first duly sworn, according to law, says that she is the Circulation Manager for the Wrangell Sentinel, a newspaper published at Wrangell, in said first Judicial District and State, and that the advertisement, of which the annexed is a true copy, was published in said paper on March 6, 1997, once each week thereafter for 9 consecutive weeks, the last publication appearing on March 6, 1997, and that the rate charged thereon is not in excess of the rate charged private individuals.

CITY OF WRANGELL, ALASKA

LEGAL

Pursuant to the City of Wrangell, Alaska, City Charter, Sec. 2-13, public notice is hereby given that the following ordinance listed by title only has been adopted by the City Council. Such ordinance is new and currently on file in the office of the City Clerk and may be inspected upon request.

ORDINANCE NO. 631: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WRANGELL, ALASKA, AUTHORIZING THE CREATION OF A PORT AUTHORITY UNDER AS 29.35.600-29.35.730 WHICH AUTHORITY SHALL BE KNOWN AS THE INTER-ISLAND FERRY AUTHORITY AND SHALL HAVE THE PURPOSE, POWERS, AND OTHER ATTRIBUTES AS SET FORTH IN THIS ORDINANCE, CALLING A REFERENDUM ON THE PROPOSITION OF CREATING SAID PORT AUTHORITY, AND ESTABLISHING AN EFFECTIVE DATE.

Franette A. Vincent, City Clerk
City of Wrangell, Alaska

Publish March 6, 1997

Joy McCormack

Subscribed and sworn before me this
April 8, 1997

Seanne Gillen Saunders

Seanne Gillen Saunders

Notary Public for the State of Alaska

My Commission expires September 25, 2000

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 632

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 20 ZONING, SPECIFICALLY PRINCIPAL USES IN CHAPTER 20.48 I DISTRICT - INDUSTRIAL; AND PRINCIPAL USES AND CONDITIONAL USES IN CHAPTER 20.51 IL DISTRICT - LIGHT INDUSTRIAL

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 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 become effective thirty (30) days after final passage.

Sec. 4. WMC 20.48.020 entitled Principal uses permitted, is hereby amended to read:

20.48.020 Principal uses permitted. The following 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 MODULARS OR MANUFACTURED HOUSING FOR GUARDS, CARETAKERS OR OWNER OPERATORS OF INDUSTRIAL PLANTS;] Quarters for caretaker, guard or owner-operators whose presence on the property is required for operational or protective safety, and includes manufactured homes, trailers or quarters in a part of any industrial building, each limited to 600 square feet.
- G. Sand, gravel and rock extraction and processing; and
- H. Public utility uses.

Sec. 5 WMC 20.51.010 Purpose entitled Purpose, is hereby amended to read:

20.51.010 Purpose. The light industrial district is intended to provide for an area of light industrial and high density 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.

Sec. 5. WMC 20.51.020 entitled Principal Uses Permitted, is hereby amended to read:

20.51.020 Principal Uses Permitted. 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. MULTIFAMILY STRUCTURES, DORMITORIES AND ROOMING HOUSES AND BOARDING HOUSES;
- F. PUBLIC PARKS OR PLAYGROUNDS;
- G.] Auto repair, and subordinate or incidental retail sale of supplies or parts.

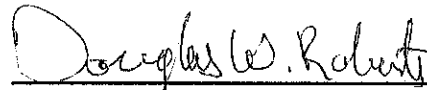
Sec. 6 WMC 20.51.040 entitled Conditional Uses, is hereby amended to read:

20.51.040 Conditional Uses. 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:

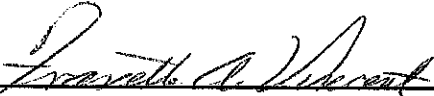
- A. Those commercial uses as specified in Section 20.44.020;
- B. Recreational Vehicle Parks;
- C. Multi-family structures, dormitories, rooming houses, bunk houses and boarding houses;
- D. Public parks and playgrounds associated with a high density residential development.

PASSED IN FIRST READING _____ April 8 _____, 1997

PASSED IN SECOND READING _____ April 22 _____, 1997



Douglas W. Roberts, Mayor

ATTEST: 
Franette A. Vincent, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 633

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING WRANGELL MUNICIPAL CODE, CHAPTER 14.11 FEES AND PENALTIES, SPECIFICALLY SECTION 14.11.005 FEE SCHEDULE, INCREASING ANNUAL MOORAGE RATES

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, Chapter 14.11 Fees and Penalties is hereby amended as follows:


14.11.005 Fee Schedule. The following fees shall be charged for the uses indicated:

<u>Use</u>	<u>Fee</u>
A. Transient Moorage 14.05.010	
Daily - Prepaid	\$0.25 per foot
Daily - Invoiced	\$0.35 per foot
Monthly	\$0.90 per foot
Annual (Must be qualified for wait list)	[\$7.50] <u>9.60</u> per foot
B. Reserved Moorage 14.05.010	
Wait list deposit	\$50.00 each
Annual	[\$7.50] <u>9.60</u> per foot
C. Customer Service Moorage 14.05.015	
Wait list deposit	\$50.00 each
Annual	\$0.65/square foot
D. Electric Utility Service 14.07.040	
Daily	\$3.00/rental period

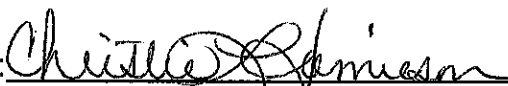
- | | | |
|----|--|-----------------------|
| E. | Outside Dock Face Moorage 14.07.005C | |
| 1. | 00-99 Feet | \$0.65/foot |
| 2. | 100-199 Feet | \$0.90/foot |
| 3. | 200-299 Feet | \$1.05/foot |
| 4. | 300-399 Feet | \$1.15/foot |
| 5. | 400 Feet and over | \$1.30/foot |
| F. | Inside Dock Face Moorage 14.07.005C | |
| 1. | 00-99 Feet | \$0.65/foot |
| 2. | 100-199 Feet | \$0.90/foot |
| 3. | 200-299 Feet | \$1.05/foot |
| 4. | 300-399 Feet | \$1.15/foot |
| 5. | 400 Feet and Over | \$1.30/foot |
| G. | Barge Ramp Facility Moorage 14.07.005C | |
| | Daily (\$25.00 minimum) | \$0.025 per gross ton |
| H. | Net and Gear Work on Dock 14.07.005D | |
| | First two rental periods | \$25.00 |
| | Each additional rental period | \$20.00 |

PASSED IN FIRST READING May 13, 1997

PASSED IN SECOND READING May 27, 1997



 Douglas W. Roberts, Mayor

ATTEST: 
 Christie L. Jamieson, Deputy City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 634

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING WRANGELL MUNICIPAL CODE CHAPTER 9.04 GARBAGE, SPECIFICALLY 9.04.020 REFUSE CONTAINERS--SPECIFICATIONS

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 9.04.020 Refuse Containers—Specifications as follows:


9.04.020 Refuse Containers—Specifications. A. Each and every owner, tenant, housekeeper or other person occupying any room, dwelling, house, apartment or other building or portion thereof and producing or being responsible for the disposal of refuse shall provide sturdy pest proof receptacles with a capacity of twenty to thirty-three gallons approved by the city manager or his authorized agent.

B. It shall be the duty of every person, firm or corporation owning, managing, operating, leasing or renting any commercial premises where excessive amounts of refuse accumulate and where its storage as required in this chapter is impractical, to maintain a pest proof [metal] bulk storage container or containers, approved by the city manager or his authorized agent.

C. It shall be the duty of every person, firm or corporation owning, managing, operating, leasing or renting any premises or dwelling unit to place the daily accumulations of refuse in the container or containers required in this chapter, and it shall be the duty of every person placing garbage in any such container to eliminate, as far as possible, all water and liquid from such garbage and to securely wrap garbage in paper before placing same in such container or bag.

PASSED IN FIRST READING May 13, 1997

PASSED IN SECOND READING May 27, 1997



Douglas W. Roberts, Mayor

ATTEST: 

Christie L. Jamieson, Deputy City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 635

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING WRANGELL MUNICIPAL CODE, SPECIFICALLY ADDING TITLE 4, ECONOMIC DEVELOPMENT

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 from October 25, 1996

Sec. 4. Wrangell Municipal Code Title 4, Economic Development, is hereby added as follows:

Title 4

ECONOMIC DEVELOPMENT


Sec. 04.10.005. Economic development authorized; scope.

- (a) (Pursuant to Alaska Statute 29.35.260(a), the City of Wrangell hereby exercises the power to provide for economic development on a city wide basis as herein provided.
- (b) The City, in order to promote, enhance, further and provide for economic development, may:
 - (1) Levy and collect taxes and expend funds for such purposes.
 - (2) Apply for, receive, dispense and administer grants, contributions and other moneys
 - (3) Enter into agreements, contracts and other arrangements with the state, municipalities, federal government, or other public and private agencies, corporations, associations, organizations or individuals.

- (4) Purchase, lease, exchange, or otherwise acquire an interest in real or personal property, and sell, lease, exchange or otherwise dispose of real or personal property, or an interest in real or personal property.
 - (5) Initiate, undertake and participate in studies, programs, and projects, and engage in and take such other actions, as are deemed necessary or appropriate to promote, enhance, further and provide for economic development.
- (c) The city manager, subject to the direction of the council, shall be responsible for the administration and implementation of the economic development projects and programs provided for in this title.

PASSED IN FIRST READING May 13, 1997

PASSED IN SECOND READING May 27, 1997



Douglas W. Roberts, Mayor

ATTEST: 

Franette A. Vincent, City Clerk

CITY OF WRANGELL, ALASKA

SEWER REVENUE BOND, 1997

\$250,000

ORDINANCE NO. 636

AN ORDINANCE of the City of Wrangell, Alaska, providing for the issuance of a sewer revenue bond of the City in the aggregate principal amount of \$250,000 to finance the cost of acquiring, constructing and installing certain additions and betterments to and extensions of the existing sewerage system of the City; fixing the date, form, terms, maturities and covenants of said bond; reserving the right of the City to issue future revenue bonds with a lien on revenues on a parity with said bond upon compliance with certain conditions; and providing for the sale of the bond herein authorized to the United States Department of Agriculture, Rural Development.

Passed ~~June 24~~^{July 8}, 1997

Prepared by:

PRESTON GATES & ELLIS LLP
Seattle, Washington

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CITY OF WRANGELL, ALASKA

ORDINANCE NO. 636

AN ORDINANCE of the City of Wrangell, Alaska, providing for the issuance of a sewer revenue bond of the City in the aggregate principal amount of \$250,000 to finance the cost of acquiring, constructing and installing certain additions and betterments to and extensions of the existing sewerage system of the City; fixing the date, form, terms, maturities and covenants of said bond; reserving the right of the City to issue future revenue bonds with a lien on revenues on a parity with said bond upon compliance with certain conditions; and providing for the sale of the bond herein authorized to the United States Department of Agriculture, Rural Development.

WHEREAS, the City of Wrangell, Alaska (the "City"), a municipal corporation of the State of Alaska, owns, operates and maintains a sewage collection and treatment system (the "System"), as authorized by Section 8-1 of the City Charter; and

WHEREAS, the City Council (the "Council"), by Resolution No. 08-95-604, adopted by the Council on August 31, 1995, submitted to the qualified electors of the City the question of whether or not the City should acquire and construct certain improvements to the System and certain improvements to the water distribution system of the City and issue water and sewer revenue bonds in an amount not to exceed \$650,000 to finance such improvements; and

WHEREAS, at an election held within the City on October 3, 1995, the qualified electors of the City approved the water and sewer projects described above and the issuance of the City's water and sewer revenue bonds in an amount not to exceed \$650,000 to finance such improvements; and

WHEREAS, the Council deems it necessary and advisable to undertake the Project and to provide for the financing of the Project by the issuance of a sewer revenue bond in the principal

amount of \$250,000 (the "Bond"), which Bond shall be sold to the United States Department of Agriculture, Rural Development (the "United States"); and

WHEREAS, to finance a portion of the water project described above, the City intends to issue its water revenue bond in the principal amount of \$250,000, which bond will also be sold to the United States; and

WHEREAS, the City presently has no outstanding sewer revenue bonds; and

WHEREAS, the City wishes to establish the terms and conditions for the issuance of additional sewer revenue bonds on a parity with the 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 terms shall have the following meanings:

"Assessments" means the assessments (including interest and penalties) levied in any utility local improvement district of the City created for the acquisition or construction of additions and betterments to, or extensions of the System, if such assessments are pledged to the Bond Fund.

"Average Annual Debt Service" on any of the Parity Bonds means the amount determined by dividing (a) the sum of all interest and principal to be paid on such bonds from the date of determination to the last maturity date of such bonds, by (b) the number of calendar years from and including the calendar year in which the determination is made to the last calendar year in which such bonds will be outstanding.

"Bond" means the \$250,000 par value sewer revenue bond of the City issued pursuant to and for the purposes provided in this Ordinance.

"Bond Fund" means the "City of Wrangell 1997 Sewer Revenue Bond Redemption Fund" authorized to be created by Section 6 of this Ordinance to pay and secure the payment of all Parity Bonds.

"City" means the City of Wrangell, a municipal corporation duly organized and existing under and by virtue of the laws of the State of Alaska and the City's Charter.

"City Clerk" means the City Clerk, or the successor to the duties of such office.

"Construction Fund" means the special fund of the City designated as the "Zimovia Highway Sewer Project Construction Fund."

"Costs of Maintenance and Operation" means all necessary operating expenses, current maintenance expenses, expenses of reasonable upkeep and repairs, and insurance and administrative expenses, but excludes depreciation, payments for debt service or into reserve accounts and costs of capital additions to or replacements of the System, taxes levied by the City or payments in lieu of such taxes.

"Council" means the City Council of the City as the general legislative authority of the City as the same shall be duly and regularly constituted from time to time.

"Finance Director" means the Finance Director of the City or the successor to the duties of such office.

"Future Parity Bonds" means any and all sewer revenue bonds of the City issued after the date of the issuance of the Bond and having a lien upon the money in the Sewer Fund for the payment of the principal thereof and interest thereon equal to the lien upon the money in such fund for the payment of the principal of and interest on the Bond.

"Gross Revenue" means all of the earnings, revenue and money, except Assessments, received by the City from or on account of the operation of the System including proceeds from the sale, lease or other disposition of any of the properties or facilities of the System, and the income from investments of money in the Revenue Fund and any bond fund or from any other investment thereof except the income from investments irrevocably pledged to the payment of revenue bonds pursuant to a plan of retirement or refunding. Gross Revenue shall not include grants or bond proceeds, but shall include federal or state reimbursements of operating expenses to the extent that such expenses are included as Costs of Maintenance and Operation.

"Net Revenue" means Gross Revenue less the Costs of Maintenance and Operation.

"Parity Bonds" means the Bond and any Future Parity Bonds.

"Principal and Interest Account" means the special account of that name authorized by Section 6 hereof to be created in the Bond Fund for the purpose of paying the principal of and interest on all Parity Bonds.

"Professional Utility Consultant" means the independent person(s) or firm(s) selected by the City having a favorable reputation for skill and experience with sewer systems of comparable size and character to the System in such areas as are relevant to the purposes for which they are retained.

"Project" means the improvements to the System authorized by Resolution No. 08-95-604, adopted by the Council on August 31, 1995, and approved by the voters of the City at an election held therein on October 3, 1995.

"Reserve Account" means the account of that name created within the Bond Fund pursuant to Section 6 hereof for the purpose of securing the payment of all Parity Bonds.

"Sewer Fund" means the heretofore established Sewer Fund of the City.

"System" means the existing sewage collection and treatment system of the City and such improvements or additions as may be made to such system for as long as any Parity Bonds are outstanding and shall include the water supply and distribution system of the City and/or the storm drainage system of the City if either is or both are ever combined with the sanitary sewer system.

"Term Bonds" means any Future Parity Bonds identified as Term Bonds in the ordinance authorizing the issuance thereof, the payment of the principal of which is provided for by a mandatory schedule of deposits of money equal (in the aggregate) to the full principal amount of such Term Bonds, into the Bond Fund, and by a mandatory redemption schedule corresponding (as to time and amounts) to such mandatory schedule of deposits.

"United States" means the United States, acting by and through the Department of Agriculture, Rural Development.

Section 2. Authorization of Bond. For the purpose of providing permanent financing for the Project, the City shall now issue and sell its sewer revenue bond in the aggregate principal

amount of \$250,000 (the "Bond"). The Bond shall be designated "City of Wrangell, Alaska, Sewer Revenue Bond, 1997," shall be dated as of the date of delivery thereof to the United States, as the initial purchaser, shall be numbered R-1, shall be in the denomination of \$250,000, shall be fully registered, shall bear interest from the date of its issuance on the unpaid principal balance thereof at the rate of 5.0% per annum and shall be amortized over a 40-year period and shall be repaid in approximately equal amortized semiannual installments of principal and interest payable on the first day of the sixth month following the date of the delivery of the Bond and semiannually thereafter, until all principal installments of the Bond have been paid or such payment has been duly provided for; provided, however, that the final payment of all principal of and interest on the Bond shall nevertheless be due at final maturity of the Bond on the first day of the month that is 40 years after the date of the Bond.

Payments shall be applied first to interest and then to principal, and interest shall accrue on the basis of a 365-day year.

Both principal of and interest on the Bond shall be payable in lawful money of the United States of America to the owner or owners thereof at the address appearing on the registration books of the City maintained by the Finance Director; provided, however, that as long as the United States is the owner and holder of the Bond, the City shall make payments directly to the financial office of the United States serving the City of Wrangell, Alaska. The Bond shall be payable solely from the Gross Revenue and shall not be a general obligation of the City.

The Bond shall be registered as to both principal and interest as long as any of the installments of the Bond remain unpaid, and the City shall maintain in the office of the Finance Director books for the registration and transfer of the Bond. No transfer of the Bond so registered shall be valid unless made on said books upon the written request of the registered owner or its duly authorized agent.

Section 3. Prepayment. The City hereby reserves the right to prepay principal installments remaining unpaid at the price of par plus accrued interest, in whole, or in part in

chronological order, at any time. No advance notice of intended prepayment or redemption shall be required.

Section 4. Priority of Payments from Sewer Fund. There has heretofore been established in the office of the Finance Director a special fund of the City designated as the "City of Wrangell Sewer Fund" (the "Sewer Fund"). All of the Gross Revenue shall be deposited in the Sewer Fund as collected. The Sewer Fund shall be held separate and apart from all other funds and accounts of the City, and the Gross Revenue deposited in the Sewer Fund shall be used only for the following purposes and in the following order of priority:

First, to pay the Costs of Maintenance and Operation;

Second, to pay the interest on any Parity Bonds;

Third, to pay the principal of any Parity Bonds;

Fourth, to make all payments required to be made into the Reserve Account created to secure the payment of Parity Bonds;

Fifth, to make all payments required to be made into any revenue bond redemption fund or revenue warrant redemption fund and debt service account or reserve account created to pay and secure the payment of the principal of and interest on any revenue bonds or revenue warrants of the City having a lien upon the Gross Revenue junior and inferior to the lien thereon for the payment of the principal of and interest on the Parity Bonds; and

Sixth, to retire by redemption or purchase in the open market any outstanding revenue bonds or revenue warrants of the City, to make necessary additions, betterments, improvements and repairs to or extensions and replacements of the System of the City, or for any other lawful City purposes.

Section 5. Bond Fund. A special fund of the City designated as the "City of Wrangell 1997 Sewer Revenue Bond Redemption Fund" (the "Bond Fund") is hereby authorized to be created in the office of the Finance Director, which Fund is to be drawn upon for the sole purpose of paying the principal of and interest on the Bond and all other Parity Bonds.

A Principal and Interest Account is hereby authorized to be created in the Bond Fund for the purpose of paying the principal of, premium, if any, and interest on all Parity Bonds.

As long as the Bond remains outstanding, the City hereby irrevocably obligates and binds itself to set aside and pay from the Sewer Fund into the Principal and Interest Account in addition to amounts required to be paid therein on account of any other issue of Parity Bonds, those amounts necessary, after taking into consideration such other funds as are on hand in the Principal and Interest Account and available for the payment of principal and interest on the Bond, to pay the interest or principal and interest next coming due on the Bond. Such payments from the Sewer Fund shall be made on or before the day on which the regular semiannual payment of principal of and interest on the Bond is due and payable in an amount equal to such regular payment.

The City covenants and agrees that in the event it issues any Future Parity Bonds that are Term Bonds, it will provide in each ordinance authorizing the issuance of the same for annual payments to be made from the Sewer Fund into the Principal and Interest Account sufficient together with Gross Revenue collected and deposited and such other money as is on hand and available therefor in such account to amortize the principal of Future Parity Bonds that are Term Bonds on or before the maturity date thereof.

Section 6. Reserve Account. A Reserve Account is hereby authorized to be created in the Bond Fund for the purpose of securing the payment of the principal of and interest on all Parity Bonds. The City covenants and agrees that it will pay into the Reserve Account out of the Gross Revenue (or, at the option of the City, out of any other funds on hand legally available for such purposes) semiannual payments sufficient with other money in the Reserve Account to have on deposit therein by ten years from the date of delivery of the Bond, a total amount of not less than the Average Annual Debt Service on the Bond, to be paid at the rate of not less than 1/20 of such amount per six-month period.

The City further covenants and agrees that in the event it issues any Future Parity Bonds it will provide in each ordinance authorizing the issuance of such Future Parity Bonds that, within

ten years of the date of issuance of such Future Parity Bonds, the City will have set aside and paid into the Reserve Account an amount that will at least equal the Average Annual Debt Service on such Future Parity Bonds. This amount shall be accumulated by one or more deposits commencing not later than six months after the date of issuance of such Future Parity Bonds and continuing no less often than semiannually until such amount has been accumulated.

The City further covenants and agrees that when the required deposits have been made into the Reserve Account, it will at all times maintain therein an amount at least equal to the Average Annual Debt Service on all outstanding Parity Bonds. Whenever there is a sufficient amount in the Bond Fund, including the Reserve Account and the Principal and Interest Account, to pay the principal of, premium if any, and interest on all outstanding Parity Bonds, the money in the Reserve Account may be used to pay such principal, premium, if any, and interest. Money in the Reserve Account may also be withdrawn to redeem and retire, and to pay the premium, if any, and interest due to such date of redemption, on any outstanding Parity Bonds, as long as the money left remaining on deposit in the Reserve Account are equal to the average annual debt service on the remaining outstanding Parity Bonds.

In the event there shall be a deficiency in the Principal and Interest Account to meet maturing installments of either interest on or principal of and interest on Parity Bonds, such deficiency shall be made up from the Reserve Account by the withdrawal of money therefrom. Any deficiency created in the Reserve Account by reason of any such withdrawal shall then be made up out of Gross Revenue after making necessary provision for the payments required to be made under paragraph "First" through "Third" of Section 4 of this ordinance.

All money in the Reserve Account may be kept in cash or deposited in institutions permitted by law in an amount in each institution not greater than the amount insured by any department or agency of the United States Government, or may be invested in United States obligations having a guaranteed market and maturing or having a guaranteed redemption price not later than the last maturity of the Bond. Interest earned on or any profits made from the sale of

any such investments shall be deposited in and become a part of the Principal and Interest Account.

Section 7. Pledge of Sewer Revenue. The amounts pledged to be paid into the Bond Fund and the Reserve Account therein out of the Sewer Fund are hereby declared to be a lien and charge upon Gross Revenue and the money in the Sewer Fund junior, subordinate and inferior to the Costs of Maintenance and Operation, equal in rank to the lien and charge that may later be made thereon to pay and secure the payment of any Future Parity Bonds, and superior to all other charges of any kind or nature.

Section 8. Sufficiency of Revenues. The corporate authorities of the City hereby declare that in fixing the amounts to be paid into the Bond Fund as aforesaid they have exercised due regard to the reasonable and necessary costs of maintenance and operation of the System and the charges necessary to pay and secure the payment of the principal of and interest on the Bond and have not obligated the City to set aside and pay into the Bond Fund a greater amount of the Gross Revenue than in their judgment will be available over and above such reasonable and necessary costs of maintenance and operation and the amounts necessary to pay the principal of and interest on the Bond.

Section 9. General Covenants. So long as the Bond remains unpaid, the City hereby covenants and agrees with the owner of the Bond from time to time, as follows:

A. Maintenance and Operations. The City will at all times maintain and keep the System in good repair, working order and condition, will at all times operate the System and the business in connection therewith in an efficient manner and at a reasonable cost, and will comply with all applicable laws of the State of Alaska.

B. Rates. The City will impose and collect such rates and charges for service rendered by the System (i) that Gross Revenue paid into the Sewer Fund will be sufficient at all times to provide for the payment of the Costs of Maintenance and Operation and payments of principal of and interest on the Bond and any Parity Bonds; (ii) that all service rendered by the

System shall be subject to the full rates prescribed by the rules and regulations of the City; and (iii) that no free service from the System will be permitted.

C. Books and Records. The City will maintain complete books and records relating to the operation of the System and its financial affairs, and will cause such books and records to be audited annually at the end of each fiscal year and an audit prepared in accordance with State law. At all reasonable times the United States shall have the right to inspect the System and the records, accounts and data of the City relating thereto.

D. Insurance. The City will carry fire and extended coverage insurance in an amount at least equal to the depreciated replacement value for all above-ground structures of the System, including equipment and machinery. The City will also carry adequate public liability insurance, workers' compensation insurance and other kinds of insurance as under good practice are ordinarily carried on such properties by utilities engaged in the operation of a sewer utility. The premiums paid for all such insurance shall be regarded and paid as a Cost of Maintenance and Operation.

E. Assessments. The City shall promptly collect all Assessments levied in any utility local improvement district now or hereafter created to secure the payment of the principal of and interest on any Parity Bonds and shall pay the same into the Bond Fund without allocation of such Assessments to any particular series of Parity Bonds. It is hereby provided further, however, that nothing in this ordinance or in this subsection shall be construed to prohibit the City from issuing revenue bonds having a lien on Gross Revenue junior to the lien on such revenue for the payment of the principal of and interest on Parity Bonds and pledging as security for the payments of such junior lien bonds assessments levied in any utility local improvement district that may have been created to pay part or all the cost of improvements to the System for which such junior lien revenue bonds were specifically issued.

F. Disposition of Facilities. The City will not mortgage, sell, lease, or in any manner encumber or dispose of all the property of the System, unless provision is made for payment into the Bond Fund of a sum sufficient to pay the principal of and interest on all outstanding Parity

Bonds, and that it will not mortgage, sell, lease, or in any manner encumber or dispose of any part of the System that is used, useful and material to the operation of the System unless provision is made for replacement thereof or for payment into the Bond Fund of an amount which shall bear the same ratio to the amount of the outstanding Parity Bonds as the revenue available for debt service for those Parity Bonds for the 12 months preceding such sale, lease, encumbrance or disposed of, bears to the revenue available for debt service for those Parity Bonds from the entire System for the same period. Any such money so paid into the Bond Fund shall be used to retire outstanding Parity Bonds at the earliest possible date.

Notwithstanding any other provision of this Subsection F, the City may sell or otherwise dispose of any of the works, plant, properties and facilities of the System or any real or personal property comprising a part of the same with a value less than 4% of the net utility plant of the System or which shall have become unserviceable, inadequate, obsolete or unfit to be used in the operation of the System, or no longer necessary, material to or useful in such operation, without making any deposit into the Bond Fund.

G. Fidelity Bond. The City will maintain an officer's fidelity bond for its Finance Director for as long as the United States is the registered owner of the Bond. A certified copy of such bond will be delivered to the United States.

Section 10. Tax Covenants; Special Designation.

A. The City hereby covenants that it will not make any use of the proceeds of sale of the Bond or any other funds of the City that may be deemed to be proceeds of the Bond pursuant to Section 148 of the Code that will cause the Bond to be an "arbitrage bond" within the meaning of said section and said regulations.

The City further covenants that it will not take any action or permit any action to be taken that would cause the Bond to constitute a "private activity bond" under Section 141 of the Code.

B. Special Designation. The City hereby designates the Bond as a "qualified tax-exempt obligation" under Section 265(b)(3) of the Code for investment by financial

institutions. The City does not anticipate issuing more than \$10,000,000 of qualified tax-exempt obligations during 1997.

Section 11. Future Parity Bonds. The City hereby further covenants and agrees with the owner from time to time of the Bond for as long as any portion of the same remains outstanding as follows:

A. That it will not hereafter issue any sewer revenue bonds or other obligations of the City that will have a lien and charge upon Gross Revenue superior to the lien and charge thereon of the Bond. The City may issue Future Parity Bonds for:

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

Second, the purpose of refunding by payment, redemption, exchange or purchase at or prior to their maturity any outstanding Parity Bond,

to issue Future Parity Bonds and to pledge that payments shall be made out of the Sewer Fund into the Bond Fund to pay and secure the payment of such Future Parity Bonds on a parity with the payments required by this Ordinance to be made out of the Sewer Fund into the Bond Fund to pay and secure the payment of the principal of and interest on the Bond, upon compliance with the following conditions:

1. That at the time of the issuance of such Future Parity Bonds there is no deficiency in the Principal and Interest Account or the Reserve Account.

2. That each ordinance authorizing the issuance of such Future Parity Bonds shall require that principal and interest on the Future Parity Bonds be payable out of the Bond Fund and shall further provide (i) for payments into the Bond Fund to satisfy the sinking fund requirement set forth in Section 5 hereof with respect to any such Future Parity Bonds that are Term Bonds and (ii) for payments into the Reserve Account to satisfy the requirements of Section 6 hereof.

3. That each ordinance authorizing the issuance of such Future Parity Bonds shall require that any and all Assessments will be paid directly into the Bond Fund.

4. That each ordinance authorizing the issuance of refunding Future Parity Bonds shall require that all uncollected Assessments that may have been levied to secure the payment of the principal of and interest on the bonds being refunded will be paid directly into the Bond Fund.

5. That at the time of the issuance of such Future Parity Bonds the City shall have on file in the office of the City Clerk a certificate of a Professional Utility Consultant showing: that the Net Revenue determined and adjusted as hereafter provided for each calendar year after the issuance of such Future Parity Bonds (the "Adjusted Net Revenue") will equal at least 1.10 times the Annual Debt Service (after deducting Assessments, allocated to the years in which they would be received if the unpaid balance of each assessment roll were paid in the remaining number of installments with interest on the declining balance at the times and at the rate provided in the ordinance confirming the assessment roll) for each such calendar for all Parity Bonds plus the Future Parity Bonds proposed to be issued.

The Adjusted Net Revenue shall be the Net Revenue for a period of any 12 consecutive months out of the 24 months immediately preceding the date of delivery of such proposed Future Parity Bonds as adjusted by such Professional Utility Consultant to take into consideration changes in Net Revenue estimated to occur under the following conditions for each year after such delivery for so long as any Parity Bonds, including the Future Parity Bonds proposed to be issued, shall be outstanding:

(i) the additional Net Revenue that would have been received if any change in rates and charges adopted by ordinance of the City prior to the date of such certificate and subsequent to the beginning of such 12-month period, had been in force during the full 12-month period;

(ii) the additional Net Revenue that would have been received if any facility of the System that became fully operational after the beginning of such 12-month period had been so operating for the entire period;

(iii) the additional Net Revenue estimated by such Professional Utility Consultant to be received from potential customers of the System with existing homes or other buildings that will be required to connect to any additions, betterments and improvements to and extensions of any facilities of the System that are (a) under construction at the time of such certificate or (b) will be constructed from the proceeds of the Future Parity Bonds to be issued;

(iv) the additional Net Revenue that would have been received if those customers added to the System subsequent to the beginning of such 12-month period had been customers for the entire period;

(v) the additional Net Revenue estimated to be received from any potential customers of the System who paid any required connection charge subsequent to the beginning of such 12-month period;

(vi) the additional Net Revenue estimated to be received from any potential customers of the System who received building permits subsequent to the beginning of such 12-month period and are anticipated to connect to the System;

(vii) The additional Net Revenue estimated to be received from any person, firm, association, private or municipal corporation under any executed service contract, which net revenue is not included in any of the sources of Net Revenue heretofore described in this subsection A(5); and

(viii) The estimated change in Net Revenue as a result of any actual or reasonably anticipated changes in the Costs of Maintenance and Operation after such 12-month period.

Such Professional Utility Consultant may rely upon, and his or her certificate shall have attached thereto, financial statements of the System certified by the Finance Director showing income and expenses for the period upon which the same is based.

The certificate of such Professional Utility Consultant shall be conclusive and the only evidence required to show compliance with the provisions and requirements of this subsection A(5).

B. Notwithstanding the foregoing requirement, if Future Parity Bonds are to be issued for the purpose of refunding at or prior to their maturity any part or all of the then outstanding Parity Bonds and the issuance of such refunding Future Parity Bonds will result in a debt service savings and does not require an increase of more than \$5,000 in any fiscal or calendar year for principal of and interest on such refunding Future Parity Bonds over and above the amount required in such year for the principal of and interest on the bonds being refunded thereby, the condition stated in subsection A(5) of this section need not be met.

C. Nothing herein contained shall prevent the City from issuing any revenue bonds, warrants or other obligations that create a lien and charge upon Gross Revenue and money in the Sewer Fund junior or inferior to the payments required by this ordinance to be made into the Bond Fund and the Reserve Account.

Section 12. Transfer. The Bond may be transferred by the registered owner thereof, provided that such transfer relates to the entire unpaid principal amount of the Bond, and any such transfer shall be noted on the bond registration books of the City.

Section 13. Lost or Destroyed Bond. In case the Bond shall be lost, stolen or destroyed, the City may execute and deliver a new bond of like date, number and tenor to the registered owner thereof in the manner provided by law and upon the owner's paying the expenses and charges of the City in connection therewith.

Section 14. Form of Bond. The Bond shall be in substantially the following form:

UNITED STATES OF AMERICA

NO. R-1

\$250,000

STATE OF ALASKA

CITY OF WRANGELL
SEWER REVENUE BOND, 1997

The City of Wrangell, Alaska, a municipal corporation of the State of Alaska (the "City"), acknowledges itself indebted and for value received promises to pay, but solely from the Bond Fund, hereinafter identified, to the United States of America, acting by and through the Department of Agriculture, Record Development (herein sometimes called the "Payee"), or its registered assigns (herein sometimes called the "Alternate Payee"), the principal sum of

TWO HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$250,000)

in any coin or currency which is legally acceptable on the respective dates of payments for debts due the United States of America, and to pay interest, from the date hereof, on the balance of said principal from time to time remaining unpaid in like coin or currency at the rate of ____% per annum payable in semiannual installments of principal and interest, equal to _____ and No/100 Dollars (\$_____), payable on _____, and semiannually thereafter, until all of such installments have been paid or such payment has been duly provided for, provided that the final payment of principal of and interest on this bond shall nevertheless be due on _____, 2037.

As long as the Payee is the registered owner of this bond, payments of principal and interest shall be made by the City Finance Director directly to the Payee at the office of the Payee serving City of Wrangell, Alaska. As long as the Alternate Payee is the registered owner of this bond, said payment shall be made at the office of the City Finance Director. Upon final payment of the principal of and interest on this bond, it shall be submitted to the City for cancellation and surrender.

Both principal of and interest on this bond are payable solely out of the special fund of the City known as the "City of Wrangell Sewer Revenue Bond Redemption Fund" (the "Bond Fund") created by Ordinance No. 636 of the Council (the "Bond Ordinance").

In addition to the installments of principal required to be paid by the City as hereinabove set forth, the City, at its option, shall have the right to prepay any or all unpaid principal installments in the chronological order of such installments at any time. No advance notice need be given of any prepayment hereunder.

This bond is issued pursuant to the Bond Ordinance for the purpose of financing the completion of certain additions and improvements to the sewerage system of the City (the "System"). Capitalized terms used in this bond and not otherwise defined herein shall have the meanings given such terms in the Bond Ordinance.

The City does hereby pledge and bind itself to set aside from the Gross Revenue and to pay into the Bond Fund the various amounts required by the Bond Ordinance to be paid into and maintained in said Fund, on the dates and at the times provided by the Bond Ordinance. Said amounts so pledged to be paid into the Bond Fund are hereby declared to be a lien and charge upon such Gross Revenue junior, subordinate and inferior to the Costs of Maintenance and Operation of the System, equal in rank to any charge which may hereafter be made thereon to pay and secure the payment of any bonds which may later be issued on a parity with this bond and superior to all other charges of any kind or nature. In the Bond Ordinance, the City has reserved the right to issue Future Parity Bonds on terms and conditions as set forth therein.

Reference is made to the Bond Ordinance for a more complete description of the covenants with and the rights of the owner of this bond. The City hereby covenants and agrees with the owner of this bond that it will keep and perform all the covenants of this bond and of the Bond Ordinance to be by it kept and performed.

This bond may be assigned, and upon such assignment the assignor shall promptly notify the City Finance Director by registered mail.

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

IN WITNESS WHEREOF, City of Wrangell, Alaska, has caused this bond to be signed on behalf of the City with the manual or facsimile signature of the Mayor, to be attested by the manual signature of the City Clerk, and the seal of the City to be impressed hereon, as of this 16th day of July, 1997.

CITY OF WRANGELL, ALASKA

Doug Robert /s/ Mayor
Mayor

[SEAL]

ATTEST:

Christie Harrison
City Clerk

REGISTRATION CERTIFICATE

This bond is registered in the name of the owner on the books of the City in the office of the City Finance Director 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/her duly authorized agent in writing, and similarly noted hereon and on the bond registration books of the City. All payments of principal of and interest on this bond shall be made by the City with full acquittance by City Finance Director's check, or by warrant of the City drawn on the Finance Director, made payable to the last registered holder shown hereon and delivered to such owner or mailed to his/her at his/her address noted hereon.

Date of Registration	Name and Address of Registered Owner	Signature of Registrar
_____, 1997	United States Department of Agriculture Rural Development Palmer, AK	
_____	_____	_____
_____	_____	_____

The Bond shall have endorsed thereon the following form of assignment:

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned registered owner thereof hereby sells, assigns and transfers the within bond unto _____

DATED _____

In the presence of

NOTICE: Signature(s) must be guaranteed pursuant to law.

(Repeat this form of assignment)

Section 15. Execution of the Bond. The Bond shall be executed on behalf of the City with the manual or facsimile signatures of the Mayor and the City Clerk, and shall have the seal of the City impressed or imprinted thereon.

In case either or both of the officers who shall have executed the Bond shall cease to be an officer or officers of the City before the Bond so signed shall have been authenticated or delivered by the Bond Registrar, or issued by the City, such Bond 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. The Bond also may be signed and attested on behalf of the City by such persons as at the actual date of execution of the Bond shall be the proper officers of the City although at the original date of the Bond any such person shall not have been such officer of the City.

Only such Bond as shall bear thereon a Registration Certificate 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 Registration Certificate shall be conclusive evidence that the Bond so authenticated has been duly executed, authenticated and delivered hereunder and are entitled to the benefits of this ordinance.

Section 16. Sale of Bond. The Bond shall be sold to the United States at a price of par on the terms and conditions set forth herein.

Section 17. Construction Fund; Application of Bond Proceeds. There is hereby authorized to be created in the office of the Finance Director a special fund of the City to be designated the Zimovia Highway Sewer Project Construction Fund (the "Construction Fund"). The proceeds of the sale of the Bond shall be paid into the Construction Fund and used to pay costs of the Project.

Section 18. 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 in this ordinance and shall in no way affect the validity of the other provisions of this ordinance or of the Bond.

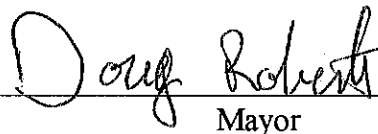
Section 19. General Authorization. The Mayor, City Administrator, City Clerk, Finance Director and all other appropriate officers of the City are each hereby authorized and directed to take such steps, to do such other acts and things, and to execute such letters, certificates, agreements, papers, financing statements, assignments or instruments as in their judgment may be necessary, appropriate or desirable in order to carry out the terms and provisions of, and complete the transactions contemplated by, this ordinance.

Section 20. Prior Acts. All acts taken pursuant to the authority of this ordinance but prior to its effective date are hereby ratified and confirmed.

Section 21. Effective Date. This Ordinance shall be in effect one month after its final passage, as required by law.

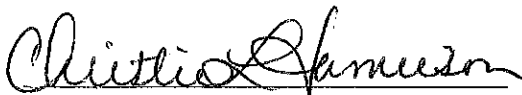
PASSED by the City Council of the City of Wrangell, Alaska, at a regular meeting thereof held this ^{8th} ~~24th~~ day of ^{July} ~~June~~, 1997.

CITY OF WRANGELL, ALASKA



Mayor

ATTEST:



City Clerk

CERTIFICATE

I, the undersigned, City Clerk of the City of Wrangell, Alaska (the "City"), and keeper of the records of the City Council (the "Council"), DO HEREBY CERTIFY:

1. That the attached Ordinance No. 636 (the "Ordinance") is a true and correct copy of an ordinance of the City as passed at a regular meeting of the Council held on the ~~24th~~ 8th day of ~~June~~ July, 1997, 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 bylaw, 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 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~~ 16th day of ~~June~~ July, 1997.


Christie Jamison
City Clerk

[City Seal]

CITY OF WRANGELL, ALASKA

JUNIOR LIEN WATER REVENUE BOND, 1997

\$250,000

ORDINANCE NO. 637

AN ORDINANCE of the City of Wrangell, Alaska, providing for the issuance of a junior lien water revenue bond of the City in the aggregate principal amount of \$250,000 to finance the cost of acquiring, constructing and installing certain additions and betterments to and extensions of the existing water system of the City; fixing the date, form, terms, maturities and covenants of said bond; reserving the right of the City to issue future revenue bonds with a lien on revenues on a parity with said bond upon compliance with certain conditions; and providing for the sale of the bond herein authorized to the United States Department of Agriculture, Rural Development.

July 8
Passed ~~June 24~~, 1997

Prepared by:

PRESTON GATES & ELLIS LLP
Seattle, Washington

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CITY OF WRANGELL, ALASKA

ORDINANCE NO. 637

AN ORDINANCE of the City of Wrangell, Alaska, providing for the issuance of a junior lien water revenue bond of the City in the aggregate principal amount of \$250,000 to finance the cost of acquiring, constructing and installing certain additions and betterments to and extensions of the existing water system of the City; fixing the date, form, terms, maturities and covenants of said bond; reserving the right of the City to issue future revenue bonds with a lien on revenues on a parity with said bond upon compliance with certain conditions; and providing for the sale of the bond herein authorized to the United States Department of Agriculture, Rural Development.

WHEREAS, the City of Wrangell, Alaska (the "City"), a municipal corporation of the State of Alaska, owns, operates and maintains a domestic water supply and distribution system (the "System"), as authorized by Section 8-1 of the City Charter; and

WHEREAS, the City Council (the "Council"), by Resolution No. 08-95-604, adopted by the Council on August 31, 1995, submitted to the qualified electors of the City the question of whether or not the City should acquire and construct certain improvements to the System and certain improvements to the sewerage system of the City and issue water and sewer revenue bonds in an amount not to exceed \$650,000 to finance such improvements; and

WHEREAS, at an election held within the City on October 3, 1995, the qualified electors of the City approved the water and sewer projects described above and the issuance of the City's water and sewer revenue bonds in an amount not to exceed \$650,000 to finance such improvements; and

WHEREAS, the Council deems it necessary and advisable to undertake the water project described above and to provide for the financing of such project by the issuance of a junior lien water revenue bond in the principal amount of \$250,000 (the "Bond"), which Bond shall be sold to the United States Department of Agriculture, Rural Development ("United States"); and

WHEREAS, to finance a portion of the sewer project described above, the City intends to issue its sewer revenue bond in the principal amount of \$250,000, which bond will also be sold to United States; and

WHEREAS, the City presently has outstanding its Water System Revenue Bond, 1967, issued under date of April 20, 1967, in the original principal amount of \$408,600 pursuant to Ordinance No. 202 of the City passed on March 7, 1967 (the "1967 Bond"), currently held by the United States Department of Agriculture, Rural Development, and its Water Revenue Bond, 1968, issued under date of November 1, 1968, in the original principal amount of \$54,000 pursuant to Ordinance No. 252 of the City passed on May 4, 1970 (the "1968 Bond"), currently held by the Economic Development Administration of the United States Department of Commerce (the 1967 Bond and the 1968 Bond are hereafter referred to collectively as the "Senior Lien Bonds"); and

WHEREAS, the Government has agreed that the Bond shall be issued with a lien on revenues of the System junior and inferior to the lien on such revenues of the Senior Lien Bonds; and

WHEREAS, the City wishes to establish the terms and conditions for the issuance of additional water revenue bonds on a parity with the 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 terms shall have the following meanings:

"Assessments" means the assessments (including interest and penalties) levied in any utility local improvement district of the City created for the acquisition or construction of additions and betterments to, or extensions of the System, if such assessments are pledged to the Bond Fund.

"Average Annual Debt Service" on any of the Parity Bonds means the amount determined by dividing (a) the sum of all interest and principal to be paid on such bonds from the date of determination to the last maturity date of such bonds, by (b) the number of calendar years from

and including the calendar year in which the determination is made to the last calendar year in which such bonds will be outstanding.

"Bond" means the \$250,000 par value junior lien water revenue bond of the City issued pursuant to and for the purposes provided in this ordinance.

"Bond Fund" means the "City of Wrangell 1997 Water Revenue Bond Redemption Fund" authorized to be created by Section 6 of this ordinance to pay and secure the payment of all Parity Bonds.

"City" means the City of Wrangell, a municipal corporation duly organized and existing under and by virtue of the laws of the State of Alaska and the City's Charter.

"City Clerk" means the City Clerk, or the successor to the duties of such office.

"Construction Fund" means the special fund of the City designated as the "Zimovia Highway Water Project Construction Fund."

"Costs of Maintenance and Operation" means all necessary operating expenses, current maintenance expenses, expenses of reasonable upkeep and repairs, and insurance and administrative expenses, but excludes depreciation, payments for debt service or into reserve accounts and costs of capital additions to or replacements of the System, taxes levied by the City or payments in lieu of such taxes.

"Council" means the City Council of the City as the general legislative authority of the City as the same shall be duly and regularly constituted from time to time.

"Finance Director" means the Finance Director of the City or the successor to the duties of such office.

"Future Parity Bonds" means any and all water revenue bonds of the City issued after the date of the issuance of the Bond and having a lien upon the money in the Water Fund for the payment of the principal thereof and interest thereon equal to the lien upon the money in such fund for the payment of the principal of and interest on the Bond.

"Gross Revenue" means all of the earnings, revenue and money, except Assessments, received by the City from or on account of the operation of the System including proceeds from

the sale, lease or other disposition of any of the properties or facilities of the System, and the income from investments of money in the Revenue Fund and any bond fund or from any other investment thereof except the income from investments irrevocably pledged to the payment of revenue bonds pursuant to a plan of retirement or refunding. Gross Revenue shall not include grants or bond proceeds, but shall include federal or state reimbursements of operating expenses to the extent that such expenses are included as Costs of Maintenance and Operation.

"Net Revenue" means Gross Revenue less the Costs of Maintenance and Operation.

"1967 Bond" means the City's Water System Revenue Bond, 1967, issued under date of April 20, 1967, in the original principal amount of \$408,600 pursuant to Ordinance No. 202 of the City passed on March 7, 1967, and currently outstanding in the principal amount of \$163,185.53 and currently held by the United States Department of Agriculture, Rural Development.

"1968 Bond" means the City's Water Revenue Bond, 1968, issued under date of November 1, 1968, in the original principal amount of \$54,000 pursuant to Ordinance No. 252 of the City passed on May 4, 1970, and currently outstanding in the principal amount of \$4,000 and currently held by the Economic Development Administration of the United States Department of Commerce.

"Parity Bonds" means the Bond and any Future Parity Bonds.

"Principal and Interest Account" means the special account of that name authorized by Section 6 hereof to be created in the Bond Fund for the purpose of paying the principal of and interest on all Parity Bonds.

"Professional Utility Consultant" means the independent person(s) or firm(s) selected by the City having a favorable reputation for skill and experience with water systems of comparable size and character to the System in such areas as are relevant to the purposes for which they are retained.

"Project" means the improvements to the System authorized by Resolution No. 08-95-604, adopted by the Council on August 31, 1995, and approved by the voters of the City at an election held therein on October 3, 1995.

"Reserve Account" means the account of that name created within the Bond Fund pursuant to Section 6 hereof for the purpose of securing the payment of all Parity Bonds.

"Senior Lien Bonds" means the 1967 Bond and the 1968 Bond.

"Senior Lien Reserve Account" means the Reserve Account created pursuant to Ordinance No. 252 of the City authorizing the issuance of the 1968 Bond to be used for the purposes set forth in such ordinance.

"System" means the existing water supply and distribution system of the City and such improvements or additions as may be made to such system for as long as any Parity Bonds are outstanding and shall include the sewage collection and treatment system of the City and/or the storm drainage system of the City if either is or both are ever combined with the City's water supply and distribution system.

"Term Bonds" means any Future Parity Bonds identified as Term Bonds in the ordinance authorizing the issuance thereof, the payment of the principal of which is provided for by a mandatory schedule of deposits of money equal (in the aggregate) to the full principal amount of such Term Bonds, into the Bond Fund, and by a mandatory redemption schedule corresponding (as to time and amounts) to such mandatory schedule of deposits.

"United States" means the United States, acting by and through the Department of Agriculture, Rural Development.

"Water Fund" means the heretofore established Water Fund of the City.

Section 2. Authorization of Bond. For the purpose of providing permanent financing for the Project, the City shall now issue and sell its water revenue bond in the aggregate principal amount of \$250,000 (the "Bond"). The Bond shall be designated "City of Wrangell, Alaska, Junior Lien Water Revenue Bond, 1997," shall be dated as of the date of delivery thereof to the United States, as the initial purchaser, shall be numbered R-1, shall be in the denomination of \$250,000, shall be fully registered, shall bear interest from the date of its issuance on the unpaid principal balance thereof at the rate of 5.0% per annum and shall be amortized over a 40-year period and shall be repaid in approximately equal amortized semiannual installments of principal

and interest, payable on the first day of the sixth month following the date of the delivery of the Bond and semiannually thereafter, until all principal installments of the Bond have been paid or such payment has been duly provided for; provided, however, that the final payment of all principal of and interest on the Bond shall nevertheless be due at final maturity of the Bond on the first day of the month that is 40 years after the date of the Bond.

Payments shall be applied first to interest and then to principal, and interest shall accrue on the basis of a 365-day year.

Both principal of and interest on the Bond shall be payable in lawful money of the United States of America to the owner or owners thereof at the address appearing on the registration books of the City maintained by the Finance Director; provided, however, that as long as the United States is the owner and holder of the Bond, the City shall make payments directly to the financial office of the United States serving the City of Wrangell, Alaska. The Bond shall be payable solely from the Gross Revenue and shall not be a general obligation of the City.

The Bond shall be registered as to both principal and interest as long as any of the installments of the Bond remain unpaid, and the City shall maintain in the office of the Finance Director books for the registration and transfer of the Bond. No transfer of the Bond so registered shall be valid unless made on said books upon the written request of the registered owner or its duly authorized agent.

Section 3. Prepayment. The City hereby reserves the right to prepay principal installments remaining unpaid at the price of par plus accrued interest, in whole, or in part in chronological order, at any time. No advance notice of intended prepayment or redemption shall be required.

Section 4. Priority of Payments from Water Fund. There has heretofore been established in the office of the Finance Director a special fund of the City designated as the "City of Wrangell Water Fund" (the "Water Fund"). All of the Gross Revenue shall be deposited in the Water Fund as collected. The Water Fund shall be held separate and apart from all other funds

and accounts of the City, and the Gross Revenue deposited in the Water Fund shall be used only for the following purposes and in the following order of priority:

First, to pay the Costs of Maintenance and Operation;

Second, to pay the principal of and interest on any outstanding Senior Lien Bonds;

Third, to make all payments required to be made into the Senior Lien Reserve Account;

Fourth, to pay the interest on any Parity Bonds;

Fifth, to pay the principal of any Parity Bonds;

Sixth, to make all payments required to be made into the Reserve Account created to secure the payment of Parity Bonds;

Seventh, to make all payments required to be made into any revenue bond redemption fund or revenue warrant redemption fund and debt service account or reserve account created to pay and secure the payment of the principal of and interest on any revenue bonds or revenue warrants of the City having a lien upon the Gross Revenue junior and inferior to the lien thereon for the payment of the principal of and interest on the Parity Bonds; and

Eighth, to retire by redemption or purchase in the open market any outstanding revenue bonds or revenue warrants of the City, to make necessary additions, betterments, improvements and repairs to or extensions and replacements of the System of the City, or for any other lawful City purposes.

Section 5. Bond Fund. A special fund of the City designated as the "City of Wrangell 1997 Water Revenue Bond Redemption Fund" (the "Bond Fund") is hereby authorized to be created in the office of the Finance Director, which Fund is to be drawn upon for the sole purpose of paying the principal of and interest on the Bond and all other Parity Bonds.

A Principal and Interest Account is hereby authorized to be created in the Bond Fund for the purpose of paying the principal of, premium, if any, and interest on all Parity Bonds.

As long as the Bond remains outstanding, the City hereby irrevocably obligates and binds itself to set aside and pay from the Water Fund into the Principal and Interest Account in addition to amounts required to be paid therein on account of any other issue of Parity Bonds, those

amounts necessary, after taking into consideration such other funds as are on hand in the Principal and Interest Account and available for the payment of principal and interest on the Bond, to pay the interest or principal and interest next coming due on the Bond. Such payments from the Water Fund shall be made on or before the day on which the regular semiannual payment of principal of and interest on the Bond is due and payable in an amount equal to such regular payment.

The City covenants and agrees that in the event it issues any Future Parity Bonds that are Term Bonds, it will provide in each ordinance authorizing the issuance of the same for annual payments to be made from the Water Fund into the Principal and Interest Account sufficient together with Gross Revenue collected and deposited and such other money as is on hand and available therefor in such account to amortize the principal of Future Parity Bonds that are Term Bonds on or before the maturity date thereof.

Section 6. Reserve Account. A Reserve Account is hereby authorized to be created in the Bond Fund for the purpose of securing the payment of the principal of and interest on all Parity Bonds. The City covenants and agrees that it will pay into the Reserve Account out of the Gross Revenue (or, at the option of the City, out of any other funds on hand legally available for such purposes) semiannual payments sufficient with other money in the Reserve Account to have on deposit therein by ten years from the date of delivery of the Bond, a total amount of not less than the Average Annual Debt Service on the Bond, to be paid at the rate of not less than 1/20 of such amount per six-month period.

The City further covenants and agrees that in the event it issues any Future Parity Bonds it will provide in each ordinance authorizing the issuance of such Future Parity Bonds that, within ten years of the date of issuance of such Future Parity Bonds, the City will have set aside and paid into the Reserve Account an amount that will at least equal the Average Annual Debt Service on such Future Parity Bonds. This amount shall be accumulated by one or more deposits commencing not later than six months after the date of issuance of such Future Parity Bonds and continuing no less often than semiannually until such amount has been accumulated.

The City further covenants and agrees that when the required deposits have been made into the Reserve Account, it will at all times maintain therein an amount at least equal to the Average Annual Debt Service on all outstanding Parity Bonds. Whenever there is a sufficient amount in the Bond Fund, including the Reserve Account and the Principal and Interest Account, to pay the principal of, premium if any, and interest on all outstanding Parity Bonds, the money in the Reserve Account may be used to pay such principal, premium, if any, and interest. Money in the Reserve Account may also be withdrawn to redeem and retire, and to pay the premium, if any, and interest due to such date of redemption, on any outstanding Parity Bonds, as long as the money left remaining on deposit in the Reserve Account are equal to the average annual debt service on the remaining outstanding Parity Bonds.

In the event there shall be a deficiency in the Principal and Interest Account to meet maturing installments of either interest on or principal of and interest on Parity Bonds, such deficiency shall be made up from the Reserve Account by the withdrawal of money therefrom. Any deficiency created in the Reserve Account by reason of any such withdrawal shall then be made up out of Gross Revenue after making necessary provision for the payments required to be made under paragraph "First" through "Third" of Section 4 of this ordinance.

All money in the Reserve Account may be kept in cash or deposited in institutions permitted by law in an amount in each institution not greater than the amount insured by any department or agency of the United States Government, or may be invested in United States obligations having a guaranteed market and maturing or having a guaranteed redemption price not later than the last maturity of the Bond. Interest earned on or any profits made from the sale of any such investments shall be deposited in and become a part of the Principal and Interest Account.

Section 7. Pledge of Water Revenue. The amounts pledged to be paid into the Bond Fund and the Reserve Account therein out of the Water Fund are hereby declared to be a lien and charge upon Gross Revenue and the money in the Water Fund junior, subordinate and inferior to the Costs of Maintenance and Operation, junior, subordinate and inferior to the lien and charge

thereon to pay principal of and interest on the Senior Lien Bonds and to make payments into the Senior Lien Reserve Account, and equal in rank to the lien and charge that may later be made thereon to pay and secure the payment of any Future Parity Bonds, and superior to all other charges of any kind or nature.

Section 8. Sufficiency of Revenues. The corporate authorities of the City hereby declare that in fixing the amounts to be paid into the Bond Fund as aforesaid they have exercised due regard to the reasonable and necessary costs of maintenance and operation of the System and the charges necessary to pay and secure the payment of the principal of and interest on the Bond and have not obligated the City to set aside and pay into the Bond Fund a greater amount of the Gross Revenue than in their judgment will be available over and above such reasonable and necessary costs of maintenance and operation and the amounts necessary to pay the principal of and interest on the Bond.

Section 9. General Covenants. So long as the Bond remains unpaid, the City hereby covenants and agrees with the owner of the Bond from time to time, as follows:

A. Maintenance and Operations. The City will at all times maintain and keep the System in good repair, working order and condition, will at all times operate the System and the business in connection therewith in an efficient manner and at a reasonable cost, and will comply with all applicable laws of the State of Alaska.

B. Rates. The City will impose and collect such rates and charges for service rendered by the System (i) that Gross Revenue paid into the Water Fund will be sufficient at all times to provide for the payment of the Costs of Maintenance and Operation and payments of principal of and interest on the Bond and any Parity Bonds; (ii) that all service rendered by the System shall be subject to the full rates prescribed by the rules and regulations of the City; and (iii) that no free service from the System will be permitted.

C. Books and Records. The City will maintain complete books and records relating to the operation of the System and its financial affairs, and will cause such books and records to be audited annually at the end of each fiscal year and an audit prepared in accordance with State

law. At all reasonable times the United States shall have the right to inspect the System and the records, accounts and data of the City relating thereto.

D. Insurance. The City will carry fire and extended coverage insurance in an amount at least equal to the depreciated replacement value for all above-ground structures of the System, including equipment and machinery. The City will also carry adequate public liability insurance, workers' compensation insurance and other kinds of insurance as under good practice are ordinarily carried on such properties by utilities engaged in the operation of a water utility. The premiums paid for all such insurance shall be regarded and paid as a Cost of Maintenance and Operation.

E. Assessments. The City shall promptly collect all Assessments levied in any utility local improvement district now or hereafter created to secure the payment of the principal of and interest on any Parity Bonds and shall pay the same into the Bond Fund without allocation of such Assessments to any particular series of Parity Bonds. It is hereby provided further, however, that nothing in this ordinance or in this subsection shall be construed to prohibit the City from issuing revenue bonds having a lien on Gross Revenue junior to the lien on such revenue for the payment of the principal of and interest on Parity Bonds and pledging as security for the payments of such junior lien bonds assessments levied in any utility local improvement district that may have been created to pay part or all the cost of improvements to the System for which such junior lien revenue bonds were specifically issued.

F. Disposition of Facilities. The City will not mortgage, sell, lease, or in any manner encumber or dispose of all the property of the System, unless provision is made for payment into the Bond Fund of a sum sufficient to pay the principal of and interest on all outstanding Parity Bonds, and that it will not mortgage, sell, lease, or in any manner encumber or dispose of any part of the System that is used, useful and material to the operation of the System unless provision is made for replacement thereof or for payment into the Bond Fund of an amount which shall bear the same ratio to the amount of the outstanding Parity Bonds as the revenue available for debt service for those Parity Bonds for the 12 months preceding such sale, lease, encumbrance or

disposed of, bears to the revenue available for debt service for those Parity Bonds from the entire System for the same period. Any such money so paid into the Bond Fund shall be used to retire outstanding Parity Bonds at the earliest possible date.

Notwithstanding any other provision of this Subsection F, the City may sell or otherwise dispose of any of the works, plant, properties and facilities of the System or any real or personal property comprising a part of the same with a value less than 4% of the net utility plant of the System or which shall have become unserviceable, inadequate, obsolete or unfit to be used in the operation of the System, or no longer necessary, material to or useful in such operation, without making any deposit into the Bond Fund.

G. Fidelity Bond. The City will maintain an officer's fidelity bond for its Finance Director for as long as the United States is the registered owner of the Bond. A certified copy of such bond will be delivered to the United States.

Section 10. Tax Covenants; Special Designation.

A. The City hereby covenants that it will not make any use of the proceeds of sale of the Bond or any other funds of the City that may be deemed to be proceeds of the Bond pursuant to Section 148 of the Code that will cause the Bond to be an "arbitrage bond" within the meaning of said section and said regulations.

The City further covenants that it will not take any action or permit any action to be taken that would cause the Bond to constitute a "private activity bond" under Section 141 of the Code.

B. Special Designation. The City hereby designates the Bond as a "qualified tax-exempt obligation" under Section 265(b)(3) of the Code for investment by financial institutions. The City does not anticipate issuing more than \$10,000,000 of qualified tax-exempt obligations during 1997.

Section 11. Future Parity Bonds. The City hereby further covenants and agrees with the owner from time to time of the Bond for as long as any portion of the same remains outstanding as follows:

A. That it will not hereafter issue any water revenue bonds or other obligations of the City that will have a lien and charge upon Gross Revenue superior to the lien and charge thereon of the Bond. The City may issue Future Parity Bonds for:

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

Second, the purpose of refunding by payment, redemption, exchange or purchase at or prior to their maturity any outstanding Parity Bond, to issue Future Parity Bonds and to pledge that payments shall be made out of the Water Fund into the Bond Fund to pay and secure the payment of such Future Parity Bonds on a parity with the payments required by this ordinance to be made out of the Water Fund into the Bond Fund to pay and secure the payment of the principal of and interest on the Bond, upon compliance with the following conditions:

1. That at the time of the issuance of such Future Parity Bonds there is no deficiency in the Principal and Interest Account or the Reserve Account.

2. That each ordinance authorizing the issuance of such Future Parity Bonds shall require that principal and interest on the Future Parity Bonds be payable out of the Bond Fund and shall further provide (i) for payments into the Bond Fund to satisfy the sinking fund requirement set forth in Section 5 hereof with respect to any such Future Parity Bonds that are Term Bonds and (ii) for payments into the Reserve Account to satisfy the requirements of Section 6 hereof.

3. That each ordinance authorizing the issuance of such Future Parity Bonds shall require that any and all Assessments will be paid directly into the Bond Fund.

4. That each ordinance authorizing the issuance of refunding Future Parity Bonds shall require that all uncollected Assessments that may have been levied to secure the payment of the principal of and interest on the bonds being refunded will be paid directly into the Bond Fund.

5. That at the time of the issuance of such Future Parity Bonds the City shall have on file in the office of the City Clerk a certificate of a Professional Utility Consultant showing: that the Net Revenue determined and adjusted as hereafter provided for each calendar year after the issuance of such Future Parity Bonds (the "Adjusted Net Revenue") will equal at least 1.10 times the Annual Debt Service (after deducting Assessments, allocated to the years in which they would be received if the unpaid balance of each assessment roll were paid in the remaining number of installments with interest on the declining balance at the times and at the rate provided in the ordinance confirming the assessment roll) for each such calendar for all Parity Bonds plus the Future Parity Bonds proposed to be issued.

The Adjusted Net Revenue shall be the Net Revenue for a period of any 12 consecutive months out of the 24 months immediately preceding the date of delivery of such proposed Future Parity Bonds as adjusted by such Professional Utility Consultant to take into consideration changes in Net Revenue estimated to occur under the following conditions for each year after such delivery for so long as any Parity Bonds, including the Future Parity Bonds proposed to be issued, shall be outstanding:

(i) the additional Net Revenue that would have been received if any change in rates and charges adopted by ordinance of the City prior to the date of such certificate and subsequent to the beginning of such 12-month period, had been in force during the full 12-month period;

(ii) the additional Net Revenue that would have been received if any facility of the System that became fully operational after the beginning of such 12-month period had been so operating for the entire period;

(iii) the additional Net Revenue estimated by such Professional Utility Consultant to be received from potential customers of the System with existing homes or other buildings that will be required to connect to any additions, betterments and improvements to and extensions of any facilities of the System that are (a) under construction at the time of such certificate or (b) will be constructed from the proceeds of the Future Parity Bonds to be issued;

(iv) the additional Net Revenue that would have been received if those customers added to the System subsequent to the beginning of such 12-month period had been customers for the entire period;

(v) the additional Net Revenue estimated to be received from any potential customers of the System who paid any required connection charge subsequent to the beginning of such 12-month period;

(vi) the additional Net Revenue estimated to be received from any potential customers of the System who received building permits subsequent to the beginning of such 12-month period and are anticipated to connect to the System;

(vii) The additional Net Revenue estimated to be received from any person, firm, association, private or municipal corporation under any executed service contract, which net revenue is not included in any of the sources of Net Revenue heretofore described in this subsection A(5); and

(viii) The estimated change in Net Revenue as a result of any actual or reasonably anticipated changes in the Costs of Maintenance and Operation after such 12-month period.

Such Professional Utility Consultant may rely upon, and his or her certificate shall have attached thereto, financial statements of the System certified by the Finance Director showing income and expenses for the period upon which the same is based.

The certificate of such Professional Utility Consultant shall be conclusive and the only evidence required to show compliance with the provisions and requirements of this subsection A(5).

B. Notwithstanding the foregoing requirement, if Future Parity Bonds are to be issued for the purpose of refunding at or prior to their maturity any part or all of the then outstanding Parity Bonds and the issuance of such refunding Future Parity Bonds will result in a debt service savings and does not require an increase of more than \$5,000 in any fiscal or calendar year for principal of and interest on such refunding Future Parity Bonds over and above the amount

required in such year for the principal of and interest on the bonds being refunded thereby, the condition stated in subsection A(5) of this section need not be met.

C. Nothing herein contained shall prevent the City from issuing any revenue bonds, warrants or other obligations that create a lien and charge upon Gross Revenue and money in the Water Fund junior or inferior to the payments required by this ordinance to be made into the Bond Fund and the Reserve Account.

Section 12. Transfer. The Bond may be transferred by the registered owner thereof, provided that such transfer relates to the entire unpaid principal amount of the Bond, and any such transfer shall be noted on the bond registration books of the City.

Section 13. Lost or Destroyed Bond. In case the Bond shall be lost, stolen or destroyed, the City may execute and deliver a new bond of like date, number and tenor to the registered owner thereof in the manner provided by law and upon the owner's paying the expenses and charges of the City in connection therewith.

Section 14. Form of Bond. The Bond shall be in substantially the following form:

UNITED STATES OF AMERICA

NO. R-1

\$250,000

STATE OF ALASKA

CITY OF WRANGELL

JUNIOR LIEN WATER REVENUE BOND, 1997

The City of Wrangell, Alaska, a municipal corporation of the State of Alaska (the "City"), acknowledges itself indebted and for value received promises to pay, but solely from the Bond Fund, hereinafter identified, to the United States of America, acting by and through the Department of Agriculture, Rural Development (herein sometimes called the "Payee"), or its registered assigns (herein sometimes called the "Alternate Payee"), the principal sum of

TWO HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$250,000)

in any coin or currency which is legally acceptable on the respective dates of payments for debts due the United States of America, and to pay interest, from the date hereof, on the balance of said principal from time to time remaining unpaid in like coin or currency at the rate of ____% per annum payable in semiannual installments of principal and interest, equal to

_____ and No/100 Dollars (\$_____), payable on _____, and semiannually thereafter, until all of such installments have been paid or such payment has been duly provided for, provided that the final payment of principal of and interest on this bond shall nevertheless be due on _____, 2037.

As long as the Payee is the registered owner of this bond, payments of principal and interest shall be made by the City Finance Director directly to the Payee at the office of the Payee serving City of Wrangell, Alaska. As long as the Alternate Payee is the registered owner of this bond, said payment shall be made at the office of the City Finance Director. Upon final payment of the principal of and interest on this bond, it shall be submitted to the City for cancellation and surrender.

Both principal of and interest on this bond are payable solely out of the special fund of the City known as the "City of Wrangell Water Revenue Bond Redemption Fund" (the "Bond Fund") created by Ordinance No. 637 of the Council (the "Bond Ordinance").

In addition to the installments of principal required to be paid by the City as hereinabove set forth, the City, at its option, shall have the right to prepay any or all unpaid principal installments in the chronological order of such installments at any time. No advance notice need be given of any prepayment hereunder.

This bond is issued pursuant to the Bond Ordinance for the purpose of financing the completion of certain additions and improvements to the water system of the City (the "System"). Capitalized terms used in this bond and not otherwise defined herein shall have the meanings given such terms in the Bond Ordinance.

The City does hereby pledge and bind itself to set aside from the Gross Revenue and to pay into the Bond Fund the various amounts required by the Bond Ordinance to be paid into and maintained in said Fund, on the dates and at the times provided by the Bond Ordinance. Said amounts so pledged to be paid into the Bond Fund are hereby declared to be a lien and charge upon such Gross Revenue junior, subordinate and inferior to the Costs of Maintenance and Operation of the System, equal in rank to any charge which may hereafter be made thereon to pay and secure the payment of any bonds which may later be issued on a parity with this bond and superior to all other charges of any kind or nature. In the Bond Ordinance, the City has reserved the right to issue Future Parity Bonds on terms and conditions as set forth therein.

Reference is made to the Bond Ordinance for a more complete description of the covenants with and the rights of the owner of this bond. The City hereby covenants and agrees with the owner of this bond that it will keep and perform all the covenants of this bond and of the Bond Ordinance to be by it kept and performed.

This bond may be assigned, and upon such assignment the assignor shall promptly notify the City Finance Director by registered mail.

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

IN WITNESS WHEREOF, City of Wrangell, Alaska, has caused this bond to be signed on behalf of the City with the manual or facsimile signature of the Mayor, to be attested by the manual signature of the City Clerk, and the seal of the City to be impressed hereon, as of this 16th day of July, 1997.

CITY OF WRANGELL, ALASKA

Doug Robert /s/ Mayor
Mayor

ATTEST:

Ruthie Jamieson
City Clerk

[SEAL]

REGISTRATION CERTIFICATE

This bond is registered in the name of the owner on the books of the City in the office of the City Finance Director 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/her duly authorized agent in writing, and similarly noted hereon and on the bond registration books of the City. All payments of principal of and interest on this bond shall be made by the City with full acquittance by City Finance Director's check, or by warrant of the City drawn on the Finance Director, made payable to the last registered holder shown hereon and delivered to such owner or mailed to his/her at his/her address noted hereon.

Date of Registration	Name and Address of Registered Owner	Signature of Registrar
_____, 1997	United States Department of Agriculture Rural Development Palmer, AK	
_____	_____	_____
_____	_____	_____

The Bond shall have endorsed thereon the following form of assignment:

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned registered owner thereof hereby sells, assigns and transfers the within bond unto _____

DATED _____

In the presence of

NOTICE: Signature(s) must be guaranteed pursuant to law.

(Repeat this form of assignment)

Section 15. Execution of the Bond. The Bond shall be executed on behalf of the City with the manual or facsimile signatures of the Mayor and the City Clerk, and shall have the seal of the City impressed or imprinted thereon.

In case either or both of the officers who shall have executed the Bond shall cease to be an officer or officers of the City before the Bond so signed shall have been authenticated or delivered by the Bond Registrar, or issued by the City, such Bond 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. The Bond also may be signed and attested on behalf of the City by such persons as at the actual date of execution of the Bond shall be the proper officers of the City although at the original date of the Bond any such person shall not have been such officer of the City.

Only such Bond as shall bear thereon a Registration Certificate 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 Registration Certificate shall be conclusive

evidence that the Bond so authenticated has been duly executed, authenticated and delivered hereunder and are entitled to the benefits of this ordinance.

Section 16. Sale of Bond. The Bond shall be sold to the United States at a price of par on the terms and conditions set forth herein.

Section 17. Construction Fund; Application of Bond Proceeds. There is hereby authorized to be created in the office of the Finance Director a special fund of the City to be designated the Zimovia Highway Water Project Construction Fund (the "Construction Fund"). The proceeds of the sale of the Bond shall be paid into the Construction Fund and used to pay costs of the Project.

Section 18. 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 in this ordinance and shall in no way affect the validity of the other provisions of this ordinance or of the Bond.

Section 19. General Authorization. The Mayor, City Administrator, City Clerk, Finance Director and all other appropriate officers of the City are each hereby authorized and directed to take such steps, to do such other acts and things, and to execute such letters, certificates, agreements, papers, financing statements, assignments or instruments as in their judgment may be necessary, appropriate or desirable in order to carry out the terms and provisions of, and complete the transactions contemplated by, this ordinance.

Section 20. Prior Acts. All acts taken pursuant to the authority of this ordinance but prior to its effective date are hereby ratified and confirmed.

Section 21. . . Effective Date. This Ordinance shall be in effect one month after its final passage, as required by law.

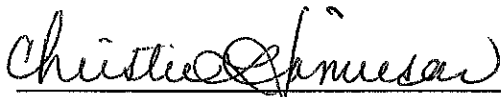
PASSED by the City Council of the City of Wrangell, Alaska, at a regular meeting thereof held this ~~24th~~^{8th} day of ~~June~~^{July}, 1997.

CITY OF WRANGELL, ALASKA



Mayor

ATTEST:



City Clerk

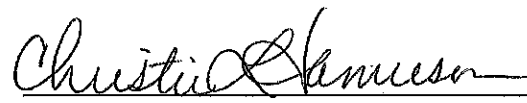
CERTIFICATE

I, the undersigned, City Clerk of the City of Wrangell, Alaska (the "City"), and keeper of the records of the City Council (the "Council"), DO HEREBY CERTIFY:

1. That the attached Ordinance No. 637 (the "Ordinance") is a true and correct copy of an ordinance of the City as passed at a regular meeting of the Council held on the 24th 8th day of ~~June~~^{July}, 1997, 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 bylaw, 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 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~~^{16th} day of ~~June~~^{July}, 1997.



City Clerk

[City Seal]

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 638

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL,
ALASKA, AMENDING WRANGELL MUNICIPAL CODE CHAPTER
3.56 PERSONNEL, SPECIFICALLY 3.56.170 HOLIDAYS

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.

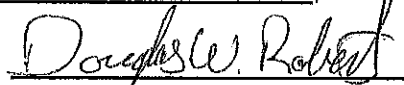
Sec. 3. Effective Date. This ordinance shall be published as provided by
law and shall be effective thirty (30) days after passage.

Sec. 4. Wrangell Municipal Code, Section 3.56.170 Holidays as follows:

3.56.170 Holidays. B. Holiday pay. Employees on probation or suspension
shall not be paid for holidays. Permanent employees who are required to be on
duty on any of the above days shall receive overtime [straight time] for the number
of hours worked in addition to their holiday pay.

PASSED IN FIRST READING August 12, 1997

PASSED IN SECOND READING August 26, 1997


Douglas W. Roberts, Mayor

ATTEST 
Christie L. Jamieson, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 639

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING WRANGELL MUNICIPAL CODE, CHAPTERS 14.03 ADMINISTRATION, 14.07 PORT OPERATIONS AND OTHER SERVICES, AND 14.11 FEES AND PENALTIES, SPECIFICALLY SECTION 14.03.040 REGULAR MEETINGS, SECTION 14.07.020 STORAGE, AND SECTION 14.11.005 FEE SCHEDULE

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, Chapter 14.03 Administration, is hereby amended as follows:

14.03.040 Regular meetings. Regular meetings of the port commission shall be held on the first Thursday of each month at 7:00 p.m. at 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. No regular meetings of the Port Commission will be held during the months of June, July, and August.

Sec. 5. Wrangell Municipal Code, Chapter 14.07 Port Operations and Other Services, is hereby amended as follows:

14.07.020 Storage. A. Availability. Storage space may be available within the Wrangell [dock and barge] Port Facilities. A person may apply to use storage space by completing an application on a form provided by the Harbormaster.

B. Assignment of Storage. Storage space shall be assigned on a first-come, first served basis by the Harbormaster. [A person desiring to rent a particular storage area on a long term basis may negotiate an agreement with the Harbormaster subject to Port Commission approval.] Property may be stored in long term storage areas on application. Long Term storage areas will be designated by the Harbormaster with Port Commission approval.

C. Rental Period. Storage shall be computed on a daily basis.

The daily rental period is 8:00 a.m. on the first calendar day to 8:00 a.m. on the next calendar day. Items may be placed in the storage area for up to three (3) days without charge, but all items left in storage area beyond that period will be charged for storage beginning on the next daily rental period. Storage fees will be charged as listed in section 14.11.005.

Sec. 6. Wrangell Municipal Code, Chapter 14.11 Fees and Penalties is hereby amended as follows:

14.11.005 Fee Schedule.

The following fees shall be charged for

the uses indicated:

<u>Use</u>	<u>Fee</u>
A. Transient Moorage 14.05.010	
Daily - Prepaid	\$0.25/per foot
Daily - Invoiced	\$0.35/per foot
Monthly	[\$0.90] <u>\$1.10/per foot</u>
Annual (Must be qualified for wait list)	\$9.60/per foot
C. Customer Service Moorage 14.05.015	
Wait list deposit	\$50.00 each
Annual	[\$0.65/square foot] <u>\$9.60/per foot</u>
J. [Storage 14.07.015B] <u>Storage 14.07.020B</u>	
<u>Short Term Storage</u>	
First ninety (90) days (\$6.25 minimum)	\$0.005/square foot
After ninety (90) days (\$6.25 minimum)	\$0.01/square foot
<u>Long Term Storage</u>	<u>\$0.005/square foot</u>
<u>Log Storage</u>	<u>\$0.0025/tmbf</u>

PASSED IN FIRST READING December 9, 1997

PASSED IN SECOND READING January 13, 1998



 William B. Privett, Mayor

ATTEST: 
 Christie L. Jamieson, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 640

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING WRANGELL MUNICIPAL CODE CHAPTER 3.56 PERSONNEL, SPECIFICALLY 3.56.190 HEALTH INSURANCE

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 3.56.190, Health Insurance as follows:

3.56.190 Health Insurance. A. Group medical insurance. [The city pays the entire cost for the employee and covered dependents.] The city will pay the entire cost of an employee and covered dependents for all permanent full-time employees. For permanent and part-time employees working less than 30 hours per week, the city will pay a proportionate share of the premium based on hours worked divided by 30. The employee will pay the difference. This will apply to all permanent employees hired after January 1, 1998. Employees become eligible to join the group after thirty (30) days of employment. If enrolled during this thirty-day period, no physical examination is required; otherwise, enrollment will be dependent upon a satisfactory health examination.

PASSED IN FIRST READING January 13, 1998

PASSED IN SECOND READING February 10, 1998


William B. Privett, Mayor

ATTEST: 
~~Christie L. Jamieson, City Clerk~~
Jane M. Hasenohrl, Deputy City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 641

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 15, CHAPTER 15.04, WATER, SPECIFICALLY INCREASING WATER RATES BY THREE PERCENT PER YEAR OVER A PERIOD OF FOUR YEARS BY TWELVE PERCENT 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 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 July 1, 1998.

Sec. 4. Providing for a Public Hearing. A public hearing is scheduled for May 26, 1998.

Sec. 5. Wrangell Municipal Code, Chapter 15.04.640 Monthly water rates, is hereby amended as follows:

MONTHLY WATER RATES

Class A--Residential--[Flat Rates]--[1]

<u>Designation</u>		<u>Effective Dates</u>			
		7/1/98	7/1/99	7/1/00	7/1/01
Inside city limits, per family unit	[\$13.75]	<u>14.16</u>	<u>14.58</u>	<u>15.01</u>	<u>15.46</u>
Outside city limits, per family unit	[24.55]	<u>25.28</u>	<u>26.03</u>	<u>26.81</u>	<u>27.61</u>

[1] Note [1] A: The residential schedule is restricted to service used exclusively for general domestic purposes.

Note [2] B: 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>Effective Dates</u>			
		<u>7/1/98</u>	<u>7/1/99</u>	<u>7/1/00</u>	<u>7/1/01</u>
Bakeries	[\$ 52.00]	<u>\$ 53.56</u>	<u>55.16</u>	<u>56.81</u>	<u>58.51</u>
Bars	[52.00]	<u>53.56</u>	<u>55.16</u>	<u>56.81</u>	<u>58.51</u>
Barbershops--one chair	[13.00]	<u>13.39</u>	<u>13.79</u>	<u>14.20</u>	<u>14.62</u>
per each additional chair	[10.40]	<u>10.71</u>	<u>11.03</u>	<u>11.36</u>	<u>11.70</u>
Beauty shops--one basin	[13.00]	<u>13.39</u>	<u>13.79</u>	<u>14.20</u>	<u>14.62</u>
per each additional basin	[10.40]	<u>10.71</u>	<u>11.03</u>	<u>11.36</u>	<u>11.70</u>
Canneries:					
Shellfish canneries [(hand pick)]	259.90*	<u>267.69</u>	<u>275.72</u>	<u>283.99</u>	<u>292.50</u>
Fish processing	277.20*	<u>285.51</u>	<u>294.07</u>	<u>302.89</u>	<u>311.97</u>
Rinsing and packaging only	52.00*	<u>53.56</u>	<u>55.16</u>	<u>56.81</u>	<u>58.51</u>
Saltwater process only	52.00*	<u>53.56</u>	<u>55.16</u>	<u>56.81</u>	<u>58.51</u>
Churches	[13.00]	<u>13.39</u>	<u>13.79</u>	<u>14.20</u>	<u>14.62</u>
Cleaners and cleaning plants	[25.95]	<u>26.72</u>	<u>27.52</u>	<u>28.34</u>	<u>29.19</u>
Clubs, lodges--without bar or restaurant facilities	[13.00]	<u>13.39</u>	<u>13.79</u>	<u>14.20</u>	<u>14.62</u>
Cold storage plants	[277.20]	<u>285.51</u>	<u>294.07</u>	<u>302.89</u>	<u>311.97</u>
<u>Convenience store</u>		<u>7.75</u>	<u>7.98</u>	<u>8.21</u>	<u>8.45</u>
Docks	[64.95]	<u>66.89</u>	<u>68.89</u>	<u>70.95</u>	<u>73.07</u>
Docks or marinas for small boats, including oil docks	[43.35]	<u>44.65</u>	<u>45.98</u>	<u>47.35</u>	<u>48.77</u>
Garages, service stations, car lots:					
Without washrack	[25.95]	<u>26.72</u>	<u>27.52</u>	<u>28.34</u>	<u>29.19</u>
With washrack	[39.00]	<u>40.17</u>	<u>41.37</u>	<u>42.61</u>	<u>43.88</u>
Grocery stores:					
Without meat market	19.45	20.03	20.63	21.24	21.87
With meat market	[40.25]	<u>41.45</u>	<u>42.69</u>	<u>43.97</u>	<u>45.28</u>
Hospitals	[103.95]	<u>107.06</u>	<u>110.27</u>	<u>113.57</u>	<u>116.27</u>
Hydrants, fire, each	[8.25]	<u>8.49</u>	<u>8.74</u>	<u>9.00</u>	<u>9.27</u>
Hotels and motels:					
Ten rooms or less	39.00	<u>40.17</u>	<u>41.37</u>	<u>42.61</u>	<u>43.88</u>
Over ten rooms, per room	3.05	<u>3.14</u>	<u>3.23</u>	<u>3.32</u>	<u>3.41</u>
Laundromats, self-service:					
Under thirty-pound capacity, per machine	13.75	<u>14.16</u>	<u>14.58</u>	<u>15.01</u>	<u>15.46</u>
Thirty pounds or over capacity, per machine	27.70	<u>28.53</u>	<u>29.38</u>	<u>30.26</u>	<u>31.16</u>
Meat markets	20.79	<u>21.41</u>	<u>22.05</u>	<u>22.71</u>	<u>23.39</u>
<u>Multi-family (per unit)</u>		<u>10.85</u>	<u>11.17</u>	<u>11.50</u>	<u>11.84</u>
Oceangoing freight and passenger vessels taking water:					
Fifteen tons or less	[25.95]	<u>26.72</u>	<u>27.52</u>	<u>28.34</u>	<u>29.19</u>
Each ton over fifteen tons	[.80]	<u>.82</u>	<u>.84</u>	<u>.86</u>	<u>.88</u>

Class B--Commercial and Industrial--Flat Rates

<u>Designation</u>	<u>Effective Dates</u>			
	<u>7/1/98</u>	<u>7/1/99</u>	<u>7/1/00</u>	<u>7/1/01</u>
Office building, [first office] per employee [13.00]	<u>.90</u>	<u>.92</u>	<u>.94</u>	<u>.96</u>
Each additional plumbed office 13.00	<u>13.39</u>	<u>13.79</u>	<u>14.20</u>	<u>14.62</u>
Each additional unplumbed office 3.05	<u>3.14</u>	<u>3.23</u>	<u>3.32</u>	<u>3.41</u>
Offices, medical [44.20]	<u>45.52</u>	<u>46.88</u>	<u>48.28</u>	<u>49.72</u>
Offices, dental [44.20]	<u>45.52</u>	<u>46.88</u>	<u>48.28</u>	<u>49.72</u>
[With laboratory and/or x-ray unit] [44.20]				
Without laboratory and/or x-ray unit 13.00	<u>13.39</u>	<u>13.79</u>	<u>14.20</u>	<u>14.62</u>
Plane floats [25.95]	<u>26.72</u>	<u>27.52</u>	<u>28.34</u>	<u>29.19</u>
Public showers:				
First two stalls [13.90]	<u>14.31</u>	<u>14.73</u>	<u>15.17</u>	<u>15.62</u>
Per each additional stall [3.40]	<u>3.50</u>	<u>3.60</u>	<u>3.70</u>	<u>3.81</u>
Ranger District (Forest Service) [133.20*]	<u>137.19</u>	<u>141.30</u>	<u>145.53</u>	<u>149.89</u>
Restaurants, lunch counters, etc.:				
Up to and including thirty seats [39.00]	<u>40.17</u>	<u>41.37</u>	<u>42.61</u>	<u>43.88</u>
Over thirty seats [52.00]	<u>53.56</u>	<u>55.16</u>	<u>56.81</u>	<u>58.51</u>
Fountain only [13.00]	<u>13.39</u>	<u>13.79</u>	<u>14.20</u>	<u>14.62</u>
Sawmills 866.25	<u>892.23</u>	<u>918.99</u>	<u>946.55</u>	<u>974.94</u>
Schools, per classroom [8.60]	<u>8.85</u>	<u>9.11</u>	<u>9.38</u>	<u>9.66</u>
Shops[, miscellaneous] and stores [13.00]	<u>13.39</u>	<u>13.79</u>	<u>14.20</u>	<u>14.62</u>
Stores--dry goods, gift, etc. [13.90]	<u>14.31</u>	<u>14.73</u>	<u>15.17</u>	<u>15.62</u>
Swimming pool, public [176.00]	<u>181.28</u>	<u>186.71</u>	<u>192.31</u>	<u>198.07</u>
Theaters, seating five hundred people or less 25.95	<u>26.72</u>	<u>27.52</u>	<u>28.34</u>	<u>29.19</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 February 10, 1998

PASSED IN SECOND READING May 26, 1998



William B. Privett, Mayor

ATTEST Christie L. Jamieson
Christie L. Jamieson, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 642

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 15, CHAPTER 15.08, SEWERS, SPECIFICALLY INCREASING SEWER RATES BY FOUR PERCENT PER YEAR OVER A PERIOD OF FIVE YEARS BY TWENTY PERCENT 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 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 July 1, 1998.

Sec. 4. Providing for a Public Hearing. A public hearing is scheduled for May 26, 1998.

Sec. 5. Wrangell Municipal Code, Chapter 15.08.240 Schedule of rates and charges, is hereby amended as follows:

Class A

Residential Rates

<u>Designation</u>	<u>Unit(s)</u>	Effective <u>7/1/98</u>	Effective <u>7/1/99</u>	Effective <u>7/1/00</u>	Effective <u>7/1/01</u>	Effective <u>7/1/02</u>
per family unit	[1.00]	<u>\$ 26.00/mo</u>	<u>\$ 27.04/mo</u>	<u>\$ 28.12/mo</u>	<u>\$ 29.24/mo</u>	<u>\$ 30.40/mo</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 building or trailer courts, no charge in addition to above will be made.

Class B

Commercial Rates

<u>Designation</u>	<u>Unit(s)</u>	<u>Effective Dates</u>				
		<u>7/1/98</u>	<u>7/1/99</u>	<u>7/1/00</u>	<u>7/1/01</u>	<u>7/1/02</u>
Bakeries	[3.00]	<u>\$ 78.00/mo</u>	<u>\$81.12/mo</u>	<u>\$84.36/mo</u>	<u>\$87.73/mo</u>	<u>\$91.23</u>
with initial preparation off premises	[1.50]	<u>39.00</u>	<u>40.56</u>	<u>42.18</u>	<u>43.86</u>	<u>45.61</u>
Bars	[3.00]	<u>78.00</u>	<u>81.12</u>	<u>84.36</u>	<u>87.73</u>	<u>91.23</u>
Barbershops, two chairs	[1.00]	<u>26.00</u>	<u>27.04</u>	<u>28.12</u>	<u>29.24</u>	<u>30.40</u>
per each additional chair	[.50]	<u>13.00</u>	<u>13.52</u>	<u>14.06</u>	<u>14.62</u>	<u>15.20</u>
Beautyshops, two basins	[1.00]	<u>26.00</u>	<u>27.04</u>	<u>28.12</u>	<u>29.24</u>	<u>30.40</u>
per each additional basin	[.50]	<u>13.00</u>	<u>13.52</u>	<u>14.06</u>	<u>14.62</u>	<u>15.20</u>
Canneries:	[Special]	<u>26.00</u>	<u>27.04</u>	<u>28.12</u>	<u>29.24</u>	<u>30.40</u>
Shellfish canneries [(hand pick)]	Special					
Shellfish canneries [(machine pick)]	Special					
Fish processing	Special					
<u>Rinsing and packaging only</u>		<u>Special</u>	<u>Special</u>	<u>Special</u>	<u>Special</u>	<u>Special</u>
<u>Salt Water process only</u>		<u>Special</u>	<u>Special</u>	<u>Special</u>	<u>Special</u>	<u>Special</u>
Churches	[1.00]	<u>26.00</u>	<u>27.04</u>	<u>28.12</u>	<u>29.24</u>	<u>30.40</u>
Cleaners and cleaning plants	[2.00]	<u>52.00</u>	<u>54.08</u>	<u>56.24</u>	<u>58.48</u>	<u>60.81</u>
Clubs and lodges:						
Without bar or restaurant facilities	[1.00]	<u>26.00</u>	<u>27.04</u>	<u>28.12</u>	<u>29.24</u>	<u>30.40</u>
With bar or restaurant facilities	[2.00]	<u>52.00</u>	<u>54.08</u>	<u>56.24</u>	<u>58.48</u>	<u>60.81</u>
Cold storage plants	Special					
<u>Convenience Stores</u>		<u>14.66</u>	<u>15.24</u>	<u>15.84</u>	<u>16.47</u>	<u>17.12</u>
Docks	[1.00]	<u>26.00</u>	<u>27.04</u>	<u>28.12</u>	<u>29.24</u>	<u>30.40</u>
Garages, service stations, car lots:						
Without washrack	[1.00]	<u>26.00</u>	<u>27.04</u>	<u>28.12</u>	<u>29.24</u>	<u>30.40</u>
With washrack	[2.00]	<u>52.00</u>	<u>54.08</u>	<u>56.24</u>	<u>58.48</u>	<u>60.81</u>
Grocery stores:						
Without meat market	[1.00]	<u>26.00</u>	<u>27.04</u>	<u>28.12</u>	<u>29.24</u>	<u>30.40</u>
with meat market	[2.00]	<u>52.00</u>	<u>54.08</u>	<u>56.24</u>	<u>58.48</u>	<u>60.81</u>
Hotels and motels, <u>per room</u>		<u>5.87</u>	<u>6.10</u>	<u>6.34</u>	<u>6.59</u>	<u>6.85</u>
first ten rooms or less	[3.00]	<u>78.00</u>	<u>81.12</u>	<u>84.36</u>	<u>87.73</u>	<u>91.23</u>
Over ten rooms, per room	[.20]	<u>5.20</u>	<u>5.40</u>	<u>5.61</u>	<u>5.83</u>	<u>6.06</u>
Hospitals <u>2 ERU's</u>	[2.00]					
Plus per-bed charge [based on occupancy rate percentage]						
<u>of .4 ERU 24 beds</u>	[.40]	<u>301.60</u>	<u>313.66</u>	<u>326.20</u>	<u>339.24</u>	<u>352.80</u>
Laundromats, self-service, <u>per machine</u>		<u>42.90</u>	<u>44.61</u>	<u>46.39</u>	<u>48.24</u>	<u>50.16</u>
Under thirty-pound capacity, per machine	[.50]	<u>13.00</u>	<u>13.52</u>	<u>14.06</u>	<u>14.62</u>	<u>15.20</u>
Thirty pound or over capacity, per machine	[1.50]	<u>39.00</u>	<u>40.56</u>	<u>42.18</u>	<u>43.86</u>	<u>45.61</u>

<u>Designation</u>	<u>Unit(s)</u>	<u>Effective Dates</u>				
		<u>7/1/98</u>	<u>7/1/99</u>	<u>7/1/00</u>	<u>7/1/01</u>	<u>7/1/02</u>
<u>Multi-family (per unit)</u>		<u>26.00</u>	<u>27.04</u>	<u>28.12</u>	<u>29.24</u>	<u>30.40</u>
Office buildings, [first office] per employee	[1.00]	<u>2.60</u>	<u>2.70</u>	<u>2.80</u>	<u>2.91</u>	<u>3.02</u>
Each additional plumbed office	[1.00]	<u>26.00</u>	<u>27.04</u>	<u>28.12</u>	<u>29.24</u>	<u>30.40</u>
Each additional unplumbed office	[.20]	<u>5.20</u>	<u>5.40</u>	<u>5.61</u>	<u>5.83</u>	<u>6.06</u>

Class B

Commercial Rates

<u>Designation</u>	<u>Unit(s)</u>	<u>Effective Dates</u>				
		<u>7/1/98</u>	<u>7/1/99</u>	<u>7/1/00</u>	<u>7/1/01</u>	<u>7/1/02</u>
Offices, medical [and dental]:		<u>14.66</u>	<u>15.24</u>	<u>15.84</u>	<u>16.47</u>	<u>17.12</u>
With laboratory and/or x-ray unit	[2.00]	<u>52.00</u>	<u>54.08</u>	<u>56.24</u>	<u>58.48</u>	<u>60.81</u>
Without laboratory and/or x-ray unit	[1.00]	<u>26.00</u>	<u>27.04</u>	<u>28.12</u>	<u>29.24</u>	<u>30.40</u>
Offices, dental:		<u>26.00</u>	<u>27.04</u>	<u>28.12</u>	<u>29.24</u>	<u>30.40</u>
With laboratory and/or x-ray unit		<u>52.00</u>	<u>54.08</u>	<u>56.24</u>	<u>58.48</u>	<u>60.81</u>
Without laboratory and/or x-ray unit		<u>26.00</u>	<u>27.04</u>	<u>28.12</u>	<u>29.24</u>	<u>30.40</u>
Public showers:						
First two stalls	[1.00]	<u>26.00</u>	<u>27.04</u>	<u>28.12</u>	<u>29.24</u>	<u>30.40</u>
Per each additional stall	[.20]	<u>5.20</u>	<u>5.40</u>	<u>5.61</u>	<u>5.83</u>	<u>6.06</u>
Ranger District (Forest Service)	[7.80]	<u>202.80</u>	<u>210.91</u>	<u>219.34</u>	<u>228.11</u>	<u>237.23</u>
Restaurants, lunch counters, etc.:						
Up to and including thirty seats	[3.00]	<u>78.00</u>	<u>81.12</u>	<u>84.36</u>	<u>87.73</u>	<u>91.23</u>
Each additional twenty seats or fraction thereof	[1.00]	<u>26.00</u>	<u>27.04</u>	<u>28.12</u>	<u>29.24</u>	<u>30.40</u>
Lunchcounters, drive-in or fast food, of less than thirty seats	[1.50]	<u>39.00</u>	<u>40.56</u>	<u>42.18</u>	<u>43.86</u>	<u>45.61</u>
Industrial	Special					
Schools, per class room	[.43]	<u>11.18</u>	<u>11.62</u>	<u>12.08</u>	<u>12.56</u>	<u>13.06</u>
Shops[, miscellaneous]and stores	[1.00]	<u>26.00</u>	<u>27.04</u>	<u>28.12</u>	<u>29.24</u>	<u>30.40</u>
Stores: drygoods, gift, etc.	[1.00]	<u>26.00</u>	<u>27.04</u>	<u>28.12</u>	<u>29.24</u>	<u>30.40</u>
Swimming pool, public	[8.00]	<u>208.00</u>	<u>216.32</u>	<u>224.97</u>	<u>233.96</u>	<u>243.31</u>
Roominghouses	[1.00]	<u>26.00</u>	<u>27.04</u>	<u>28.12</u>	<u>29.24</u>	<u>30.40</u>
Each bed	[.20]	<u>5.20</u>	<u>5.40</u>	<u>5.61</u>	<u>5.83</u>	<u>6.06</u>
[Theaters, seating five hundred people or less]	[2.00]					

PASSED IN FIRST READING February 10, 1998

PASSED IN SECOND READING May 26, 1998



William B. Privett, Mayor

ATTEST: Christie L. Jamieson
Christie L. Jamieson, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 643

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 15, CHAPTER 15.12, ELECTRICITY, SPECIFICALLY INCREASING ELECTRIC RATES BY THREE PERCENT OVER A PERIOD OF FOUR YEARS BY TWELVE PERCENT 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 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 July 1, 1998.

Sec. 4. Providing for a Public Hearing. A public hearing is scheduled for May 26, 1998.

Sec. 5. Wrangell Municipal Code, Chapter 15.12.192 Hydroelectrical wholesale power rate adjustment, 15.12.200 Meter rates—Residential service (Schedule A), 15.12.210 Meter rates—Small commercial service (Schedule B), and 15.12.215 Meter rates—Large commercial service (Schedule C), is hereby amended 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 Tyee 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] 6.2 cents per kilowatt hour, which rate was effective July 1, [1987] 1997.

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>	<u>EFF 7/1/98</u>	<u>EFF 7/1/99</u>	<u>EFF 7/1/00</u>	<u>EFF 7/1/01</u>
		3.0%	3.0%	3.0%	3.0%
Customer charge	[\$8.00 per month]	<u>\$8.00/mo</u>	<u>\$8.00/mo</u>	<u>\$8.00/mo</u>	<u>\$8.00/mo</u>
Energy charge					
0-300 kWh	[.09 cents per kWh]	<u>0.093/kWh</u>	<u>0.096/kWh</u>	<u>\$0.099/kWh</u>	<u>\$.102/kWh</u>
Over 300 kWh	[.072 cents per kWh]	<u>0.074/kWh</u>	<u>0.076/kWh</u>	<u>0.078/kWh</u>	<u>0.080/kWh</u>

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>	<u>EFF 7/1/98</u>	<u>EFF 7/1/99</u>	<u>EFF 7/1/00</u>	<u>EFF 7/1/01</u>
		3.0%	3.0%	3.0%	3.0%
Customer charge	[\$9.00 per month]	<u>\$9.00/mo</u>	<u>\$9.00/mo</u>	<u>\$9.00/mo</u>	<u>\$9.00/mo</u>
Energy charge	[all kWh at .083 cents per kWh.]	<u>0.086/kWh</u>	<u>0.089/kWh</u>	<u>0.091/kWh</u>	<u>0.094/kWh</u>

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 if kW demand meters and adoption of rates as required by law.

D. Rate.	<u>SCHEDULE C</u>	<u>EFF 7/1/98</u>	<u>EFF 7/1/99</u>	<u>EFF 7/1/00</u>	<u>EFF 7/1/01</u>
		3.0%	3.0%	3.0%	3.0%
Customer charge	[\$13.50 per month]	<u>\$13.50/mo</u>	<u>\$13.50/mo</u>	<u>\$13.50/mo</u>	<u>\$13.50/mo</u>
Energy charge					
0-70,000 kWh	[.075 cents per kWh]	<u>0.077/kWh</u>	<u>0.079/kWh</u>	<u>0.081/kWh</u>	<u>0.083/kWh</u>
Over 70,000 kWh	[.072 cents per kWh]	<u>0.074/kWh</u>	<u>0.076/kWh</u>	<u>0.078/kWh</u>	<u>0.080/kWh</u>

PASSED IN FIRST READING February 10, 1998

PASSED IN SECOND READING May 26, 1998


William B. Privett, Mayor

ATTEST: 
Christie L. Jamieson, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 644

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 9, CHAPTER 9.04 GARBAGE, SPECIFICALLY INCREASING MONTHLY REFUSE COLLECTION OR DISPOSAL FEES, AND LANDFILL CHARGES, 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 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 July 1, 1998.

Sec. 4. Providing for a Public Hearing. A public hearing is scheduled for May 26, 1998.

Sec. 5. Wrangell Municipal Code, Chapter 9.04, is amended as follows:

Chapter 9.04

GARBAGE*

Sections:

9.04.010	Definitions.
9.04.020	Refuse containers—Specifications.
9.04.030	Refuse containers—Maintenance.
9.04.040	Refuse containers—Location.
9.04.050	Disposal—Restrictions generally.
9.04.060	Sanitation department.
9.04.070	Collection or disposal fees.
9.04.080	Collection times and frequency.
9.04.090	Notification of collection need.
[9.04.095]	[Collection outside city limits.]
9.04.100	Disposal at and maintenance of dump.
9.04.110	Penalty for violation.

9.04.040 Refuse containers—Location.

A. Containers approved for use by the city manager or his authorized agent, in which refuse is placed to be removed by the city or its authorized collector shall be located in plain view in an accessible location at the ground level or on an open platform or open porch not more than four feet above the adjacent roadway and so placed that they may be reached from the ground by the collector. They shall not be located within a building or other structure unless such building or structure has been approved for refuse storage by the city manager or his authorized agent. If the premises on which such refuse accumulates abuts no a public alley, such container shall be located immediately adjacent to such alley. If such alley is not available but a private driveway is available said container shall be located immediately adjacent to such driveway. The containers shall be not more than [fifty feet] twenty-five feet from the edge of the roadway. If more than one container is necessary to hold the refuse accumulated at a customer's premises, or if more than one container is used for the refuse from any one building, all containers shall be placed at the same location on the premises. Buildings housing three or more dwellings or businesses, as long as other requirements of this ordinance are met, may place containers in more than one location with approval of city manager or his authorized agent.

B. The city or its authorized collector will not be required to collect refuse, garbage or rubble where there are obstructions such as excessive snow in pathway to containers, vicious dogs, excessive liquid in containers, parked vehicles, etc. (Ord. 574 Sec. 4 (part), 1991).

9.04.070 Collection or disposal fees.

A. Every owner, occupant, tenant or lessee within the [city limits] City's service area shall receive refuse pickup service and shall pay such fees as are set forth in this section unless waiver of service is authorized by the city manager or his authorized agent, after special investigation of conditions upon which the waiver is requested.

B. Residential service shall consist of the removal of refuse substances, as defined in this chapter, in containers approved by the city manager or his authorized agent, weighing with contents when full, not over fifty-five pounds, or the equivalent thereof, once weekly.

C. The city manager shall have the authority to waive any fees in Schedule A for a period of up to two weeks during community clean-up projects.

D. All customers shall be billed on the basis of charges set forth in Schedule A.

SCHEDULE A, FLAT RATES IS DELETED IN ITS ENTIRETY AND REPLACED WITH SCHEDULE A, VOLUME BASED

[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	\$13.40

Class B. Mandatory Rate for All Occupants or Persons.

Commercial and Industrial--Flat Rates

<u>Designation</u>	<u>Monthly Rate</u>
Bakery	\$ 22.20
Bank	22.20
Bars	66.85
Barbershops	13.40
Beauty Shops	13.40
Canneries	66.85
Churches	13.40
Clubs, lodges	22.20
Furniture stores	35.60
Garages	33.50
Grocery stores	111.45
Hospitals	44.60
Hotels	55.65
Laundromat	33.50
Offices	13.40
Restaurants	78.05
Schools, per classroom	2.20
Shops, miscellaneous	22.20
Stores--dry goods; gift, etc.	33.50
Ranger district (Forest Service)	55.65
Public swimming pool	33.50

Class C. Additional Rate Garbage Hauled to Landfill Disposal Site by any
Business, Government or Individual.

Ten-yard dump truck, load, or equivalent 17.80]

Schedule A
Section 9.04.070

MONTHLY REFUSE COLLECTION OR DISPOSAL FEES

Class A. Mandatory Rate for All Occupants or Persons.

Residential

<u>Designation</u>	<u>Monthly Rate</u>
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<u>Residential, volume, Per Unit</u>	
<u>minimum one 32 gallon container</u>	<u>\$ 12.00</u>
<u>two 32 gallon containers</u>	<u>\$ 17.76</u>
<u>each additional 30 gallon container</u>	<u>\$ 5.00</u>

Commercial and Industrial

<u>Small Commercial, Per 32 gallon container</u>	<u>\$ 8.91</u>
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Other Commercial

2 Cubic Yard Dumpster

<u>1 Pick up per week</u>	<u>\$ 23.24</u>
<u>2</u>	<u>46.49</u>
<u>3</u>	<u>69.63</u>
<u>4</u>	<u>92.97</u>
<u>5</u>	<u>116.22</u>
<u>One extra pick up per month</u>	<u>5.78</u>

More than one extra pick up per month will be billed at the appropriate rate.

4 Cubic Yard Dumpster

<u>1 Pick up per week</u>	<u>\$ 46.73</u>
<u>2</u>	<u>93.46</u>
<u>3</u>	<u>140.18</u>
<u>4</u>	<u>186.91</u>
<u>5</u>	<u>233.64</u>
<u>Special One-time extra per month</u>	<u>11.68</u>

More than one extra pick up per month will be billed at the appropriate rate.

Landfill Charges

<u>\$5.00 per cubic yard</u>	
<u>Minimum charge</u>	<u>\$5.00</u>

<u>Commercial loads must be separated</u>	
<u>or loads will be billed at</u>	<u>\$10.00 per CY</u>

Junk Vehicles

<u>All fluids drained, battery and tires</u>	
<u>removed</u>	<u>No Charge</u>

<u>Junk Vehicles which do not meet the above</u>	
<u>requirements</u>	<u>\$ 50.00</u>

SECTION 9.04.095 DELETED IN ITS ENTIRETY

9.04.095 Collection outside city limits. A. The city shall provide garbage collection service with the frequency and at the times as the city manager may prescribe, outside the city limits to and including an area identified as the McCormick Creek Logging Camp. Collection of garbage outside the city limits is in the best interests of the public peace, health and safety of the city.

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. (Ord. 508 Sec. 4, 5, 1986; Ord. 397 Secs. 1, 2, 3, 1980).]

9.04.100 Disposal at and maintenance of Municipal Solid Waste Handling Facility. The sanitation department shall dispose of refuse by conveying it to a [garbage dump] Municipal Solid Waste Handling Facility or other places designated by the council. Such [garbage dump] Municipal Solid Waste Handling Facility shall be kept in as sanitary condition as circumstances permit, using every reasonable means to destroy or cover the refuse and prevent it from becoming a refuge or breeding place for rats or other pests, or otherwise endangering public health and safety. (Ord. 200 Sec. 5(part), 1967: prior code Sec. 42.40.090).

PASSED IN FIRST READING February 10, 1998

PASSED IN SECOND READING May 26, 1998



William B. Privett, Mayor

ATTEST: 
Christie L. Jamieson, City Clerk

CITY OF WRANGELL

ORDINANCE NO. 645

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING WRANGELL MUNICIPAL CODE, CHAPTERS 5.10 PURCHASES AND SALES, AND 16.12 DISPOSITION OF PUBLIC LANDS, SPECIFICALLY 5.10.060 SALE OF SURPLUS, OBSOLETE, OR UNNEEDED PERSONAL PROPERTY, 16.12.010 APPLICABILITY OF PROVISIONS, 16.12.015 DISPOSAL OF PUBLIC LANDS FOR PUBLIC USE, 16.12.030 VALUE ASSESSMENT--NOTICE--TERMS AND 16.12.060 RATIFICATION BY ELECTION--PROCEDURE

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, Chapter 5.10 Purchases and Sales, is hereby amended as follows:

5.10.060 Sale of surplus, obsolete, or unneeded personal property. 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 [fifty thousand dollars or more] more than one million dollars in value must meet with the requirements of section 5-17 of the City Charter.

Sec. 5. Wrangell Municipal Code, Chapter 16.12 Disposition of Public Lands, is hereby amended as follows:

16.12.010 Applicability of provisions. 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 judgment 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, lease, or interest is [less than fifty thousand dollars] one million dollars or less (as determined by a qualified appraiser [of] or the city assessor) and is accomplished by resolution after public notice published fourteen days prior to passage of the resolution.

16.12.015 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, or any interest therein, owned by the city, excluding tidelands, [that] which interest has a value of [less than fifty thousand dollars, owned by the city] one million dollars or less, to the state or U.S. Government for public use, the disposal may be made without sealed bid procedures and at less than fair market value.

16.12.030 Value assessment--Notice -- Terms. A. Following approval by the council, 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 fifty thousand dollars] one million dollars or less, the city clerk shall thereafter give notice of the sale, lease, or other disposition by publication of notice in a newspaper of general circulation in the city at least thirty days before the date of the sale, lease, or disposition, and the notice shall be posted within that time in at least three public places in the city.


16.12.060 Ratification by election--Procedure. Real property which has a value of [fifty thousand dollars] more than one million dollars or more shall be disposed of by a noncode 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 May 26 _____, 1998

PASSED IN SECOND READING June 9 _____, 1998



William B. Privett, Mayor

ATTEST: 
Jane M. Hasenohrl, Deputy City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 646

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 2, ELECTIONS, CHAPTER 2.20, VOTING, SPECIFICALLY CHANGING PRECINCT BOUNDARY AND POLLING PLACE

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 August 1, 1998.

Sec. 4. Providing for a Public Hearing. A public hearing is scheduled for July 28, 1998.

Sec. 5. Wrangell Municipal Code, Chapter 2.20.120 Polling Places, is hereby amended as follows:

2.20.120 Polling Places. A qualified voter shall vote only once per election and shall exercise that right at the polling place established in the designated Wrangell Precinct and in which he resides within the city boundaries of the City of Wrangell [as set forth in this section:]

[A. Wrangell Precinct No. 1. All that part of Election District No. 2 within the corporate limits of the city extending from the centerline of St. Michaels Street to the west boundary of the city limits.]

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

PASSED IN FIRST READING July 14, 1998

PASSED IN SECOND READING July 28, 1998



William B. Privett, Mayor

ATTEST: Christie L. Jamieson
Christie L. Jamieson, City Clerk

*Failed by
Voters on 10/6/98
General Election*

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 647

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, EXEMPTING REAL AND PERSONAL PROPERTY ACQUIRED, USED AND/OR INSTALLED AFTER JANUARY 1, 1999, 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 1998 ELECTION, WITH AN EXEMPTION EFFECTIVE DATE OF JANUARY 1, 1999.

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 has lost 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 State 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, 1998 election, such that the exemption will be available January 1, 1999.

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 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, 1998, with the additional proviso, that the exemption granted herein, if approved by the voters, shall not become effective until January 1, 1999.

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:

5.04.36 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 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, 2004, and shall not be effective thereafter, unless after December 31, 2004, 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, 1995, 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 construction cost and the taxpayer shall 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, 1998, 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, 1998, 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, 1999, 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 1999. 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, 2004.

_____ 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 have one election precinct.

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 qualification 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 IN FIRST READING July 28, 1998

PASSED IN SECOND READING August 11, 1998



William B. Privett, Mayor

ATTEST: Christie L. Jamieson
Christie L. Jamieson, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 648

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
WRANGELL, ALASKA, AMENDING TITLE 11, VEHICLES
AND TRAFFIC, CHAPTER 11.76, JUNK VEHICLES

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 30 days after passage.

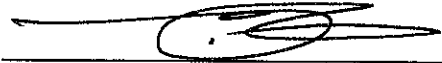
Sec. 4. Providing for a Public Hearing. A public hearing is scheduled for September 21, 1998.

Sec. 5. Wrangell Municipal Code, Chapter 11.76, Junk Vehicles, is hereby amended as follows:

11.76.010 Definition. "Junk vehicle" means a motor vehicle, [as that term is defined by AS 28.40.100(7),] that is: (1) stripped, wrecked or otherwise inoperable due to mechanical failure, and (2) has not been repaired because of mechanical difficulties or because the cost of repairs required to make it operable exceeds the fair market value of the vehicle[; provided, however, if such motor vehicle is currently registered for operation on the public roads of the city and is insured under the requirements of AS 28.22.200, then it is presumed not to be a "junk vehicle." To meet the insurance requirement, proof of motor vehicle liability insurance or a certificate of self-insurance that complies with AS 28.20.400 must be submitted to the city manager.]

PASSED IN FIRST READING September 8, 1998

PASSED IN SECOND READING September 21, 1998



William B. Privett, Mayor

ATTEST: Christie L. Jamieson

Christie L. Jamieson, City Clerk

CITY OF WRANGELL, ALASKA

SUBORDINATE LIEN WATER REVENUE BOND (TAXABLE), 1998

\$1,700,000

ORDINANCE NO. 649

AN ORDINANCE of the City of Wrangell, Alaska, authorizing the City to borrow \$1,700,000 from the Alaska Drinking Water Fund to finance the cost of acquiring, constructing and installing certain improvements to the water system of the City; approving a form of loan agreement with the Alaska Department of Environmental Conservation for such loan and authorizing the issuance of the City's Subordinate Lien Water Revenue Bond (Taxable) to evidence such loan; and providing for the date, form, terms, maturities and covenants of said bond.

Passed November 10, 1998

Prepared by:

PRESTON GATES & ELLIS LLP
Seattle, Washington

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CITY OF WRANGELL, ALASKA

ORDINANCE NO. 649

AN ORDINANCE of the City of Wrangell, Alaska, authorizing the City to borrow \$1,700,000 from the Alaska Drinking Water Fund to finance the cost of acquiring, constructing and installing certain improvements to the water system of the City; approving a form of loan agreement with the Alaska Department of Environmental Conservation for such loan and authorizing the issuance of the City's Subordinate Lien Water Revenue Bond (Taxable) to evidence such loan; and providing for the date, form, terms, maturities and covenants of said bond.

WHEREAS, the City of Wrangell, Alaska (the "City"), a municipal corporation of the State of Alaska, owns, operates and maintains a domestic water supply and distribution system (the "System"), as authorized by Section 8-1 of the City Charter; and

WHEREAS, the City Council (the "Council"), by Resolution No. 08-97-690, adopted by the Council on August 12, 1997, submitted to the qualified electors of the City the question of whether or not the City should acquire and construct certain improvements to the System and issue water revenue bonds in an amount not to exceed \$2,657,500 to finance such improvements; and

WHEREAS, at an election held within the City on October 7, 1997, the qualified electors of the City approved the water projects described above and the issuance of the City's water revenue bonds in an amount not to exceed \$2,657,500 to finance such improvements; and

WHEREAS, the Alaska Department of Environmental Conservation (the "Department") has offered to lend the City \$1,700,000 from the Alaska Drinking Water Fund to pay the costs of a portion of such improvements; and

WHEREAS, the City wishes (i) to accept the Department's loan on the terms and conditions set forth in a loan agreement prepared by the Department and submitted to the Council with this ordinance and (ii) to issue the City's Subordinate Lien Water Revenue Bond (Taxable), 1998, in the principal amount of \$1,700,000 (the "Bond") to evidence such loan; and

WHEREAS, the City wishes to pledge for repayment of the Bond a portion of the Southeast Alaska Timber Relief Funds that the City has received from the federal government held by the City in its Economic Recovery Fund as well as revenues of the System; and

WHEREAS, the City presently has outstanding (i) its Water System Revenue Bond, 1967, issued under date of April 20, 1967, in the original principal amount of \$408,600 pursuant to Ordinance No. 202 of the City passed on March 7, 1967 (the "Senior Lien Bond"), currently held by the United States Department of Agriculture, Rural Development, and (ii) its Junior Lien Water Revenue Bond, 1997, issued under date of October 23, 1997, in the original principal amount of \$250,000 pursuant to Ordinance No. 637 passed on July 8, 1997 (the "1997 Bond"); and

WHEREAS, the Department has agreed that the Bond shall be issued with a lien on revenues of the System subordinate and inferior to the lien on such revenues of the Senior Lien Bond and the 1997 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 terms shall have the following meanings:

"Bond" means the City's Subordinate Lien Water Revenue Bond (Taxable), 1998 in the total principal amount of \$1,700,000 issued pursuant to and for the purposes provided in this ordinance.

"Bond Fund" means the "City of Wrangell 1998 Subordinate Lien Water Revenue Bond Redemption Fund" authorized to be created by Section 6 of this ordinance to pay and secure the payment of the Bond and any Future Parity Bonds.

"City" means the City of Wrangell, a municipal corporation duly organized and existing under and by virtue of the laws of the State of Alaska and the City's Charter.

"City Clerk" means the City Clerk, or the successor to the duties of such office.

"Construction Fund" means the special fund of the City designated as the "Water Filtration Construction Fund."

"Costs of Maintenance and Operation" means all necessary operating expenses, current maintenance expenses, expenses of reasonable upkeep and repairs, and insurance and administrative expenses, but excludes depreciation, payments for debt service or into reserve accounts and costs of capital additions to or replacements of the System, taxes levied by the City or payments in lieu of such taxes.

"Council" means the City Council of the City as the general legislative authority of the City as the same shall be duly and regularly constituted from time to time.

"Department" means the Alaska Department of Environmental Conservation.

"Finance Director" means the Finance Director of the City or the successor to the duties of such office.

"Future Parity Bonds" means any and all water revenue bonds of the City issued after the date of the issuance of the Bond and having a lien upon the money in the Water Fund for the payment of the principal thereof and interest thereon equal to the lien upon the money in such fund for the payment of the principal of and interest on the Bond.

"Gross Revenue" means all of the earnings, revenue and money, except Assessments, received by the City from or on account of the operation of the System including proceeds from the sale, lease or other disposition of any of the properties or facilities of the System, and the income from investments of money in the Revenue Fund and any bond fund or from any other investment thereof except the income from investments irrevocably pledged to the payment of revenue bonds pursuant to a plan of retirement or refunding. Gross Revenue shall not include grants or bond proceeds, but shall include federal or state reimbursements of operating expenses to the extent that such expenses are included as Costs of Maintenance and Operation.

"Junior Lien Bonds" means the 1997 Bond and any bond issued on a parity therewith.

"Loan Agreement" means the Alaska Drinking Water Fund Agreement (ADEC Loan No. 917031) between the Department and the City authorized to be entered into pursuant to Section 16 hereof.

"Net Revenue" means Gross Revenue less the Costs of Maintenance and Operation.

"1967 Bond" means the City's Water System Revenue Bond, 1967, issued under date of April 20, 1967, in the original principal amount of \$408,600 pursuant to Ordinance No. 202 of the City passed on March 7, 1967, currently held by the United States Department of Agriculture, Rural Development.

"1997 Bond" means the City's Junior Lien Water Revenue Bond, 1997, issued under date of October 23, 1997, in the original principal amount of \$250,000 pursuant to Ordinance No. 637 of the City passed on July 8, 1997, currently held by the United States of America acting by and through the Department of Agriculture, Rural Development.

"Parity Bonds" means the Bond and any Future Parity Bonds.

"Principal and Interest Account" means the special account of that name authorized by Section 6 hereof to be created in the Bond Fund for the purpose of paying the principal of and interest on all Parity Bonds.

"Project" means the improvements to the System authorized by Resolution No. 08-97-690, adopted by the Council on August 12, 1997, and approved by the voters of the City at an election held therein on October 7, 1997.

“Reserve Account” means the account of that name authorized to be created within the Bond Fund pursuant to Section 6 hereof for the purpose of securing the payment of all Parity Bonds.

“Senior Lien Bond” means the 1967 Bond.

“Southeast Alaska Timber Relief Funds” means the funds received under the federal program of that name deposited in the City’s Economic Recovery Fund.

“System” means the existing water supply and distribution system of the City and such improvements or additions as may be made to such system for as long as any Parity Bonds are outstanding and shall include the sewage collection and treatment system of the City and/or the storm drainage system of the City if either is or both are ever combined with the City’s water supply and distribution system.

“Water Fund” means the heretofore established Water Fund of the City.

Section 2. Authorization of Bond. In accordance with the Loan Agreement and for paying a portion of the costs of the Project, the City shall now issue to the Department the City’s Subordinate Lien Water Revenue Bond (Taxable), 1998, in the aggregate principal amount of \$1,700,000 (the “Bond”). The Bond shall be dated as of the date of its delivery to the Department, shall be numbered R-1, shall be in the denomination of \$1,700,000, and shall be fully registered.

The Bond shall bear interest at a per annum rate of 3.49%. Principal of and interest on the Bond shall be payable at such times and in such amounts as provided in the Loan Agreement.

Section 3. Registration, Payment and Transfer. The City Finance Director shall act as authenticating trustee, transfer agent, paying agent and registrar for the Bond (collectively, the “Bond Registrar”). Both principal of and interest on the Bond shall be payable in lawful money of the United States of America. Unless otherwise provided in the Loan Agreement, installments of the principal of and interest on the Bond shall be paid by check or draft of the Bond Registrar mailed on the date such interest is due to the registered owner or nominee at the address appearing on the Bond Register. Upon final payment of all installments and interest thereon, the Bond shall be submitted to the Bond Registrar for cancellation and surrender.

The Bond may be transferred only on the Bond Register maintained by the Bond Registrar for that purpose upon the surrender thereof by the registered owner or nominee or his/her duly authorized agent and only if endorsed in the manner provided thereon, and thereupon a new fully registered Bond of like principal amount, maturity and interest rate shall be issued to the transferee in exchange therefor. Such transfer or exchange shall be without cost to the registered owner or transferee.

Section 4. Prepayment. The City hereby reserves the right to prepay principal installments remaining unpaid at the price of par plus accrued interest, in whole, or in part in

chronological order, at any time. No advance notice of intended prepayment or redemption shall be required.

Section 5. Bond Fund. A special fund of the City designated as the "City of Wrangell 1998 Subordinate Lien Water Revenue Bond Redemption Fund" (the "Bond Fund") is hereby authorized to be created in the office of the Finance Director, which Fund is to be drawn upon for the sole purpose of paying the principal of and interest on the Bond and any Future Parity Bonds.

A Principal and Interest Account is hereby authorized to be created in the Bond Fund for the purpose of paying the principal of, premium, if any, and interest on all Parity Bonds. On or prior to the date of issuance of the Bond, the City shall deposit into the Bond Fund an amount of the Southeast Alaska Timber Relief Funds that, together with the investment earnings therein, shall be sufficient to provide for payment in full of principal of and interest on the Bond as the same shall become due.

If the money in the Principal and Interest Account is ever insufficient to pay when due any installment of principal of and/or interest on the Bond, the City hereby irrevocably obligates and binds itself to set aside and pay from the Water Fund into the Principal and Interest Account in addition to amounts required to be paid therein on account of any other issue of Parity Bonds, those amounts necessary, after taking into consideration such other funds as are on hand in the Principal and Interest Account and available for the payment of principal and interest on the Bond, to pay the installment of principal and/or interest next coming due on the Bond.

Section 6. Reserve Account. A Reserve Account is hereby authorized to be created in the Bond Fund for the purpose of securing the payment of the principal of and interest on all Parity Bonds. No funds are required to be deposited into the Reserve Account with respect to the Bond. If the City issues Future Parity Bonds, the City may provide for funding of the Reserve Account in the amounts and at the times to be specified in the ordinance authorizing such Future Parity Bonds. Such ordinance shall also establish procedures for drawing on the Reserve Account and such other matters related to the Reserve Account as the Council may determine as that time.

Section 7. Pledge of Water Revenue. The amounts pledged to be paid into the Bond Fund out of the Water Fund are hereby declared to be a lien and charge upon Gross Revenue and the money in the Water Fund junior, subordinate and inferior to the Costs of Maintenance and Operation, junior, subordinate and inferior to the lien and charge thereon to pay principal of and interest on the Senior Lien Bond, junior, subordinate and inferior to the lien and charge thereon to pay principal of and interest on the Junior Lien Bonds and to make payments into the Junior Lien Reserve Account, and equal in rank to the lien and charge that may later be made thereon to pay and secure the payment of any Future Parity Bonds, and superior to all other charges of any kind or nature.

Section 8. Priority of Payments from Water Fund. There has heretofore been established in the office of the Finance Director a special fund of the City designated as the "City

of Wrangell Water Fund" (the "Water Fund"). All of the Gross Revenue shall be deposited in the Water Fund as collected. The Water Fund shall be held separate and apart from all other funds and accounts of the City, and the Gross Revenue deposited in the Water Fund shall be used only for the following purposes and in the following order of priority:

First, to pay the Costs of Maintenance and Operation;

Second, to pay the principal of and interest on the outstanding Senior Lien Bond;

Third, to pay the interest on any Junior Lien Bonds;

Fourth, to pay the principal of any Junior Lien Bonds;

Fifth, to make all payments required to be made into the Reserve Account created to secure the payment of Junior Lien Bonds;

Sixth, to pay the interest on any Parity Bonds;

Seventh, to pay the principal of any Parity Bonds;

Eighth, to make all payments required to be made into the Reserve Account created to secure the payment of Parity Bonds;

Ninth, to make all payments required to be made into any revenue bond redemption fund or revenue warrant redemption fund and debt service account or reserve account created to pay and secure the payment of the principal of and interest on any revenue bonds or revenue warrants of the City having a lien upon the Gross Revenue junior and inferior to the lien thereon for the payment of the principal of and interest on the Subordinate Lien Bonds; and

Tenth, to retire by redemption or purchase in the open market any outstanding revenue bonds or revenue warrants of the City, to make necessary additions, betterments, improvements and repairs to or extensions and replacements of the System of the City, or for any other lawful City purposes.

Section 9. Sufficiency of Revenues. The corporate authorities of the City hereby declare that in fixing the amounts to be paid into the Bond Fund as aforesaid they have exercised due regard to the reasonable and necessary costs of maintenance and operation of the System and the charges necessary to pay and secure the payment of the principal of and interest on the Bond and have not obligated the City to set aside and pay into the Bond Fund a greater amount of the Gross Revenue than in their judgment will be available over and above such reasonable and necessary costs of maintenance and operation and the amounts necessary to pay the principal of and interest on the Bond.

Section 10. General Covenants. So long as the Bond remains unpaid, the City hereby covenants and agrees with the owner of the Bond from time to time to observe and comply with all of the covenants and obligations of the City set forth in the Loan Agreement.

Section 11. Taxable Bond. The City has not designated the Bond as a "qualified tax-exempt obligation" the Internal Revenue Code of 1986, as amended, and does not intend for interest on the Bond to be excluded from gross income for purposes of federal or state income taxation.

Section 12. Future Parity Bonds. The City hereby further covenants and agrees with the owner from time to time of the Bond for as long as any portion of the same remains outstanding that it will issue Future Parity Bonds only with the prior written consent of the owner of the Bond and on terms and conditions acceptable to the owner of the Bond.

In accordance with Ordinance No. 637 authorizing the issuance of the 1997 Bond, the City expressly reserves the right to issue revenue bonds of the City with a lien on Gross Revenue equal to the lien thereon of the 1997 Bond and superior to the lien thereon of the Bond. Furthermore, nothing herein contained shall prevent the City from issuing any revenue bonds, warrants or other obligations that create a lien and charge upon Gross Revenue and money in the Water Fund junior or inferior to the payments required by this ordinance to be made into the Bond Fund and the Reserve Account.

Section 13. Lost or Destroyed Bond. In case the Bond shall be lost, stolen or destroyed, the City may execute and deliver a new bond of like date, number and tenor to the registered owner thereof in the manner provided by law and upon the owner's paying the expenses and charges of the City in connection therewith.

Section 14. Form of Bond. The Bond shall be in substantially the following form:

UNITED STATES OF AMERICA

NO. R-1 \$1,700,000

STATE OF ALASKA

CITY OF WRANGELL

SUBORDINATE LIEN WATER REVENUE BOND (TAXABLE), 1998

INTEREST RATE: 3.49%

REGISTERED OWNER: Alaska Department of Environmental Conservation

PRINCIPAL AMOUNT: ONE MILLION SEVEN HUNDRED THOUSAND AND NO/100 DOLLARS (\$1,700,000)

The City of Wrangell, Alaska, a municipal corporation of the State of Alaska (the "City"), hereby acknowledges itself to owe and for value received promises to pay, but solely from the Bond Fund, hereinafter identified, to Registered Owner identified above, or its registered assigns, the Principal Amount set forth above and to pay interest thereon in the amounts and at the times set forth in the Loan Agreement. Both principal of and interest on this bond are payable in lawful money of the United States of America. Upon final payment of all installments of principal and interest thereon, this bond shall be submitted to the City's Finance Director for cancellation and surrender.

This bond is issued pursuant to Ordinance No. ____ of the City (the "Bond Ordinance"), to provide financing for certain improvements to the water system of the City. Capitalized terms used in this bond and not otherwise defined herein shall have the meanings given such terms in the Bond Ordinance.

Both principal of and interest on this bond are payable solely out of the special fund of the City known as the "City of Wrangell 1998 Subordinate Lien Water Revenue Bond Redemption Fund" (the "Bond Fund") established under the Bond Ordinance. Certain Southeast Alaska Timber Relief Funds of the City have been deposited into the Bond Fund to provide for the payment of the principal of and interest on this bond.

If the money in the Bond Fund is ever insufficient to pay when due any installment of principal of or interest on the Bond, the City does hereby pledge and bind itself to set aside from the Gross Revenue and to pay into the Bond Fund amounts sufficient to pay such installment. Said amounts so pledged to be paid into the Bond Fund are hereby declared to be a lien and charge upon such Gross Revenue junior, subordinate and inferior to the Costs of Maintenance and Operation of the System, junior, subordinate and inferior to the lien and charge thereon to pay principal of and interest on the Senior Lien Bond, junior, subordinate and inferior to the lien and charge thereon to pay principal of and interest on the Junior Lien Bonds and to make payments into the Junior Lien Reserve Account, equal in rank to any charge that may hereafter be made thereon to pay and secure the payment of any bonds which may later be issued on a parity with this bond, and superior to all other charges of any kind or nature. In the Bond Ordinance, the City has reserved the right to issue Future Parity Bonds on terms and conditions as set forth therein.

Interest on this bond is not excluded from gross income for purposes of federal or state income taxation.

Reference is made to the Bond Ordinance for a more complete description of the covenants with and the rights of the owner of this bond. The City hereby covenants and agrees with the owner of this bond that it will keep and perform all the covenants of this bond and of the Bond Ordinance to be by it kept and performed.

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

IN WITNESS WHEREOF, City of Wrangell, Alaska, has caused this bond to be signed on behalf of the City with the manual or facsimile signature of the Mayor, to be attested by the manual signature of the City Clerk, and the seal of the City to be impressed hereon, as of this ____ day of _____, 1997.

CITY OF WRANGELL, ALASKA

/s/
Mayor

ATTEST:

/s/
City Clerk

[SEAL]

REGISTRATION CERTIFICATE

This bond is registered in the name of the owner on the books of the City in the office of the City Finance Director 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/her duly authorized agent in writing, and similarly noted hereon and on the bond registration books of the City. All payments of principal of and interest on this bond shall be made by the City with full acquittance by City Finance Director's check, or by warrant of the City drawn on the Finance Director, made payable to the last registered holder shown hereon and delivered to such owner or mailed to his/her at his/her address noted hereon.

Date of Registration	Name and Address of Registered Owner	Signature of Registrar
_____, 1998	Alaska Department of Environmental Conservation Alaska Drinking Water Fund 410 Willoughby Ave. #102 Juneau, AK 99801	
_____	_____	_____
_____	_____	_____

The Bond shall have endorsed thereon the following form of assignment:

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned registered owner thereof hereby sells, assigns and transfers the within bond unto _____.

DATED _____

In the presence of

NOTICE: Signature(s) must be guaranteed pursuant to law.

(Repeat this form of assignment)

Section 15. Execution of the Bond. The Bond shall be executed on behalf of the City with the manual or facsimile signatures of the Mayor and the City Clerk, and shall have the seal of the City impressed or imprinted thereon.

In case either or both of the officers who shall have executed the Bond shall cease to be an officer or officers of the City before the Bond so signed shall have been authenticated or delivered by the Bond Registrar, or issued by the City, such Bond 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. The Bond also may be signed and attested on behalf of the City by such persons as

at the actual date of execution of the Bond shall be the proper officers of the City although at the original date of the Bond any such person shall not have been such officer of the City.

Only such Bond as shall bear thereon a Registration Certificate 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 Registration Certificate shall be conclusive evidence that the Bond so authenticated has been duly executed, authenticated and delivered hereunder and are entitled to the benefits of this ordinance.

Section 16. Approval of Loan Agreement and Delivery of Bond. The Loan Agreement between the City and the Department in substantially the form attached as Exhibit A to this ordinance and incorporated herein by this reference is hereby accepted and approved. The Mayor or City Manager is authorized on behalf of the City to sign said Loan Agreement. In accordance with the Loan Agreement and this ordinance, the proper officials of the City are hereby authorized and directed to do everything necessary for the prompt execution and delivery of the Bond to the Department and for the proper application and use of the proceeds thereof.

Section 17. Construction Fund; Application of Bond Proceeds. There is hereby authorized to be created in the office of the Finance Director a special fund of the City to be designated the Water Filtration Construction Fund (the "Construction Fund"). The proceeds of the sale of the Bond shall be paid into the Construction Fund and used to pay costs of the Project.

Section 18. 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 in this ordinance and shall in no way affect the validity of the other provisions of this ordinance or of the Bond.

Section 19. General Authorization. The Mayor, City Manger, City Clerk, Finance Director and all other appropriate officers of the City are each hereby authorized and directed to take such steps, to do such other acts and things, and to execute such letters, certificates, agreements, papers, financing statements, assignments or instruments as in their judgment may be necessary, appropriate or desirable in order to carry out the terms and provisions of, and complete the transactions contemplated by, this ordinance.

Section 20. Prior Acts. All acts taken pursuant to the authority of this ordinance but prior to its effective date are hereby ratified and confirmed.

Section 21. Effective Date. This Ordinance shall be in effect one month after its final passage, as required by law.

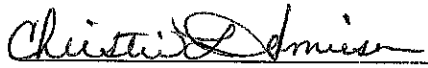
PASSED by the City Council of the City of Wrangell, Alaska, at a regular meeting thereof held this 10th day of November, 1998.

CITY OF WRANGELL, ALASKA



Mayor

ATTEST:



City Clerk

CERTIFICATE

I, the undersigned, City Clerk of the City of Wrangell, Alaska (the "City"), and keeper of the records of the City Council (the "Council"), DO HEREBY CERTIFY:

1. That the attached Ordinance No. 649 (the "Ordinance") is a true and correct copy of an ordinance of the City as passed at a regular meeting of the Council held on the 10th day of November, 1998, 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 bylaw, 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 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 9th day of December 1998.



City Clerk

[City Seal]

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 650

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING WRANGELL MUNICIPAL CODE CHAPTER 3.56 PERSONNEL, SPECIFICALLY 3.56.120 VACATIONS, 3.56.130 SICK LEAVE, 3.56.170 HOLIDAYS, AND 3.56.270 ALASKA FAMILY MEDICAL ACT AND FAMILY MEDICAL LEAVE ACT

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 3.56.120 Vacations as follows:

3.56.120 VACATIONS. K. Accumulation limit. An employee may accumulate up to a maximum of not more than three hundred twenty hours. Hours beyond 320 hours will be monitored and periodically paid in cash.

Sec. 5. Wrangell Municipal Code, Section 3.56.130 Sick Leave as follows:

3.56.130 SICK LEAVE. F. Upon separation. Upon [their separation, the unused sick leave of an employee is automatically cancelled without pay] termination of employment, employees shall be paid 50% of accrued but unused sick leave. Upon retirement, employees shall be paid 100% of accrued but unused sick leave.

K. Family sick leave. An employee may use up to [seven] ten days of sick leave in each calendar year, when necessary, to care for sick minor children, upon approval of the City Manager.

L. Sick Leave Compensation. Sick leave compensation for regular employees shall accrue at the rate of one working day for each calendar month of employment, up to a maximum of sixty (60) days, and shall be paid at the current rate of pay. In case of emergency or hardship suffered by any employee, fellow employees shall be allowed to transfer accrued sick leave to any afflicted employee of the city.

Sec. 6. Wrangell Municipal Code, Section 3.56.170 Holidays as follows:

3.56.170 HOLIDAYS. A. Holidays. The following are holidays designated as paid holidays for permanent employees:

1. The January 1st, 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 of May, known as Memorial Day
5. July 4th, known as Independence Day
6. The first Monday in September, known as Labor Day
7. October 18th, known as Alaska Day, will be observed the following Friday after the Thanksgiving Day Holiday
8. The fourth Thursday in November, known as Thanksgiving Day
9. November 11th, known as Veteran's Day
10. December 25th, known as Christmas Day

Sec. 7. Wrangell Municipal Code, adding Section 3.56.270 Alaska Family Medical Act (AFMA) and Family Medical Leave Act (FMLA) as follows:

3.56.270 FAMILY LEAVE ACT. A. Those regular employees who have worked (hours worked, not paid for, i.e. holidays and vacation) at least 1250 hours in the previous 12 month period are entitled to take up to 12 work weeks of leave during a 12 month period. The appropriate instances for this leave are:

- to care for the employee's child after birth, or placement for adoption or foster care;
- to care for the employee's spouse, son or daughter, or parent, who has serious health condition; or
- for a serious health condition that makes the employee unable to perform the employee's job

Leave taken under this act will run after all vacation and sick time has been used. Request for leave will be made 30 days in advance when possible. Your health coverage, along with the coverage of any spouse or dependents will be maintained at the same rate as coverage would have been provided had the employee not taken leave. Employees are generally entitled to be returned to the same or an equivalent job position at the end of the approved leave period.

PASSED IN FIRST READING _____ November 24 _____, 1998

PASSED IN SECOND READING _____ December 8 _____, 1998


William B. Privett, Mayor

ATTEST: Christie L. Jamieson
Christie L. Jamieson, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 651

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING WRANGELL MUNICIPAL CODE CHAPTER 3.56 PERSONNEL, SPECIFICALLY 3.56.220 GRIEVANCES AND DISCIPLINE APPEALS

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 30 days after passage.

Sec. 4. Amending Subsections A, B, 4, C and D of Wrangell Municipal Code, Section 3.56.220 as follows:

3.56.220 Grievances and Disciplines Appeals. A. General policy. It shall be the general policy that city council be notified when grievances are filed by an employee, within five working days of that grievance.

B. Steps for handling of grievances. 4. Where the grievance involves the layoff, suspension without pay, discharge, any disciplinary action could result in a change of permanent record, or removal of any officer or employee in the classified service, who has successfully completed the probationary period, if no mutually satisfactory adjustment of the grievance is reached between the employee and the City Manager, within five working days, the employee may within that time appeal the grievance to a grievance committee by notifying the City Manager in writing of his or her intention to do so. The grievances committee shall be composed of: (a) One Council member chosen by the Mayor (b) One full time permanent employee, not from the grievant's department, selected by the grievant (c) One local public citizen mutually acceptable to the other two members (d) No member of the Grievance Committee shall be related to the grievant, or the Supervisor whose action is grieved, by blood or marriage.

C. Hearing Procedure. [The Council member of the grievance committee shall

chair the hearing.] The grievance committee shall commence a public hearing within fifteen (15) working days of the filing of the appeal, unless that time is extended by the committee for good cause.

D. Decision of the grievance committee. Within [a reasonable time] ten (10) working days following the close of the hearing, the grievance committee shall issue written findings of fact and its decision on the grievance and shall cause them to be served on the grievant and the Department Head involved.

PASSED IN FIRST READING November 24, 1998

PASSED IN SECOND READING January 26, 1999



William B. Privett, Mayor

ATTEST: Christie L. Jamieson
Christie L. Jamieson, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 652

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF WRANGELL, ALASKA BY REZONING THE SHOEMAKER BAY HARBOR PARKING LOT AREA FROM OPEN SPACE/PUBLIC TO SHOEMAKER BAY WATERFRONT DEVELOPMENT CREATING A NEW ZONING DISTRICT

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 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 property should be rezoned from Open Space/Public to Shoemaker Bay Waterfront Development.

SEC. 5. Public Hearing. A public hearing shall be set prior to final passage.

SEC. 6. Amending Property Rezoned and Creating Chapter 20.49 Shoemaker Bay – Waterfront District as follows: The property hereinafter described is hereby rezoned from Open Space/Public to Shoemaker Bay Waterfront Development, that portion of Lot 24, USS 3403 and that portion of Tract D ATS 1532, physically comprise the parking lot area for Shoemaker Harbor. 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.

Chapter 20.49

SHOEMAKER BAY – WATERFRONT DISTRICT

Sections:

20.49.010 Purpose.

20.49.020 Principal uses permitted.

20.49.030 Accessory uses permitted.

20.49.040 Conditional uses.

20.49.050 Standards.

20.49.010 Purpose. The Shoemaker Bay waterfront development district is intended to provide an area specifically for water-related uses and activities that will enhance and compliment the marina and

recreational activities occurring at Shoemaker Bay. This district is intended to accommodate commercial activity, which is oriented toward providing services for the marina and surrounding area uses.

20.49.020 Principal uses permitted. The following are principal permitted uses in this district:

- A. Piers, wharfs and docks;
- B. Public parks, playgrounds and campsites;
- C. Bait shops;
- D. Vessel charter offices;
- E. Facilities for loading and unloading ships, including cranes and ramps;
- F. Harbormaster's offices;
- G. Boat launching facilities; and
- H. Float plane facilities;
- I. Laundry services

20.49.030 Accessory uses permitted. 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.

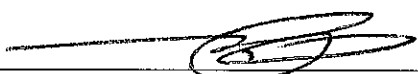
20.49.040 Conditional Uses. The following are uses which may be permitted in the Shoemaker Bay waterfront development district by action of the commission under the conditions and procedures specified in Chapter 20.68:

- A. Water dependent and water-related uses not mentioned above and their accessory uses;
- B. Other uses if there is no suitable upland alternative for a nonwater-dependent use;
- C. Retail and wholesale businesses; and consumer services;
- D. Any water dependent or water -related manufacturing, processing, fabrication, assembling, research, wholesale or indoor only storage uses;
- E. Facilities for indoor construction, maintenance, repair, and storage of vessels;
- F. Boat sales, services and supply establishments;
- G. Fish and seafood processing plants and cold storage plants;
- H. Marine warehouses


20.49.050 Standards. The following standards under Chapter 20.52 shall apply to properties within the waterfront development district:

<u>A. Standards policies</u>	<u>20.52.040</u>
<u>B. Air, land and water quality</u>	<u>20.52.040</u>
<u>C. Volatile products storage</u>	<u>20.52.050</u>
<u>D. Noise</u>	<u>20.52.060</u>
<u>E. Airport interference</u>	<u>20.52.070</u>
<u>F. Building height</u>	<u>20.52.080</u>
<u>G. Setbacks—Yard</u>	<u>20.52.110</u>
<u>H. Shoreline dependency</u>	<u>20.52.120</u>
<u>I. Piers, docks, shoreline protection</u> <u>and other shoreline construction</u>	<u>20.52.130</u>
<u>J. Drainage</u>	<u>20.52.150</u>
<u>K. Dredge and fill</u>	<u>20.52.160</u>
<u>L. Off-street parking</u>	<u>20.52.190</u>
<u>M. Buffers</u>	<u>20.52.200</u>
<u>N. Signs</u>	<u>20.52.210</u>

PASSED IN SECOND READING February 16, 1999



William B. Privett, Mayor

ATTEST: 

Christie L. Jamieson, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 653

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF WRANGELL, ALASKA BY REZONING A PORTION OF THE WRANGELL INSTITUTE PROPERTY, SPECIFICALLY BLOCKS 1-3 AND TRACT A, SHOEMAKER BAY SUBDIVISION FROM MULTI-FAMILY RESIDENTIAL TO HOLDING

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 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 property should be rezoned from Open Space/Public to Shoemaker Bay Waterfront Development.

SEC. 5. Public Hearing. A public hearing shall be set prior to final passage.


SEC. 6. Property Rezoned as follows: The property hereinafter described is hereby rezoning a portion of the Wrangell Institute Property, specifically Blocks 1-3 and Tract A, Shoemaker Bay Subdivision from Multi-Family Residential to Holding. 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, 1999

PASSED IN SECOND READING February 16, 1999



William B. Privett, Mayor

ATTEST: 
Christie L. Jamieson, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 654

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING WRANGELL MUNICIPAL CODE TITLE 5, PROPERTY TAX, SPECIFICALLY AMENDING SECTION 5.04.310 DIFFERENTIAL TAXATION ZONES -- DEFINED

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.

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 3 includes Lots 6 through 17 of Block 7, ASLS No. 83-7, Lots 24 through 42 of Block 2, ASLS No. 83-7, USS 3398, USS 2967, USS 2968, USS 2969, all of USS 3709 except Lot 1, USS 2922, USS 2921, USS 3000, USS 3534, USS 2589, USS 2900, ATS 604, ATS 973, ADM USS 9, ATS 651, USS 3753, USS 3705, USS 3747, and all taxable property not defined in Tax Differential Zones 1 and 4.

C. Tax differential Zone 4 includes USS 2321, USS 2905, USS 3701, USS 2904, USS 3709, USS 2905, 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, USS 1815, USS 2906 Tract 6-9 and Lots 6A & 7A, USS 3403, Lot 4, USS 3709 Lots 1-4, USS 3403, Lots 5-22, USS 2900 Tract 1, Lot 18, USS 2900 Tract 2-A, Lot 18, USS 2900 Tract 2-B, Lot 18, USS 2900 Lot 17A, USS 2900 Lot 17B,

USS 2900 Lot 22, USS 2900 Lot 21B, USS 2900 Lot 20, and USS 2900 Lot 19B A-G.

PASSED IN FIRST READING January 26, 1999

PASSED IN SECOND READING February 16, 1999



William B. Privett, Mayor

ATTEST: 
Christie L. Jamieson, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 655

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF WRANGELL, ALASKA BY REZONING A PORTION OF LOTS 18, 19, 20, 21, 22, 23 AND PORTIONS OF LOTS 24 AND 25 OF BLOCK 7, USS 1119, AND A PORTION OF LOT 8, BLOCK 7A OF WRANGELL TOWNSITE FROM WATERFRONT DEVELOPMENT TO COMMERCIAL

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 in the City Charter and ordinances and shall be effective thirty (30) days after final passage.

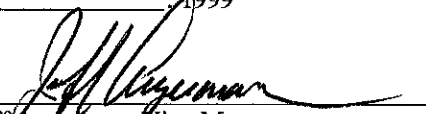
SEC. 4. Compliance with Procedures and Notices. The procedures and notices as required and set out in Chapter 20.76 of Title 20 of the Wrangell Municipal Code have been followed and complied, the Council hereby finds that the public convenience, necessity and general welfare of the inhabitants of the City of Wrangell requires that the following described property should be rezoned from Waterfront Development to Commercial.

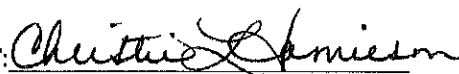
SEC. 5. Public Hearing. A public hearing has been set for March 9, 1999.

SEC. 6. Property Rezoned as follows: The property hereinafter described is hereby rezoning a portion of Lots 18, 19, 20, 21, 22, 23 and portions of Lots 24 and 25 of Block 7, USS 1119, and a portion of Lot 8, Block 7-A of Wrangell Townsite from Waterfront Development to Commercial. 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 9, 1999

PASSED IN SECOND READING March 23, 1999


Jeff Angerman, Vice-Mayor

ATTEST: 
Christie L. Jamieson, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 656

AN ORDINANCE OF THE COUNCIL OF THE
CITY OF WRANGELL, ALASKA, AMENDING
TITLE 16, PUBLIC LANDS, SPECIFICALLY
CHAPTERS 16.04 TIDELANDS AND 16.08
TIDELAND LEASES

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 30 days after final passage.

SEC. 4. Providing for a Public Hearing. A public hearing shall be set for March 23, 1999.

SEC. 5. Wrangell Municipal Code, Chapter 16.04, Tidelands, is hereby amended by adding the following:

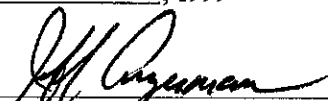
16.04.070 Development by City. At least 45 days before final council approval of development of any tide or submerged lands by the city, the city manager shall file a development plan with the City Clerk setting forth the information required by section 16.08.020 B. Upon receipt the City Clerk shall transmit the same directly to the port commission and the planning and zoning commission for review under section 16.08.080.

SEC. 6. Wrangell Municipal Code, Chapter 16.08, Tideland Leases, is hereby amended as follows:

16.08.080 Examination of development plans and lease applications for lease. A. Upon receipt of a private or public tidelands lease application or a development plan under Section 16.04.070, the city clerk shall transmit same directly to the port commission, and the planning and zoning commission for preliminary examination, compliance with applicable codes, compatibility with existing and prospective uses, feasibility of the project and any other feature or aspect which the port commission and the planning and zoning commission in their independent discretion wish to undertake. The commissions' jurisdiction shall be limited to the power of investigations, findings of fact on the subject matter, and the submission of recommendations to the council. The commissions' findings and recommendations need not be submitted in formal form, but their reports shall be prepared and submitted within one month following submission of the tidelands lease application or development plan to them.

PASSED IN FIRST READING March 9, 1999

PASSED IN SECOND READING March 23, 1999



Jeff Angerman, Vice-Mayor

ATTEST: Christie L. Jamieson
Christie L. Jamieson, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 657

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, PROVIDING FOR DISPOSAL OF THE REAL AND PERSONAL PROPERTY PURCHASED BY THE CITY OF WRANGELL FROM WRANGELL FISHERIES, INC. BY SALE OF SAID PROPERTY TO WRANGELL SEAFOODS, INC., EFFECTIVE UPON APPROVAL BY THE VOTERS AND CALLING FOR A SPECIAL ELECTION FOR SUCH APPROVAL AND RELATED MATTERS

WHEREAS, the City of Wrangell purchased certain real and personal property from Wrangell Fisheries, Inc. on June 12, 1998, in order to provide for economic development and community stability, and

WHEREAS, Wrangell Seafoods, Inc., has submitted a proposal for the purchase of said real and personal property and thus provide for economic development and community stability through the continuation of seafood operations within the City of Wrangell, and

WHEREAS, such property may have a value of more than \$1 million, requiring approval of the sale of such property under City of Wrangell Charter Section 5-17,

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

SEC. 1. Classification. This ordinance is a special ordinance which is to be omitted from 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. Sale of Property. The following special ordinance is hereby enacted by the Council of the City of Wrangell, Alaska:

The City will sell the real and personal property purchased by the City from Wrangell Fisheries, Inc. on June 12, 1998, to Wrangell Seafoods, Inc. for \$1 million payable over 20 years, with interest at the rate of 4.5% per annum, in monthly installments of at least \$6,310.00. The buyer shall have the right to defer the monthly installments for the months of December, January or February until the following September. The unpaid purchase price is to be secured by a deed of trust and security agreement on the property sold. That portion of the real property located at 306 Mission Street will be sold subject to a temporary construction easement, a permanent street easement, and a permanent utility easement in favor of the City. The terms of the sale also include extending the term of the Tidelands Permit associated with the property being sold until December 15, 1999. The full particulars of the sale are set forth in the contract documents approved by the City Council on March 9, 1999, and available for public inspection at the Office of the City Clerk.

SEC. 4. Public Inspection. The City Clerk shall make the full contract documents to implement the proposed sale available for public inspection at the Office of the City Clerk during regular business hours.

SEC. 5. Special Election. A special election is hereby called to place the question of approval of the disposal of property provided for in this ordinance before the voters of the City of Wrangell at a special municipal election to be held June 1, 1999.

SEC 6. Ballot Proposition. The City Clerk is hereby ordered to take all necessary steps to place the following question on the special election ballot to the qualified voters in the City of Wrangell on June 1, 1999:

PROPOSITION

APPROVAL OF CITY OF WRANGELL
ORDINANCE NO. 657 DISPOSING OF REAL
AND PERSONAL PROPERTY FORMERLY
OWNED BY WRANGELL FISHERIES, INC. BY
SALE TO WRANGELL SEAFOODS, INC. FOR \$1
MILLION

SHALL CITY OF WRANGELL ORDINANCE
NO. 657, WHICH PROVIDES AS FOLLOWS,
BE APPROVED?

“The City will sell the real and personal property purchased by the City from Wrangell Fisheries, Inc. on June 12, 1998, to Wrangell Seafoods, Inc. for \$1 million payable over 20 years, with interest at the rate of 4.5% per annum, in monthly installments of at least \$6,310.00. The buyer shall have the right to defer the monthly installments for the months of December, January or February until the following September. The unpaid purchase price is to be secured by a deed of trust and security agreement on the property sold. That portion of the real property located at 306 Mission Street will be sold subject to a temporary construction easement, a permanent street easement, and a permanent utility easement in favor of the City. The terms of the sale also include extending the term of the Tidelands Permit associated with the property being sold until December 15, 1999. The full particulars of the sale are set forth in the contract documents approved by the City Council on March 9, 1999, and available for public inspection at the Office of the City Clerk.”

(Note: The full contract documents to implement the terms of the proposed sale are available for public inspection at the Office of the City Clerk at 205 Brueger Street during regular business hours.)

_____ YES

_____ NO

SEC. 7. Election Precinct. For the purpose of the election on the foregoing proposition to be submitted at said special election, the City shall have one election precinct.

SEC. 8. Polling Hours. 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 special election.

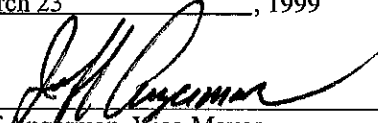
SEC. 9. Qualification of Voters. The qualification for voters on the aforementioned proposition shall be the same as for voters at municipal elections generally.

SEC. 10. Notice. 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.

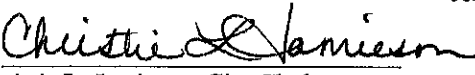
SEC. 11. Effective Date. Section 3 of this ordinance shall become effective only upon the affirmative vote of a majority of the voters who vote on the question at said special election. The other provisions of this ordinance shall become effective 30 days after final passage.

PASSED IN FIRST READING March 9, 1999

PASSED IN SECOND READING March 23, 1999



Jeff Kngerman, Vice-Mayor

ATTEST: 
Christie L. Jamieson, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 658

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, REPEALING ORDINANCE NO. 650, ADOPTED DECEMBER 8, 1998, AND AMENDING WRANGELL MUNICIPAL CODE CHAPTER 3.56 PERSONNEL, SPECIFICALLY 3.56.120 VACATIONS AND 3.56.130 SICK LEAVE

NOW, THEREFORE, 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 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 hereby.

Sec. 3. Effective Date. This ordinance shall be published as provided by law and shall be effective thirty (30) days after passage.

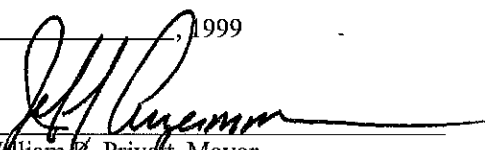
Sec. 4. Repealer. This ordinance repeals Ordinance No. 650, specifically 3.56.120 and 3.56.130, and any other ordinances which may be inconsistent herewith.

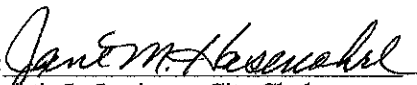
Sec. 5. 3.56.120 Vacations. K. Accumulation limit. An employee may accumulate up to a maximum of not more than three hundred twenty hours. Hours beyond 320 hours will be monitored and periodically paid in cash.

Sec. 5. 3.56.130 Sick Leave. F. Upon separation. Upon [their separation, the unused sick leave of an employee is automatically cancelled without pay] termination of employment, employees shall be paid 50% of accrued but unused sick leave. Upon retirement, employees shall be paid 100% of accrued but unused sick leave.

PASSED IN FIRST READING April 27, 1999

PASSED IN SECOND READING May 25, 1999


William B. Privett, Mayor
Jeff Angerman, Vice-Mayor

ATTEST: 
Christie L. Jamieson, City Clerk
Jane Hasenohrl, Deputy City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 659

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING WRANGELL MUNICIPAL CODE SECTION 2.12.060, SPECIAL ELECTIONS NOTICE, SECTION 2.16.010, DECLARATION OF MAYORAL CANDIDACY, SECTION 2.16.020, DECLARATION OF COUNCIL CANDIDACY, SECTION 2.16.030, DECLARATION OF PORT COMMISSION CANDIDACY

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 30 days after final passage.

Sec. 4. Providing for a Public Hearing. A public hearing is scheduled for July 13, 1999.

Sec. 5. Wrangell Municipal Code, Chapter 2.12.060 Special Elections Notice, is hereby amended as follows:

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] a special election shall be given [four weeks] at least twenty days prior to the election.

2.16.010 Declaration of mayoral candidacy. The declaration shall be in substantially the following form, said form to be 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 21 years of age; that I have

been a resident of Wrangell, Alaska for at least [three (3) years] one (1) year 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 _____.

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 21 years of age, that I have been a resident of Wrangell, Alaska for at least [three (3) years] one (1) year 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] one (1) year
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)

PASSED IN FIRST READING June 22, 1999

PASSED IN SECOND READING July 13, 1999



William B. Privett, Mayor

ATTEST: Christie L. Jamieson
Christie L. Jamieson, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 660

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING TITLE 9, CHAPTER 9.04 GARBAGE, SPECIFICALLY INCREASING MONTHLY REFUSE COLLECTION OR DISPOSAL FEES, REFUSE CONTAINERS—SPECIFICATIONS, REFUSE CONTAINERS—MAINTENANCE, REFUSE CONTAINERS—LOCATION, 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 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 September 1, 1999.

Sec. 4. Providing for a Public Hearing. A public hearing is scheduled for July 13, 1999.

Sec. 5. Wrangell Municipal Code, Chapter 9.04, is amended as follows:

9.04.020 Refuse Containers—Specifications. A. Each and every owner, tenant, housekeeper or other person occupying any room, dwelling, house, apartment or other building or portion thereof and producing or being responsible for the disposal of refuse shall provide sturdy pest proof receptacles with a capacity of twenty to thirty-five gallons approved by the city manager or his manager or his authorized agent **for residential use and/or 2 to 4 yard dumpsters sold or approved by the City of Wrangell for bulk storage.** B. It shall be the duty of every person, firm or corporation owning, managing, operating, leasing or renting any commercial premises [where excessive amounts of refuse accumulate and where its storage is required in this chapter is impractical] **including apartment buildings with more than two apartments or mixed commercial buildings with three or more apartments** to maintain a pest proof bulk storage container or containers, approved by the city manager or his authorized agent.

9.04.030 Refuse containers—Maintenance. B. The owner of [any] a multiple dwelling **less than three units** shall furnish or require his tenants to furnish

proper garbage containers. Refuse containers [furnished by the tenants located at multiple dwellings] shall be marked so as to indicate the apartment to which they belong.

9.04.040 Refuse containers—Location. A. Containers approved for use by the city manager or his authorized agent, in which refuse is placed to be removed by the city or its authorized collector shall be located in plain view in an accessible location at the ground level or on an open platform or open porch not more than four feet above the adjacent roadway and so placed that they may be reached from the ground by the collector. They shall not be located within a building or other structure unless such building or structure has been approved for refuse storage by the city manager or his authorized agent. If the premises on which such refuse accumulates abuts no a public alley, such container shall be located immediately adjacent to such alley. If such alley is not available but a private driveway is available said container shall be located immediately adjacent to such driveway. The containers shall be [not more than twenty-five feet from the edge of the] **placed at the edge of the developed** roadway. If more than one container is necessary to hold the refuse accumulated at a customer's premises, or if more than one container is used for the refuse from any one building, all containers shall be placed at the same location on the premises. [Buildings housing three or more dwellings or businesses, as long as other requirements of this ordinance are met, may place containers in more than one location with approval of city manager or his authorized agent.] **A residential customer may choose to not place their refuse containers at the edge of the developed roadway and have the container picked up for an additional fee if said container is within 40 feet of the developed roadway.**

Schedule A
Section 9.04.070

MONTHLY REFUSE COLLECTION OR DISPOSAL FEES

Class A. Mandatory Rate for All Occupants or Persons.

Residential

Designation	Monthly Rate
Residential, volume, Per Unit	
minimum one 32 gallon container	[\$ 12.00] <u>\$15.00</u>
two 32 gallon containers	[\$ 17.76] <u>\$30.00</u>
each additional 30 gallon container	[\$ 5.00] <u>\$ 7.50</u>
<u>Off curbside pickup (additional monthly rate)</u>	<u>\$ 10.00</u>

Commercial and Industrial

Small Commercial, Per 32 gallon container	[\$ 8.91] <u>\$15.00</u>
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Other Commercial

2 Cubic Yard Dumpster

1 Pick up per week	[\$ 23.24] \$48.00
2	[46.49] \$96.00
3	[69.63] \$144.00
4	[92.97] \$192.00
5	[116.22] \$240.00
One extra pick up per month	[5.78] \$12.00

More than one extra pick up per month will be billed at the appropriate rate.

4 Cubic Yard Dumpster

1 Pick up per week	[\$ 46.73] \$96.00
2	[93.46] \$192.00
3	[140.18] \$288.00
4	[186.91] \$384.00
5	[233.64] \$480.00
Special One-time extra per month	[11.68] \$24.00

More than one extra pick up per month will be billed at the appropriate rate.

PASSED IN FIRST READING _____ June 22 _____, 1999

PASSED IN SECOND READING _____ July 13 _____, 1999



William B. Privett, Mayor

ATTEST: Christie L. Jamieson
Christie L. Jamieson, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 661

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, CONCERNING AMENDING PREVIOUSLY EXPIRED WMC SECTION 5.04.036 ENTITLED "EXEMPTION - TIMBER PROCESSING" TO PROVIDE A PROPERTY TAX EXEMPTION EFFECTIVE JANUARY 1, 2000 FOR REAL AND PERSONAL PROPERTY ACQUIRED, INSTALLED OR CONSTRUCTED AFTER JANUARY 1, 1998 AND USED IN PROCESSING TIMBER, EFFECTIVE UPON APPROVAL BY THE VOTERS, IN THE OCTOBER 5, 1999 GENERAL ELECTION FOR SUCH APPROVAL AND RELATED MATTERS

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, although the timber industry is depressed such that the Wrangell economy has lost jobs, 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 State law will foster, encourage, promote and increase available jobs in the City of Wrangell; and

WHEREAS, the council has determined that it is in the best interest of the citizens of the City of Wrangell to exempt real and personal property in processing timber; and

WHEREAS, the currently codified WMC Section 5.04.036 expired by lapse of time on December 31, 1992; and

WHEREAS, the council desires to place the question of the exemption before the voters in the October 5, 1999, General Election, such that the exemption will be available January 1, 2000,

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

SEC. 1. Classification. Section 4 of this ordinance is of a permanent nature and shall be codified in the Wrangell Municipal Code. The other sections of this ordinance are special sections which are to be omitted from 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 hereby.

SEC. 3. Effective Date. Section 4 of 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 special election called for in Section 5 hereof. The other provisions of this ordinance shall become effective 30 days after final passage.

SEC. 4. Exemption. Wrangell Municipal Code, Chapter 5.04, Property Tax, is hereby amended by amending previously expired WMC Section 5.04.036 entitled "Exemption -- Timber processing" to read as follows:

5.04.36 Exemption -- Timber processing.

- A. Commencing on January 1, 2000, real and personal property used in processing timber after it has been delivered to the processing site shall be exempt from 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.
- B. To qualify for an exemption under this section the real and personal property shall have been acquired, installed or constructed and actually used in processing timber which has been delivered to the processing site in the previous calendar year for which the exemption is requested. In addition, only such real or personal property which has been actually acquired, constructed, or placed in use after January 1, 1998 may qualify for an exemption under this section.
- C. The duration of an exemption under this section shall not exceed five years, and unless sooner repealed, this ordinance shall expire by lapse of time on December 31, 2005.
- D. In order to qualify for an exemption under this section, the taxpayer must file a written application for the exemption not later than January 15 of each assessment year for which the exemption is sought. 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 date of any construction, including construction cost and the date of placing said real or personal property in use for processing timber after it has been delivered to the site in the assessment year prior to the 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, the exemption shall not be available.

Sec. 5. General Election. 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 5, 1999, as to whether or not this exemption should be granted. This ordinance is therefore subject to voter approval at said General Election.

Sec. 6. Ballot Proposition. The City Clerk is ordered to take all necessary steps to place on the general election ballot to the qualified voters in the City of Wrangell on October 5, 1999, the following question:

PROPOSITION

PROPERTY TAX EXEMPTION
FOR REAL AND PERSONAL
PROPERTY USED IN
PROCESSING TIMBER

SHALL CITY OF WRANGELL ORDINANCE
NO 661, WHICH, COMMENCING JANUARY 1,
2000, EXEMPTS REAL AND PERSONAL
PROPERTY ACQUIRED, INSTALLED OR
CONSTRUCTED AFTER JANUARY 1, 1998 AND
USED IN PROCESSING TIMBER, FROM 75% OF

THE RATE OF TAXES LEVIED ON OTHER
PROPERTY IN THAT TAX ZONE AND WHICH
ORDINANCE AUTOMATICALLY EXPIRES ON
DECEMBER 31, 2005, BE APPROVED?

YES _____

NO _____

SEC. 7. Election Precinct. For the purpose of the election on the foregoing proposition to be submitted at said general election, the City shall have one election precinct.

SEC. 8. Polling Hours. 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 general election.

SEC. 9. Voter Qualifications. The qualification for voters on the aforementioned proposition shall be the same as for the voters at municipal elections generally.

SEC. 10. Notice. 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 _____ July 13 _____, 1999

PASSED IN SECOND READING _____ July 27 _____, 1999



William B. Privett, Mayor

ATTEST


Christie L. Jamieson, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 662

AN ORDINANCE OF THE COUNCIL OF THE
CITY OF WRANGELL, ALASKA, AMENDING
THE OFFICIAL ZONING MAP OF THE CITY OF
WRANGELL BY CONTRACT ZONING

WHEREAS, a petition for contract zoning for certain real property described below, have been filed and processed in accordance with Chapter 20.77 of the Wrangell Municipal Code; and

WHEREAS, the procedures set forth in Chapter 20.77 of the Wrangell Municipal Code have been followed; 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. Contract 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 20B, Block 10, USS 1119, Wrangell Recording District, First Judicial District, State of Alaska

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 August 24, 1999

PASSED IN SECOND READING September 14, 1999


William B. Privett, Mayor

ATTEST: 
Christie L. Jamieson, City Clerk

CONTRACT ZONING AGREEMENT

THIS AGREEMENT, is made this 14 day of September, 1999, between JOHN R. ANGERMAN and BARBARA HAWS ANGERMAN, referred to herein as "Angermans", whose address is P. O. Box 849, Wrangell, Alaska 99929, and the CITY OF WRANGELL, referred to herein as "City" whose address is P. O. 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. Angermans are the owners of the following described real property, to wit:

Lot 20B, Block 10, USS 1119, Wrangell Recording
District, First Judicial District, State of Alaska..

2. The above described real property is presently zoned Single Family Residential and Angerman's desire a re-zoning of said property to Commercial, limited to the operation of a sewing shop and studio in apartment #1, as more specifically set out in this contract zoning agreement.

3. Angermans have petitioned to re-zone the apartment #1 portion of the above described real property to Commercial use as set forth in Chapter 20.28 of the Wrangell Municipal Code.

COVENANTS

4. The parties hereto agree that the real property described in paragraph 1 above shall be re-zoned for a period of ten (10) years from the effective date of the ordinance re-zoning said property, with an option to renew for an additional ten (10) years.

5. Angermans agree that the apartment #1 portion of real property subject to this agreement shall be used only for the operation of a sewing shop and studio, and for uses clearly and directly incidental thereto, in addition to those uses permitted in the existing Single Family Residential zone.

6. The parties hereto agree that the apartment #1 portion of the real property described above is zoned as stated herein only so long as the property is used for the operation of a sewing shop and studio. Should said property cease to be so used for a period of more than eighteen (18) months, the zoning classification of said property shall revert to Single Family Residential. In such event, all signs, improvements or structures not permitted in the Single Family Residential zone shall be removed within ninety (90) days of said cessation of use.

7. The parties hereto agree that should the real property subject to this agreement be zoned Commercial or any other zoning classification which permits use of the property for a retail sewing shop or studio, then the provision of this agreement restricting said property use shall be null and void. It is further agreed that should any petition or application be filed by Angermans, singly or jointly with one or more adjoining property owners, to re-zone the real property described above, no weight shall be given to the provisions of this agreement in considering such petition.

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

- a) Setback standards applicable to the subject property shall continue to be those required generally of property within Single Family Residential zones.
- b) The only portion of the property herein described above and known as the Crittenden Apartments that is re-zoned is that portion known and described as Apartment #1.
- c) Off-street parking spaces shall be provided in connection with the commercial use contemplated herein for use by the employees and patrons of the business to be conducted upon the subject premises. Parking needs shall be reviewed ninety (90) days after inception of this agreement and if additional parking spaces are needed, Angermans Shall create such additional parking spaces on the subject property.
- d) The business conducted on the subject property shall have no more than three (3) full-time employees (or the equivalent in number of hours worked by part-time employees) during any calendar year while this agreement remains in effect.

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

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

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

a) A determination by the Planning and Zoning Commission and the City Council that all provision of this agreement have been substantially complied with by Angermans.

10. 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 Angermans 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 Angermans at least thirty (30) days written notice specifying the particulars of any claimed violation. If at the end of such thirty (30) day period, Angermans 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 Angermans during any period when the property has ceased to be used as required herein, or for any other period provided herein.

11. Angermans 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.

12. The 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.

13. 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.

John R. Angerman
JOHN R. ANGERMAN

Barbara Haws Angerman
BARBARA HAWS ANGERMAN

CITY OF WRANGELL

(City Seal)

By [Signature]
Mayor

By Christie Jameson
City Clerk

STATE OF ALASKA)
) ss:
FIRST JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on this 14 day of September, 1999, before me, a Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared JOHN R. ANGERMAN and BARBARA HAWS ANGERMAN, 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.

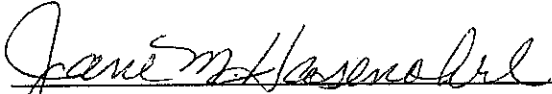
WITNESS my hand and official seal the day and year this certificate first herein written.

Christie Jameson
NOTARY PUBLIC FOR ALASKA
My Commission Expires: 7-2-2002

STATE OF ALASKA)
) ss:
FIRST JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on this 14th day of September, 1999, before me, a Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared WILLIAM PRÉVÉTT and CHRISTIE JAMIESON, to me known to be the Mayor and the 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.



NOTARY PUBLIC FOR ALASKA
My Commission Expires: 8/29/2001

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 663

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, PROVIDING FOR DISPOSAL OF THE REAL AND PERSONAL PROPERTY PURCHASED BY THE CITY OF WRANGELL FROM WRANGELL FISHERIES, INC., BY SALE OF SAID PROPERTY AT PUBLIC BID, EFFECTIVE UPON APPROVAL AND RELATED MATTERS

WHEREAS, the City of Wrangell purchased certain real and personal property from Wrangell Fisheries, Inc., on June 12, 1998, in order to provide for economic development and community stability, and

WHEREAS, the City of Wrangell has had the properties professionally appraised and it is valued at \$1,550,000.00, and

WHEREAS, the City of Wrangell is not structured to effectively operate or manage a seafood processing business and a sale of the property will provide for continued economic development and community stability, and

WHEREAS, the City of Wrangell desires to sell said properties and the City of Wrangell Charter Sections 5-17 and, Wrangell Municipal Code, Section 16.12.060 provides that real property which has a value of more than one million dollars shall be disposed of by a non-code ordinance, ratified by election,

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

SEC. 1 Classification. This ordinance is a special ordinance which is to be omitted from 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. Sale of Property. The following special ordinance is hereby enacted by the Council of the City of Wrangell:

The City will sell the real and personal property purchased by the City of Wrangell from Wrangell Fisheries, Inc., on June 12, 1998, by public bid for a minimum acceptable price of \$1,550,000.00 payable as follows: 5% five percent down, due and payable the date of bid opening, the minimum bid acceptable for the remainder will [bear] be at a minimum interest [the] rate of 4% four percent per annum and shall amortized over a period of 30 thirty years. During the life of the loan, the facility must be operated and maintained as a seafood processing facility at the successful bidder's expense. Said public bids shall be advertised for a period of 30 thirty days following ratification of this ordinance by special election. The unpaid purchase price is to be secured by a Deed of Trust and Security Agreement on the property sold. That portion of the real property located at 306 Mission Street will be sold subject to a permanent Utility Easement and a permanent Street Easement in favor of the City of Wrangell. The terms of the sale also include extending the term of the Tidelands Permit associated

with the property being sold until 2055. Upon completion of a tidelands sale ordinance, the purchasers will be given the first right of refusal for sale properties at appraised value. The appraisal and all documents relating to the sale shall be available for public inspection at the office of the City Clerk.

SEC. 4. Public Inspection. The City Clerk shall make the full contract documents to implement the proposed sale available for public inspection at the Office of the City Clerk during regular business hours.

SEC. 5. Special Election. A special election is hereby called to place the question of approval of the disposal of property provided for in this ordinance before the voters of the City of Wrangell at a special municipal election to be held December 7, 1999.

SEC. 6. Ballot Proposition. The City Clerk is hereby ordered to take all necessary steps to place the following question on the special election ballot to the qualified voters in the City of Wrangell on December 7, 1999.

PROPOSITION

APPROVAL OF CITY OF WRANGELL ORDINANCE
NO. 663 DISPOSING OF REAL AND PERSONAL PROPERTY
FORMERLY OWNED BY WRANGELL FISHERIES, INC.
BY SALE OF SALE PROPERTY AT PUBLIC BID,
EFFECTIVE UPON APPROVAL BY THE VOTERS AND
CALLING FOR A SPECIAL ELECTION FOR SUCH
APPROVAL AND RELATED MATTERS.

SHALL CITY OF WRANGELL ORDINANCE NO. 663,
WHICH PROVIDES AS FOLLOWS, BE APPROVED?

"The City will sell the real and personal property purchased by the City of Wrangell from Wrangell Fisheries, Inc., on June 12, 1998, by public bid for a minimum acceptable price of \$1,550,000.00 payable as follows: 5% five percent down, due and payable [on] the date of bid opening, the minimum bid acceptable for[.] the [remaining] remainder will be at a minimum interest rate of 4% four percent per annum and [unpaid balance] shall be amortized over a period of 30 thirty years. [with regular installment payments and shall bear interest on the unpaid balance of ____ per cent per annum.] During the life of the loan, the facility must be operated and maintained as a seafood processing facility at the successful bidder's expense. [The properties] Said public bids shall be advertised for [public bid for at least sixty (60) days] a period of 30 thirty days following [approval and authorization by the electorate for this sale] ratification of this ordinance by special election. The unpaid purchase price is to be secured by a Deed of Trust and Security Agreement on the property sold. That [parties] portion of the real property located at 306 Mission Street will be sold subject to a permanent street easement, and a permanent utility easement in favor of the City of Wrangell. The terms of the sale also include the extending of the term of the Tidelands Permit associated with the property being sold until 2055. Upon completion of a tidelands sale ordinance, the purchasers will be given the first right of refusal for said properties at appraised value. The full particulars of the sale and the appraisal are available for public inspection at the office of the City Clerk.

(Note: The full contract documents to implement the terms of the proposed sale are available for public inspection at the Office of the City Clerk at 205 Brueger Street during regular business hours.)

_____ YES

_____ NO

SEC. 7. Election Precinct. For the purpose of the election on the foregoing proposition to be submitted at said special election, the City shall have one election precinct.

SEC. 8. Polling Hours. 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 special election.

SEC. 9. Qualification of Voters. The qualifications for voters on the aforementioned proposition shall be the same as for voters at municipal elections generally.

SEC. 10. Notice. 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.

SEC. 11. Effective Date. Section 3 of this ordinance shall become effective only upon the affirmative vote of a majority of the voters who vote on the question at said special election. The other provisions of this ordinance shall become effective 30 days after final passage.


PASSED IN FIRST READING September 14, _____, 1999

PASSED IN SECOND READING September 28 _____, 1999



William B. Privett, Mayor

ATTEST:



Christie L. Jamieson, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 664

AN ORDINANCE OF THE COUNCIL OF THE
CITY OF WRANGELL, ALASKA, AMENDING
WRANGELL MUNICIPAL CODE TITLE 7,
SPECIFICALLY CHAPTER 7.08 DOGS

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 30 days after passage.

SEC. 4. Wrangell Municipal Code, Title 7, Chapter 7.08, is hereby amended as follows:

Chapter 7.08

DOGS[*]/CATS

Sections:

- 7.08.010 Licensing.
- 7.08.020 Dog Vaccination required.
- 7.08.030 Running at large--Prohibited--Nuisance declared.
- 7.08.040 Impoundment.
- 7.08.050 Notice of impoundment.
- 7.08.060 Hearing.
- 7.08.070 Reclamation--Impoundment costs.
- 7.08.080 Disposal.
- 7.08.090 Vicious dogs--Harboring--Muzzling.
- 7.08.100 Biting dog--Confinement.
- 7.08.110 Biting dog--Notification of state--Observation.
- 7.08.120 Proclamation to confine all dogs during epidemic.
- 7.08.130 Interference with officers.
- 7.08.140 Penalty for violation.
- 7.08.150 Main-in bail.

7.08.020 Dog Vaccination required. No license shall be granted for a dog older than six months
which does not have a current rabies vaccination. (Ord. 457 Sec. 4, 1984: Ord. 269 Sec. 5, 1975: Ord. 234
Sec. 5(part), 1969: prior code Sec. 9.20.030).

7.08.030 Running at large--Prohibited--Nuisance declared. A. It is unlawful for any owner or keeper
of a dog/cat 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/cats running at large within the city limits are declared a public nuisance and are subject
to immediate impoundment without prior notice. (Ord. 552 Sec. 4(part), 1990).

7.08.040 Impoundment. A. Any dog/cat 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/cat, the name, address and telephone number of the owner or keeper if known, the location where the dog/cat was found running at large and impounded, and the date after which the dog/cat will be disposed of pursuant to Section 7.08.080, and the procedure (including any charges to be paid) for reclaiming the dog/cat.

C. During the period of impoundment until reclamation or disposal, the chief of police or his designee or contractor shall keep the dog/cat in a suitable kennel facility. (Ord. 552 Sec. 4(part), 1990).

7.08.050 Notice of impoundment. A. Within twenty-four hours after impoundment, the chief of police, his designee or contractor or 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/cat 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/cat at that person's last known address. (Ord. 552 Sec. 4(part), 1990).

7.08.060 Hearing. A. The owner or keeper of an impounded dog/cat may request a hearing within five 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 therefor, 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 Section 7.08.080.

E. If the decision overrules the impoundment, the dog/cat shall be promptly returned to its owner or keeper without charge, or if the dog/cat 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/cat shall be disposed of until the hearings, if any, are completed. (Ord. 552 Sec. 4(part), 1990).

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/cat any time before the dog/cat has been finally disposed of pursuant to Section 7.08.080, by payment of all costs specified in Section 7.08.070C, and payment of any current but unpaid license fee pursuant to Section 7.08.010.

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

(Ord. 552 Sec. 4(part), 1990).

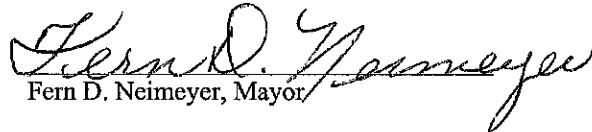
7.08.080 Disposal. A. title to a dog/cat impounded and not reclaimed nor subject to a hearing shall finally vest in the city of the sixth day following verbal notice, notice by mail or first publication of the notice of impoundment pursuant to Section 7.08.050.

B. After title in the dog/cat has vested in the city, the dog/cat may be disposed of in any economical and efficient manner the chief of police, his designee or contractor deems appropriate, including euthanasia. (Ord. 552 Sec. 4(part), 1990).

7.08.130 Interference with officers. It is unlawful for any unauthorized person to break open the pound or to attempt to do so, or to take or let out any dog/cat therefrom, or to take or attempt to take from any officer any dog/cat taken up by him in compliance with this chapter, or in any manner to interfere with or hinder such officer in the discharge of his duties under this chapter. (Ord. 552 Sec. 5(part), 1990; Ord. 234 Sec. 5(part), 1969: prior code Sec. 9.20.120).

PASSED IN FIRST READING October 26, 1999

PASSED IN SECOND READING November 9, 1999


Fern D. Neimeyer, Mayor

ATTEST 
Christie L. Jamieson, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 665

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, ADDING A NEW CHAPTER 5.20, PERMANENT FUND, TO TITLE 5, REVENUE AND FINANCE 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 general and 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 Charter and the Wrangell Municipal Code, and shall be effective thirty (30) days after final passage.

SEC. 4. Public Hearing. A public hearing shall be held November 23, 1999.

SEC. 5. Wrangell Municipal Code Chapter 5.20 Permanent Fund is hereby added as follows:

Chapter 5.20

INVESTMENT POLICY, OBJECTIVES, AND GUIDELINES
CITY OF WRANGELL PERMANENT FUND

Sections:

- 5.20.010 Scope of Investment Policy
- 5.20.020 Investment Policy Statement
- 5.20.030 Delegation of Authority
- 5.20.040 Definitions
- 5.20.050 Assignment of Responsibility
- 5.20.060 General Investment Principles
- 5.20.070 Investment Management Policy
- 5.20.080 Investment Objectives
- 5.20.090 Specific Investment Goals
- 5.20.100 Definition of Risk
- 5.20.110 Liquidity
- 5.20.120 Marketability of Assets
- 5.20.130 Investment Guidelines
- 5.20.140 Selection of Investment Managers
- 5.20.150 Investment Manager Performance Review and Evaluation
- 5.20.160 Investment Policy Review

5.20.010 Scope of Investment Policy. This investment policy reflects only investment policy, objectives, and constraints of the Permanent Fund and does not amend or change any of the policies for investment of City General Funds herein above.

5.20.020 Investment Policy Statement. This statement of investment policy is set forth by the City of Wrangell regarding its Permanent Fund in order to:

1. Define and assign the responsibilities of all involved parties.
2. Establish a clear understanding for all involved parties of the investment goals and objectives of Plan assets.
3. Offer guidance and limitations to all Investment Managers regarding the investment of Plan assets.
4. Establish a basis for evaluating investment results.
5. Manage Plan assets according to prudent standards as established in common trust law.
6. Establish the relevant investment horizon for which the Plan assets will be managed.

In general, the purpose of this statement is to outline a philosophy and attitude which will guide the investment management of the assets toward the desired results. It is intended to be sufficiently specific to be meaningful, yet flexible enough to be practical.

5.20.030 Delegation of Authority. The City of Wrangell is a fiduciary, and is responsible for directing and monitoring the investment management of Plan assets. As such, the City of Wrangell will from time to time delegate certain responsibilities to professional experts in various fields. These include, but are not limited to:

1. Investment Management Consultant. The consultant may assist the City of Wrangell in establishing investment policy, objectives, and guidelines; selecting investment managers; reviewing such managers over time, measuring and evaluating investment performance, and other tasks as deemed appropriate.
2. Investment Manager. The investment manager has discretion to purchase, sell, or hold the specific securities that will be used to meet the Plan's investment objectives.
3. Custodian. The custodian will physically (or through agreement with a sub-custodian) maintain possession of securities owned by the Plan, collect dividend and interest payments, redeem maturing securities, and effect receipt and delivery following purchases and sales. The custodian may also perform regular accounting of all assets owned, purchased, or sold, as well as movement of assets into and out of the Plan accounts.
4. Additional specialists such as attorneys, auditors, actuaries, retirement plan consultants, and others may be employed by the City of Wrangell to assist in meeting its responsibilities and obligations to administer Plan assets prudently.

The City of Wrangell will not reserve any control over investment decisions, with the exception of specific limitations described in these ordinances. Managers will be held responsible and accountable to achieve the objectives herein stated. While it is not believed that the limitations will hamper investment managers, each manager should request modifications which they deem appropriate.

If such experts employed are also deemed to be fiduciaries, they must acknowledge such in writing. All expenses for such experts must be customary and reasonable, and will be borne by the Plan as deemed appropriate and necessary.

5.20.040 Definitions.

1. "Plan" shall mean the City of Wrangell Permanent Fund.
2. The City of Wrangell shall refer to the City Council which shall administer the Plan as specified by applicable ordinance.
3. "Fiduciary" shall mean any individual or group of individuals that exercise discretionary authority or control over fund management or any authority or control over management, disposition or administration of the Plan assets.
4. "Investment Manager" shall mean any individual, or group of individuals, employed to manage the investments of all or part of the Plan assets.
5. "Investment Management Consultant" shall mean any individual or organization employed to provide advisory services, including advice on investment objectives and/or asset allocation, manager search, and performance monitoring.
6. "Securities" shall refer to the marketable investment securities which are defined as acceptable in this statement.
7. "Investment Horizon" shall be the time period over which the investment objectives, as set forth in this statement, are expected to be met. The investment horizon for this Plan is 20 years.

5.20.050 Assignment of Responsibility.

Responsibility of the Investment Managers.

Each Investment Manager must acknowledge in writing its acceptance of responsibility as a fiduciary. Each Investment Manager will have full discretion to make all investment decisions for the assets placed under its jurisdiction, while observing and operating within all policies, guidelines, constraints, and philosophies as outlined in this statement. Specific responsibilities of the Investment Managers include:

1. Discretionary investment management including decisions to buy, sell, or hold individual securities, and to alter asset allocation within the guidelines established in this statement.
2. Reporting, on a timely basis, quarterly investment performance results.

3. Communicating any major changes to economic outlook, investment strategy, or any other factors which affect implementation of investment process, or the investment objective progress of the Plan's investment management.
4. Informing the City of Wrangell regarding any qualitative change to investment management organization: Examples include changes in portfolio management personnel, ownership structure, investment philosophy, etc.
5. Voting proxies, if requested by the City of Wrangell, on behalf of the Plan, and communicating such voting records to the Investment Committee on a timely basis.

Responsibility of the Investment Consultant.

The Investment Consultant's role is that of a non-discretionary advisor to the Investment Committee of the City of Wrangell. Investment advice concerning the investment management of Plan assets will be offered by the Investment Consultant, and will be consistent with the investment objectives, policies, guidelines and constraints as established in this statement. Specific responsibilities of the Investment Consultant include:

1. Assisting in the development and periodic review of investment policy.
2. Conducting investment manager searches when requested by the Investment Committee.
3. Providing "due diligence", or research, on the Investment Manager(s).
4. Monitoring the performance of the Investment Manager(s) to provide the Investment Committee with the ability to determine the progress toward the investment objectives.
5. Communicating matters of policy, manager research, and manager performance to the Investment Committee.
6. Reviewing Plan investment history, historical capital markets performance and the contents of this investment policy statement to any newly appointed members of the Investment Committee.

5.20.060 General Investment Principles.

1. Investments shall be made solely in the interest of the beneficiaries of the Plan.
2. The Fund shall be invested with the care, skill, prudence, and diligence under the circumstances then prevailing that a prudent man acting in like capacity and familiar with such matters would use in the investment of a fund of like character and with like aims.
3. Investment of the Fund shall be so diversified as to minimize the risk of large losses, unless under the circumstances it is clearly prudent not to do so.

4. The City of Wrangell may employ one or more investment managers of varying styles and philosophies to attain the Fund's objectives.
5. Cash is to be employed productively at all times, by investment in short term cash equivalents to provide safety, liquidity, and return.

5.20.070 Investment Management Policy.

1. Preservation of Capital – Consistent with their respective investment styles and philosophies, investment managers should make reasonable efforts to preserve capital, understanding that losses may occur in individual securities.
2. Risk Aversion – Understanding that risk is present in all types of securities and investment styles, the City of Wrangell recognizes that some risk is necessary to produce long-term investment results that are sufficient to meet the Plan's objectives. However, the investment managers are to make reasonable efforts to control risk, and will be evaluated regularly to ensure that the risk assumed is commensurate with the given investment style and objectives.
3. Adherence to Investment Discipline – Investment managers are expected to adhere to the investment management styles for which they were hired. Managers will be evaluated regularly for adherence to investment discipline.

5.20.080 Investment Objectives.

In order to meet its needs, the investment strategy of the City of Wrangell Permanent Fund is to emphasize total return, that is, the aggregate return from capital appreciation and dividend and interest income.

Specifically, the primary objective in the investment management for Plan assets shall be:

Preservation of Purchasing Power After Spending – To achieve returns in excess of the rate of inflation plus spending over the investment horizon in order to preserve purchasing power of Plan assets. Risk control is an important element in the investment of Plan assets.

The secondary objective in the investment management of Plan assets shall be:

Long-Term Growth of Capital – To emphasize long-term growth of principal while avoiding excessive risk. Short-term volatility will be tolerated in as much as it is consistent with the volatility of a comparable market index.

5.20.090 Specific Investment Goals.

Over the investment horizon established in this statement, it is the goal of the aggregate Plan assets to exceed:

An absolute rate of return of 9.5%. This rate of return will satisfy a 5.5% to

be deposited annually in the City of Wrangell's General Fund, 3% inflation as determined by the consumer price index for Seattle, and 1% fund growth.

The investment goals above are the objectives of the aggregate Plan, and are not meant to be imposed on each investment account. The goal of each investment manager, over the investment horizon, shall be to:

1. Meet or exceed the market index, or blended market index, selected and agreed upon by the Investment Committee that most closely corresponds to the style of investment management.
2. Display an overall level of risk in the portfolio which is consistent with the risk associated with the benchmark specified above. Risk will be measured by the standard deviation of quarterly returns.

Specific investment goals and constraints for each investment manager, if any, shall be incorporated as part of this statement of investment policy. Each manager shall receive a written statement outlining his specific goals and constraints as they differ from those objectives of the entire Plan.

5.20.100 Definition of Risk.

The Investment Committee realizes that there are many ways to define risk. It believes that any person or organization involved in the process of managing the City of Wrangell Permanent Fund assets understands how it defines risk so that the assets are managed in a manner consistent with the Plan's objectives and investment strategy as designed in this statement of investment policy. The City of Wrangell defines risk as:

The probability of not maintaining purchasing power over the Plan's investment time horizon.

The possibility of surprises (upside or downside) in investment returns.

5.20.110 Liquidity.

To minimize the possibility of a loss occasioned by the sale of a security forced by the need to meet a required payment, the City of Wrangell will periodically provide investment counsel with an estimate of expected net cash flow. The City of Wrangell will notify the investment consultant in a timely manner, to allow sufficient time to build up necessary liquid reserves.

5.20.120 Marketability of Assets.

The City of Wrangell requires that all of Plan assets be invested in liquid securities, defined as securities that can be transacted quickly and efficiently for the Plan, with minimal impact on market price.

5.20.130 Investment Guidelines.

Allowable Assets

1. Cash Equivalents
 - Treasury Bills
 - Money Market Funds
 - STIF Funds
 - Commercial Paper
 - Banker's Acceptances
 - Repurchase Agreements
 - Certificates of Deposit
2. Fixed Income Securities
 - U.S. Government and Agency Securities
 - Corporate Notes and Bonds
 - Mortgage Backed Bonds
 - Preferred Stock
 - Fixed Income Securities of Foreign Governments and Corporations
 - Planned Amortization Class Collateralized Mortgage Obligations (PAC CMOs) or other "early tranche" CMOs
3. Equity Securities
 - Common Stocks
 - Convertible Notes and Bonds
 - Convertible Preferred Stocks
 - American Depository Receipts (ADRs) of Non-U.S. Companies
 - Stocks of Non-U.S. Companies (Ordinary Shares)
4. Mutual Funds
 - Mutual Funds which invest in securities as allowed in this statement.
5. Other Assets
 - GIC's

Stock Exchanges

To ensure marketability and liquidity, investment advisors will execute equity transaction through the following exchanges: New York Stock Exchange; and NASDAQ over-the-counter market. In the event that an Investment Manager determines that there is a benefit or a need to execute transactions in exchanges other than those listed in this statement, written approval is required from the City of Wrangell.

Prohibited Assets

Prohibited investments include, but are not limited to the following:

1. Commodities and Future Contracts
2. Private Placements
3. Options
4. Limited Partnerships
5. Venture-Capital Investments
6. Real Estate Properties

7. Interest-Only (IO), Principal-Only (PO), and Residual Tranche CMOs
8. Derivative Investment

Prohibited Transactions

Prohibited transactions include, but are not limited to the following:

1. Short Selling
2. Margin Transactions

Asset Allocation Guidelines

Investment management of the assets of the City of Wrangell Permanent Fund shall be in accordance with the following asset allocation guidelines:

1. Aggregate Plan Asset Allocation Guidelines (at market value)

<u>Asset Class</u>	<u>Minimum</u>	<u>Maximum</u>	<u>Preferred</u>
Equities	<u>35</u>	<u>65</u>	<u>50</u>
Fixed Income	<u>30</u>	<u>60</u>	<u>45</u>
Cash and Equivalents	<u>5</u>	<u>15</u>	<u>5</u>

2. The City of Wrangell may employ investment managers whose investment Disciplines require investment outside the established asset allocation guidelines. However, taken as a component of the aggregate Plan, such disciplines must fit within the overall asset allocation guidelines established in this statement. Such investment managers will receive written direction from the City of Wrangell regarding specific objectives and guidelines.
3. In the event that the above aggregate asset allocation guidelines are violated, For reasons including but not limited to market price fluctuations, the City of Wrangell will instruct the Investment Manager(s) to bring the portfolio(s) into compliance with these guidelines as promptly and prudently as possible. In the event that any individual Investment Manager’s portfolio is in violation with its specific guidelines, for reasons including but not limited to market price fluctuations, the City of Wrangell expects that the Investment Manager will bring the portfolio into compliance with these guidelines as promptly and prudently as possible without instruction from the Investment Committee.

Diversification for Investment Managers

The City of Wrangell does not believe it is necessary or desirable that securities held in the Plan represent a cross section of the economy. However, in order to achieve a prudent level of portfolio diversification, the securities of any one company or government agency should not exceed 5% of the total fund, and no more than 15% of the total fund should be invested in any one industry. Individual treasury securities may represent 5% of the total fund, while the total allocation to treasury bonds and notes may represent up to 100% of the Plan’s aggregate bond position.

Guidelines for Fixed Income Investments and Cash Equivalents

1. Plan assets may be invested only in investment grade bonds rated (or equivalent) or better.
2. Plan assets may be invested only in commercial paper rates A1 (or Equivalent) or better.
3. Money Market Funds selected shall contain securities whose credit rating at the absolute minimum would be rated investment grade by Standard and Poors, and/or Moody's.

5.20.140 Selection of Investment Managers.

The City of Wrangell's selection of Investment Manager(s) must be based on prudent due diligence procedures. A qualifying investment manager must be a registered investment advisor under the Investment Advisors Act of 1940, or a bank or insurance company. The Investment Committee requires that each investment manager provide, in writing, acknowledgment of fiduciary responsibility to the City of Wrangell Permanent Fund.

5.20.150 Investment Manager Performance Review and Evaluation.

Performance reports generated by the Investment Consultant shall be compiled at least quarterly and communicated to the City of Wrangell for review. The investment performance of total portfolios, as well as asset class components, will be measured against commonly accepted performance benchmarks. Consideration shall be given to the extent to which the investment results are consistent with the investment objectives, goals, and guidelines as set forth in this statement. The City of Wrangell intends to evaluate the portfolio(s) over at least a three year period, but reserves the right to terminate a manager for any reason including the following:

1. Investment performance which is significantly less than anticipated given the Discipline employed and the risk parameters established, or unacceptable justification of poor results.
2. Failure to adhere to any aspect of this statement of investment policy, including Communication and reporting requirements.
3. Significant qualitative changes to the investment management organization.
4. The pleasure of the City Council.

Investment managers shall be reviewed regularly regarding performance, personnel, strategy, research capabilities, organizational and business matters, and other qualitative factors that may impact their ability to achieve the desired investment results.

5.20.160 Investment Policy Review.

To assure continued relevance of the guidelines, objectives, financial status and capital markets expectations as established in this statement of investment policy, the City of Wrangell plans to review investment policy at least annually.

PASSED IN FIRST READING: November 9, 1999

PASSED IN SECOND READING: December 3, 1999



Donald J. McConachie, Vice-Mayor

ATTEST: Christie L. Jamieson
Christie L. Jamieson, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 666

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING WRANGELL MUNICIPAL CODE TITLE 3 AND 5, SPECIFICALLY SECTIONS 3.56.110 HOURS OF WORK, CALCULATION OF PAY, OVERTIME; 3.56.120 VACATIONS; 3.56.210 PER DIEM AND TRAVEL ALLOWANCES; AND 5.08.060 REFUND FOR SENIOR CITIZENS

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 30 days after passage.

SEC. 4. Wrangell Municipal Code, Title 3, Chapter 3.56, is hereby amended as follows:

3.56.110 HOURS OF WORK, CALCULATION OF PAY, OVERTIME. J. Pay periods. Pay for time worked shall be made on the fifth [and twentieth days] of each month. In the event ~~the fifth~~ [such dates] falls on Saturday, Sunday, or a holiday, checks will be issued on the last preceding working day. Paychecks issued on the ~~fifth~~ [20th] ~~will be~~ [shall] ~~will~~ be for ~~all~~ [the] hours worked between the 1st and ~~last~~ [15th, both dates inclusive; checks issued on the 5th shall be for hours worked between the 16th and the last day of the month, both dates inclusive] day of the preceding month. Employees may choose to participate in a mid-month draw program which a check will be issued on the twentieth of the month. Employees who choose to participate in the draw program will be limited to no more than 50% of their normal monthly net pay.

3.56.120 VACATIONS. A. Permanent full-time employees. Accrual of vacation leave for full-time employees shall be according to the following schedule, based on a bimonthly pay period:

0—1 year	<u>6.66</u>	[3.33] hours per pay period
2—4 years	<u>10.00</u>	[5.00] hours per pay period
5—9 years	<u>13.34</u>	[6.67] hours per pay period
10--	<u>16.66</u>	[8.33] hours per pay period

3.56.210 PER DIEM AND TRAVEL ALLOWANCES. D. Travel allowance. 2. By Private Vehicle. Thirty [Fifteen] cents per mile for occasional use of privately owned vehicles.

SEC. 5. Wrangell Municipal Code, Title 5, Chapter 5.08, is hereby amended as follows:

5.08.060 Refund for senior citizens. B. To determine qualifications and amount for sales tax refund, the following rules shall apply:

2. An applicant may file for a refund in an amount of eighteen [not to exceed twenty] dollars per month or, if residing in a long-term care facility, in an amount [not to exceed ten dollars] of nine dollars per

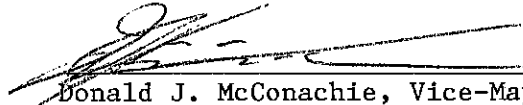
month [.] effective [July 1, 1985, the refund shall not exceed twenty-five dollars per month, or if residing in a long-term care facility, in an amount not to exceed twelve dollars and fifty cents per month] **January 1, 2000.**

C. Refunds may be requested for those months that an applicant qualifies at the end of each [calendar quarter] **semi-annual period** on applications provided by the director of finance. Applications shall be submitted to the director of finance within one month after the preceding [calendar quarter] **semi-annual peirod.** 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.] **1.** January through December, application must be filed no later than January 31st.

PASSED IN FIRST READING November 9, 1999

PASSED IN SECOND READING December 3, 1999



Donald J. McConachie, Vice-Mayor

ATTEST: Christie L. Jamieson
Christie L. Jamieson, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 667

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING WRANGELL MUNICIPAL CODE, TITLE 5, SPECIFICALLY SECTION 5.10.060 SALE OF SURPLUS, OBSOLETE, OR UNNEEDED PERSONAL PROPERTY

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.

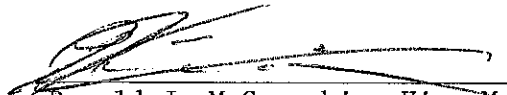
SEC. 3. Effective Date. This ordinance shall be published as provided by law and shall be effective 30 days after passage.

SEC. 4. Wrangell Municipal Code, Title 5, Chapter 5.10, is hereby amended as follows:

5.10.060 Sale of surplus, obsolete, or unneeded personal property. 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. **If there are no bidders, the city manager is authorized to sell such supplies, materials, equipment or other personal property for the minimum value established prior to sealed bidding.** A sale of property of more than one million dollars in value must meet with the requirements of section 5-17 of the City Charter. **C. Personal Property, or an interest therein, may, be sold or otherwise disposed of without competitive bidding as follows: (1) Supplies, materials, equipment or other personal property, or any interest therein, may be sold or otherwise disposed of by the manager when the total value thereof, as estimated by the manager, does not exceed collectively two thousand dollars. (2) The manager may sell, lease, donate, exchange or otherwise dispose of personal property, or an interest therein, to or with another municipality, a state or the United States when and under such terms and conditions as the council, in its sole judgment, is in the best interest of the city.**

PASSED IN FIRST READING November 9, 1999

PASSED IN SECOND READING December 3, 1999


Donald J. McConachie, Vice-Mayor

ATTEST: 
Christie L. Jamieson, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 668

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING WRANGELL MUNICIPAL CODE TITLE 14, SPECIFICALLY SECTIONS 14.01.030 DEFINITIONS, 14.03.040 REGULAR MEETINGS, 14.05.005 REGISTRATION REQUIRED, 14.05.010 TRANSIENT MOORAGE, 14.05.015 RESERVED MOORAGE, 14.05.045 ELECTRIC SERVICE TO VESSELS, 14.07.010 WHARFAGE AND TRANSFER OF CARGO, 14.07.090 DOLPHIN MOORAGE STORAGE, AND 14.11.005 FEE SCHEDULE

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 30 days after final passage.

SEC. 4. Wrangell Municipal Code, Title 14, Chapters 14.01, 14.03, 14.05, 14.07, and 14.11, are hereby amended as follows:

Chapter 14.01

GENERAL PROVISIONS

Sections:

14.01.030 Definitions .

14.01.030 Definitions. Whenever the words, terms, phrases and their derivations set forth in this section are used in this title, they shall have the meaning set forth in this section.

BB. "Transient Vessel" means any vessel occupying space in the Wrangell Harbor system for which a regular reserve stall has not been assigned, and is not on the wait list.

CC. "Hot Berth" means the practice of allowing a vessel to temporarily occupy a stall or space not reserved to said vessel.

DD. "Live Aboard" means any vessel utilizing the harbor as a primary residence. Any vessel thus used must still comply with all vessel requirements of the harbor system which include being powered by an engine of sufficient size to propel the vessel at a speed allowing normal steerage and to maneuver out of and into the harbor.

EE. "Stall" means a place to moor individual vessels in the harbor.

FF. "Vessel Length" means the method of determining vessel length within the harbor system: vessel length will be computed as the actual overall length of any vessel, including bow sprits, outboards or other extensions.

GG. "Freight" means commodities transported by a vehicle or vessel for a fee.

Chapter 14.03

Administration

Sections:

14.03.040 Regular Meetings

14.03.040 Regular meetings. Regular meetings of the port commission shall be held on the first Thursday of each month at 7:00 p.m. at 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. [No regular meetings of the Port Commission will be held during the months of June, July, and August.]

Chapter 14.05

Moorage

Sections:

14.05.005 Registration Required

14.05.010 Transient Moorage

14.05.015 Reserved Moorage

14.05.045 Electrical Service to Vessels

14.05.005 Registration Required. Every owner, master or managing agent of a vessel using the harbor is required to register with the Harbormaster within two (2) hours after such vessel first enters the harbor. Registration information required will include the person's name, address and phone number, the vessel owners name, address and phone number and the vessel's name, home port, official number or state registration number, color, **overall** length, breadth and draft, and such other information as the harbormaster may require. Said owner, master or managing agent shall promptly notify the Harbormaster of any changes in registration information.

14.05.010 Transient Moorage. B. 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 [five (5)] **four (4)** days transient moorage in any calendar month will be charged on a monthly basis. Annual transient moorage must be requested in advance. Annual transient moorage will not be granted unless and until the person requesting annual 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 requesting annual moorage after the start of the fiscal year will be charged a pro-rated annual fee.

G. Prepayment. Users of daily transient moorage space qualify for a discount, if moorage fees due are paid prior to [vessel departure] **end of calendar month**. Fees shall be assessed as listed in Section 14.11.005.

14.05.015 Reserved Moorage. B. Assignment of Reserved Moorage. Reserved moorage space shall be assigned by the Harbormaster to ensure the maximum use of space available. The Harbormaster will establish minimum and maximum vessel sizes for each space or class of spaces. **Minimum length of vessel will be no less than three (3) feet the length of the finger, maximum length**

of vessel will be no greater than (10) ten feet the length of the finger. Minimum length excludes spaces 20' or less. Maximum length excludes spaces greater than 50'.

K. Auxiliary Vessel. A reserved moorage space holder may moor a secondary auxiliary vessel to primary vessel so long as it does not interfere with adjacent vessel moorage or harbor traffic. Fees shall be assessed as listed in Section 14.11.005.

14.05.045 Electric Service to Vessels. The Harbormaster will, by permission of vessel owner or agent, have the authority to enter any vessel connected to the municipal electrical system to inspect electrical equipment to assure compliance with this and other applicable codes. If permission is not granted, the harbormaster may disconnect said shore power from the offending vessel. Vessels using harbor electric service must comply with the following:

- 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 splices or taps.
- C. Cords, attachment plugs and connector bodies shall not be smaller than required for the rated current of the attached cord or connected equipment. Maximum allowable current-carrying capacity of flexible cords is as follows:

AWG	AMPs
14	15
12	20
10	25
8	35
6	45
4	60

- D. Attachment plugs shall be of the weatherproof type.
- E. Infrared heating lamps may only be used with porcelain-type sockets.
- F. Any heater capable of causing a fire if overturned must be equipped with a safety switch that will disconnect electric current to the heater if overturned.
- G. The following power cord types are approved for use: SO, ST, STO, POW, K, S.
- H. The following power cord types are not approved for use: SP3, SPT3, TP, TPT, TS, TST, AFC, AFPO, AFPD, CFC, CFPO, CFPD, PO1, PO2, PO, SPT1, SPT2, SP1, C, PD, P1, P2, P, PW1, PW2, SV, SVT, SJ SJO, SJT, SJTO.
- I. Any cord not listed must be inspected and approved by the Harbormaster prior to its use.

J. Violation of any of the provisions of this section is punishable up to the maximum of five hundred dollars.

Chapter 14.07

PORT OPERATIONS AND OTHER SERVICES

Sections:

14.07.010 Wharfage and Transfer of Cargo

14.07.090 Dolphin Moorage Storage

14.07.010 Wharfage and Transfer of [Cargo] Freight. A. Location. The transfer of [cargo] **freight** may occur at the Wrangell dock and barge ramp facility, and other areas as designated by the Harbormaster.

B. Application. Berths at the Wrangell dock and barge ramp facilities shall be assigned by the Harbormaster upon application. No [cargo] **freight** may be transferred within the harbor without prior written application and approval by the Harbormaster, on such form as the harbormaster shall specify, of the berth and quantity and kind of [cargo] **freight** to be transferred. Transfers which occur on a regular basis may be approved in advance on such basis.

C. Payment. Wharfage fees shall be charged for all [cargo] **freight** coming into or out of the Wrangell dock and barge ramp facility, or other areas designated by the harbormaster as listed in section 14.11.005.

D. Prepayment. The Harbormaster may require prepayment of the estimated fees due under this title prior to any [cargo] **freight** transfer.

E. Refusal of [Cargo] **Freight**. The Harbormaster may refuse to permit the transfer of any [cargo] **freight** whose volume, weight, hazardous nature, or other characteristics would present a risk to the safety of persons or property, private or public, within the harbor or whose value is less than the fees due under this title.

F. Manifests. A complete copy of the manifest showing all the [cargo] **freight** unloaded or discharged at the harbor may be required by the harbormaster. In lieu of manifest, freight bills containing all information as required in this section may be accepted.

G. Persons Responsible for Fees. Vessels, their owners, agents, masters, and shippers and/or consignees of [cargo] **freight** transferred within the harbor shall be jointly and severally liable for all fees due for activities described in this section notwithstanding any contrary provisions, any bills of lading, charter party agreements, contracts, or other agreements.

H. [Cargo] **Freight**, on Which Fees Have Become Delinquent. [Cargo] **Freight** on which fees have become delinquent may be impounded pursuant to section 14.07.015.

I. Liability and Indemnity. All risk of loss from theft, fire, or other casualty to [cargo] **freight** shall be assumed by the parties to the shipping agreement and not the City of Wrangell. The person making application for the berth shall defend, indemnify, and hold the City of Wrangell harmless from all claims arising from the transfer of [cargo] **freight** within the harbor.

14.07.090 Dolphin Moorage Storage. A. ½ the moorage at piling with no shore access will be charged. ½ daily rate for up to (4) four days, and ½ monthly after (4) four days to a calendar month.

Chapter 14.11

Fees and Penalties

14.11.005 Fee Schedule

14.11.005 Fee Schedule. The following fees shall be charged for the uses indicated:

<u>Use</u>	<u>Fee</u>
A. Transient Moorage 14.05.010	
Daily - Prepaid	\$0.25/per foot
Daily -- Invoiced	\$0.35/per foot
Monthly	\$1.10/per foot
Annual (Must be qualified for wait list)	\$9.60/per foot
B. Reserved Moorage 14.05.010	
Wait list deposit	\$50.00 each
Annual	\$ 9.60/per foot
C. Customer Service Moorage 14.05.015	
Wait list deposit	\$50.00 each
Annual	\$ [9.60/per foot] 1.18 per square ft
D. Electric Utility Service 14.07.040	
Daily	\$[3.00] 5.00 /rental period
E. Outside Dock Face Moorage 14.07.005C	
1. 00-99 Feet	\$0.75/foot
2. 100-199 Feet	\$1.00/foot
3. 200-299 Feet	\$1.15/foot
4. 300-399 Feet	\$1.35/foot
5. 400 Feet and over	\$1.50/foot
F. Inside Dock Face Moorage 14.07.005C	
1. 00-99 Feet	\$0.75/foot
2. 100-199 Feet	\$1.00/foot

	3.	200-299 Feet	\$1.15/foot
	4.	300-399 Feet	\$1.35/foot
	5.	400 Feet and over	\$1.50/foot
G.	Barge Ramp Facility Moorage 14.07.005C		
		Daily (\$25.00 minimum)	\$0.025/per gross ton
H.	Net and Gear Work on Dock 14.07.005D		
		First two rental periods	\$25.00
		Each additional rental period	\$20.00
I.	Wharfage 14.07.010C		
		General cargo	\$2.50/ton
		Vehicles	\$2.50/ton
		Explosives	\$6.25/ton
		Lumber	\$1.00/tmbf
		Empty containers	\$3.75 each
		Sand and gravel	
		<500 tons	\$1.00/ton
		501-1500 tons	\$500.00 +
			\$0.20/ton for each
			ton over 500
		1500+ tons	\$800.00 +
			\$0.05/ton for each
			ton over 1500
J.	Storage 14.07.020B		
		Short Term Storage	
		First ninety (90) days (\$6.25 minimum)	\$0.005/square foot
		After ninety (90) days (\$6.25 minimum)	\$0.01/square foot
		Long Term Storage	\$0.005/square foot
		Log Storage	\$0.0025/tmbf

<u>Use</u>	<u>Fee</u>
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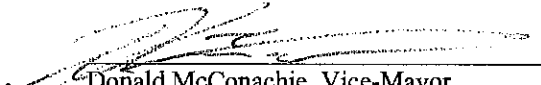
K.	Gridiron 14.07.020B		
		Daily (after first two rental periods)	\$1.00/foot
L.	Launch Ramps 14.07.025		
		No charge	\$0.00
M.	Parking 14.07.030		
		No charge	\$0.00
N.	Services of the Harbormaster 14.07.035		
		Replace mooring lines	\$10.00+cost of line
		Moving boat (minimum \$20.00)	\$1.00/foot
		Pumping	\$25.00 plus labor
		Labor	\$22.00/hour
		Raising of boats	\$150.00 plus cost of
			materials and
			professional
			services
O.	Water Supplied from Dock 14.07.045		
		[Fifteen ton minimum	\$25.95 for 15 tons]
		[Each additional ton	\$0.80/ton]

FY 2000 0 to 7,000 gallons \$27.52 each additional 1,000 gallons, \$6.30 per 1,000 gallons
FY 2001 0 to 7,000 gallons \$28.34 each additional 1,000 gallons, \$6.45 per 1,000 gallons
FY 2002 0 to 7,000 gallons \$29.19 each additional 1,000 gallons, \$6.60 per 1,000 gallons

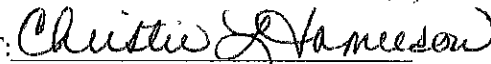
P.	Hoists 14.07.050 After first two (2) hours	\$25.00/hour
Q.	Work float 14.07.055 Trespass fee	\$50.00/rental period
R.	Gear float 14.07.060 Trespass fee	\$100.00/rental period
S.	Vendor Shelter 14.07.065 Reserved for entire season Month to month Day to day	\$62.25/month \$72.25/month \$14.45/day
T.	Seaplane Float 14.07.085 No charge	\$0.00
U.	Impoundment Storage 14.13.025 Minimum of \$50.00 per month	\$0.01/sq. ft. per day
V.	Impoundment Fee 14.13.025 This fee is in addition to other related costs	\$100.00
W.	<u>Transient Moorage at Summer Floats</u>	
	<u>0-80 feet</u>	<u>\$.50/foot per day</u>
	<u>81-up</u>	<u>\$.75/foot per day</u>
X.	<u>Moorage for Mill Dock and Back Side of City Dock monthly Dock Rates</u>	
	<u>0-80 feet</u>	<u>\$2.50/foot per month</u>
	<u>81-up</u>	<u>\$3.00/foot per month</u>

PASSED IN FIRST READING _____ December 14, _____, 1999

PASSED IN SECOND READING _____ January 11, _____, 2000



Donald McConachie, Vice-Mayor

ATTEST: 
Christie L. Jamieson, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 669

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, DELETING WMC SECTION 15.12.130 INTERRUPTIONS IN SERVICE AND REPLACING WITH A NEW SECTION 15.12.130 CUSTOMERS RESPONSIBILITY

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 30 days after final passage.

SEC. 4. Wrangell Municipal Code, Title 15, Chapter 15.12.130, is hereby amended as follows:

Chapter 15.12

ELECTRICITY

Sections:

- 15.12.101 Authority to establish and maintain power plant.
- 15.12.020 Authority to enter into contracts--Terms.
- 15.12.030 Administration.
- 15.12.050 Meter deposits.
- 15.12.060 Service entrance and connection--terms of service.
- 15.12.070 Multiple unit service connections.
- 15.12.080 Resale of service.
- 15.12.090 Customer's installations.
- 15.12.100 Customer's operations.
- 15.12.110 Agreements not signed by council and mayor not binding--Personal employee gain prohibited.
- 15.12.130 [Interruptions in service.]**Customer's Responsibility**
- 15.12.140 Discontinuance of service.
- 15.12.150 Frauds on city or utility prohibited.
- 15.12.160 Demand--Defined--Determination--terms.
- 15.12.170 Service charges.
- 15.12.172 Customer service inspection.
- 15.12.180 Rates--Based on consecutive service.
- 15.12.190 Fuel adjustment charge.
- 15.12.192 Hydroelectrical wholesale power rate adjustment.
- 15.12.195 Meter rates--Definitions.
- 15.12.200 Meter rates--Residential service (Schedule A).
- 15.12.210 Meter rates--Small commercial service (Schedule B).

- 15.12.215 Meter rates--Large commercial service (Schedule C).
- 15.12.220 Meter rates--Industrial service (Schedule D).
- 15.12.225 Fuel displacement rate--Governmental.
- 15.12.230 Shore service for boats.
- 15.12.240 Use of poles.
- 15.12.250 Service rates outside city limits.

15.12.130 [Interruptions in service] Customer's Responsibility. 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.] **It shall be the customer's responsibility to provide suitable protective equipment such as fuses, single-phase meter protecting, circuit breakers and relays adequate to protect his equipment. If three-phase equipment is used, it shall be the customer's responsibility to protect it against phase failure, and also under and over voltage.**

B. The electrical department will take all reasonable precautions to prevent phase failure or abnormal voltage variations, but cannot guarantee that such conditions may not occur, due to circumstances beyond its control.

C. The customer's wiring shall be in accordance with National Electrical Code Standards. The electrical department will reserve the right to refuse or discontinue service to a customer where the customer's equipment or wiring is in hazardous condition, or not in conformity with lawful codes and local conditions.

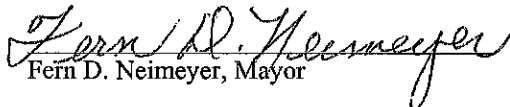
D. The customer shall be solely responsible for the maintenance and safety of his wiring and equipment, and the electrical department shall not be any way liable for accident or damage occurring to the customer or to third parties because of contract with or failure of any portion of the customer's installation.

[B] E. 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] E. Customers who have life-support equipment or otherwise required 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.

PASSED IN FIRST READING _____ January 11, _____, 2000

PASSED IN SECOND READING _____ January 25 _____, 2000


Fern D. Neimeyer, Mayor

ATTEST: 
Christie L. Jamieson, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 697

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 principal sum of \$519,000 for the purpose of providing funds to pay a portion of the costs of certain capital improvements to Wrangell schools; providing for the date, form and terms of said bond; providing for the disposition of the proceeds of sale of the bond; providing for the annual levy of taxes to pay the principal of and interest on the bond; and providing for the sale of the bond to the Alaska Municipal Bond Bank.

WHEREAS, at an election held on August 15, 2000, a majority of the qualified electors of the City of Wrangell, Alaska (the "City") voted in favor of a proposition authorizing the issuance of general obligation bonds of the City in the principal amount of not to exceed \$520,000 to pay the costs of capital improvements to remedy structural and building code deficiencies at the Wrangell High School, Intermediate and Primary School, as authorized by Ordinance No. 685 of the City, passed by the City Council on June 6, 2000; and

WHEREAS, the Department of Education and Early Development of the State of Alaska ("DEED") has approved \$519,000 principal amount of such general obligation bonds for 70% debt reimbursement, and the Council wishes to authorize the issuance of \$519,000 principal amount of such general obligation bonds; and

WHEREAS, the Council finds that it is in the best interest of the City to sell such bonds to the Alaska Municipal Bond Bank (the "Bond Bank") on the terms and conditions set forth herein and in a loan agreement between the City and the Bond Bank, as authorized by this ordinance;

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

SECTION 1. Classification. This ordinance is a special ordinance that is to be omitted from the Wrangell Municipal Code.

SECTION 2. Definitions. As used in this ordinance, the following words shall have the following meanings, unless a different meaning clearly appears from the context:

“Bond Bank” means the Alaska Municipal Bond Bank, a public corporation and instrumentality of the State of Alaska, created pursuant to the provisions of Chapter 85, Title 44, Alaska Statutes, as amended.

“Bond Fund” means the “City of Wrangell General Obligation Bond Redemption Fund, 2000,” created by Section 7 of this ordinance.

“Bond Register” means the registration books for the Bond maintained by the Registrar.

“Bond” means the \$519,000 principal amount of the City of Wrangell, Alaska, General Obligation Bond, 2000, issued pursuant to and for the purposes provided in this ordinance and in a proposition approved at an election held in the City on August 15, 2000.

“City” means the City of Wrangell, Alaska, a home rule municipal corporation duly organized and existing under the Constitution and laws of the State of Alaska and its City Charter.

“Code” means the federal Internal Revenue Code of 1986, as now or hereafter amended, and the applicable regulations promulgated thereunder.

“Council” means the general legislative authority of the City, as duly constituted from time to time.

“Finance Director” means the Finance Director of the City or the successor to the duties of such office.

“Government Obligations” means direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States Government.

“Loan Agreement” means the Loan Agreement by and between the City and the Bond Bank authorized to be entered into pursuant to Section 14 of this ordinance.

“Registrar” means the Finance Director, for the purposes of registering and authenticating the Bond, maintaining the Bond Register, and paying principal and interest on the Bond.

“Sale Resolution” means the resolution relating to the sale of the Bond to the Bond Bank and approval of the Loan Agreement, to be adopted by the Council pursuant to this ordinance.

SECTION 3. Findings and Authorization of Improvements. The Council hereby ratifies and confirms its findings, set forth in Section 3 of Ordinance No. 685, regarding the renovations required of the Wrangell schools described therein.

SECTION 4. Authorization of Bond. The City hereby authorizes the issuance and sale of the Bond in the total principal amount of \$519,000 to provide funds to pay costs of certain capital improvements to Wrangell schools, as authorized by Ordinance No. 685 and approved by a majority of the voters voting thereon at an election held in the City on August 15, 2000, and all costs incidental thereto and to the issuance of the Bond. The Bond shall be a general obligation of the City and shall be designated “City of Wrangell, Alaska, General Obligation Bond, 2000.” The Bond shall be dated as of the date established by subsequent resolution of the Council (the “Sale Resolution”), shall be in fully registered form in the denomination of \$5,000 or any integral multiple thereof (provided, however, that one bond (or portion thereof) may be in the denomination of \$4,000); shall be numbered in such manner as the Registrar shall determine;

shall bear interest at the rate or rates, shall mature on the date or dates and shall be paid in installments in the principal amounts and on the dates as the Council shall determine by the Sale Resolution, in accordance with the Loan Agreement. Interest shall be computed on the basis of a 360-day year consisting of twelve 30-day months.

SECTION 5. Registration, Payment and Transfer. The Finance Director shall act as authenticating agent, paying agent and registrar for the Bond (collectively, the “Registrar”). Both principal of and interest on the Bond shall be payable in lawful money of the United States of America. Installments of principal of and interest on the Bond shall be paid by check or draft of the Registrar mailed (on the date such interest is due) to the registered owners or nominees at the addresses appearing on the Bond Register on the fifteenth day of the month preceding each interest payment date. The final installment of principal of the Bond shall be payable upon presentation and surrender of the Bond to the Registrar by the registered owner or nominee at the office of the Registrar in Wrangell, Alaska. Notwithstanding the foregoing, if the Bond is sold to the Bond Bank pursuant to the provisions of Section 14 of this ordinance, payments of principal of and interest on the Bond shall be made to the Bond Bank in accordance with the Loan Agreement.

The Bond may be transferred only on the Bond Register maintained by the Registrar for that purpose upon the surrender thereof by the registered owner or nominee or his/her duly authorized agent and only if endorsed in the manner provided thereon, and thereupon a new fully registered Bond of like principal amount, maturity and interest rate shall be issued to the transferee in exchange therefor. Upon surrender thereof to the Registrar, the Bond is interchangeable for a bond or bonds in any authorized denomination of an equal aggregate principal amount, with interest rates and maturities corresponding to the interest rates and

installment payment schedule of the Bond as initially issued. Such transfer or exchange shall be without cost to the registered owner or transferee.

The City may deem the person in whose name the Bond is registered to be the absolute owner thereof for the purpose of receiving payment of the principal of and interest on the Bond and for any and all other purposes whatsoever.

SECTION 6. Prepayment.

A. Prepayment. The City by the Sale Resolution, in accordance with the Loan Agreement, may provide for optional prepayment of some or all principal installments of the Bond at the times and at such prepayment prices deemed by the Council to be in the best interests of the City.

B. Notice of Prepayment. Unless waived by the owner of the Bond, notice of any prepayment shall be given not less than 30 nor more than 60 days prior to the date fixed for prepayment by first class mail, postage prepaid, to the registered owner of the Bond at the address appearing on the Bond Register. The requirements of this section 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 the Bond. Each official notice of prepayment shall be dated and shall state: (i) the prepayment date, (ii) the prepayment price or prepayment premium, if any, payable upon such prepayment; (iii) if less than all of an installment of principal is to be prepaid, the principal amount to be prepaid (which must be an integral multiple of \$5,000); (iv) that the interest on the Bond, or on the principal amount thereof to be prepaid, designated for prepayment in such notice, shall cease to accrue from and after such prepayment date; and (v) that on such date there will become due and payable on the Bond the principal amount thereof to be prepaid and the interest accrued on such principal amount to the prepayment date. Notwithstanding the

foregoing, so long as the Bond is held by the Bond Bank, the provisions of the Loan Agreement applicable to notice of prepayment of the Bond shall apply.

SECTION 7. Creation of Bond Fund and Provision for Tax Levy Payments. A special fund of the City known as the “City of Wrangell General Obligation Bond Redemption Fund, 2000” (the “Bond Fund”), is hereby authorized and directed to be created in the office of the Finance Director. The Bond Fund shall be drawn upon for the sole purpose of paying the principal of and interest on the Bond.

The City hereby irrevocably covenants and agrees, for as long as the Bond is outstanding and unpaid, that each year it will include in its budget and levy an ad valorem tax, without limitation as to rate or amount, upon all the property within the City subject to taxation in an amount that will be sufficient, together with all other funds of the City that may legally be used and which the City may apply for such purposes, to pay the principal of and interest on the Bond as the same shall become due. All of such taxes and any of such other money so collected shall be paid into the Bond Fund. None of the money in the Bond Fund shall be used for any other purpose than the payment of the principal of and interest on the Bond. Money in the Bond Fund not needed to pay the interest or principal next coming due may temporarily be deposited in such institutions or invested in such obligations as may be lawful for the investment of City money. Any interest or profit from the investment of such money shall be deposited in the Bond Fund.

The City hereby irrevocably pledges that a sufficient portion of each annual levy to be levied and collected by the City prior to the full payment of the principal of and interest on the Bond will be and is hereby irrevocably set aside, pledged and appropriated for the payment of the principal of and interest on the Bond. The Bond is a general obligation of the City, and the full faith, credit and resources of the City are hereby irrevocably pledged for the annual levy and

collection of said taxes and for the prompt payment of the principal of and interest on the 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 the Bond or a portion of the Bond in accordance with its terms, are set aside in a special account to effect such prepayment or retirement and such money and the principal of and interest on such obligations are irrevocably set aside and pledged for such purpose, then no further payments need be made into the Bond Fund for the payment of the principal of and interest on the Bond so provided for and such Bond or portion thereof shall cease to be entitled to any lien, benefit or security of this ordinance, except the right to receive the funds so set aside and pledged, and such Bond or portion thereof shall be deemed not to be outstanding hereunder.

SECTION 9. Tax Covenants: Special Designation.

A. No Arbitrage or Private Activity Bond. The City hereby covenants that it will not make any use of the proceeds of sale of the Bond or any other funds of the City that may be deemed to be proceeds of the Bond pursuant to Section 148 of the Code and the applicable regulations thereunder that will cause the Bond to be an “arbitrage bond” within the meaning of said Section and said regulations. The City will comply with the applicable requirements of Section 148 of the Code (or any successor provision thereof applicable to the Bond) and the applicable regulations thereunder throughout the term of the Bond.

The City further covenants that it will not take any action or permit any action to be taken that would cause the Bond to constitute a “private activity bond” under Section 141 of the Code.

B. Special Designation. The City hereby designates the Bond as a “qualified tax-exempt obligation” under Section 265(b) of the Code. The City does not expect to issue

tax-exempt obligations in an aggregate principal amount exceeding \$10,000,000 during calendar year 2000.

SECTION 10. Lost or Destroyed Bond. In case the Bond shall be lost, stolen or destroyed, the Registrar may execute and deliver a new Bond of like amount, date, and tenor to the registered owner thereof upon the owner's paying the expenses and charges of the City in connection therewith and upon his/her filing with the Registrar evidence satisfactory to the Registrar that such Bond was actually lost, stolen or destroyed and of his/her ownership thereof, and upon furnishing the City with indemnity satisfactory to the Registrar.

SECTION 11. Form of the Bond. The Bond shall be in substantially the following form:

UNITED STATES OF AMERICA

NO. R-1

\$519,000

STATE OF ALASKA

CITY OF WRANGELL

GENERAL OBLIGATION BOND, 2000

FINAL MATURITY DATE:

INTEREST RATES: See Below

REGISTERED OWNER: Alaska Municipal Bond Bank

PRINCIPAL AMOUNT: Five Hundred Nineteen Thousand and No/100 Dollars

The City of Wrangell, Alaska, a municipal corporation organized and existing under and by virtue of the laws and Constitution of the State of Alaska (the "City"), hereby acknowledges itself to owe and for value received promises to pay to the Registered Owner identified above, or registered assigns, the Principal Amount specified above in accordance with the installment payment schedule set forth below, unless prepaid prior thereto as provided herein, together with interest on such installments from the date hereof or the most recent date to which interest has been paid or duly provided for at the interest rates set forth below:

Principal Installment Payment Year (February 1)	Principal Installment Amount	Interest Rate
2002		
2003		
2004		
2005		
2006		
2007		
2008		
2009		
2010		
2011		
2012		
2013		
2014		
2015		
2016		

Both principal of and interest on this bond are payable in lawful money of the United States of America. Installments of principal of and interest on this bond are payable by check or draft of the Finance Director of the City (the "Registrar") mailed (on the date such interest is due) to the Registered Owner hereof at the address appearing on the records maintained by the Registrar as of the fifteenth day of the month preceding the interest payment date. The final installment of principal of and interest on this bond shall be paid to the Registered Owner hereof upon presentation and surrender of this bond at the office of the Registrar.

This bond is a general obligation bond of the City in the total principal amount of \$519,000, as authorized by the voters of the City and issued pursuant to Ordinance No. 697 passed by the City Council on October 24, 2000, and Resolution No. _____ of the City Council, adopted on November __, 2000 (together, the "Bond Ordinance"), to provide funds for making certain capital improvements to the Wrangell schools. Capitalized terms used in this bond and not otherwise defined herein shall have the meanings given such terms in the Bond Ordinance.

This bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Bond Ordinance until the Certificate of Authentication hereon shall have been manually signed by the Registrar.

The City hereby irrevocably covenants and agrees with the owner of this bond that it will include in its annual budget and levy taxes annually, without limitation as to rate or amount, upon all the property subject to taxation in amounts sufficient, together with all other money legally available therefor, 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 annual levy and collection of such taxes and the prompt payment of such principal and interest.

This bond is subject to prepayment as provided in the Bond Ordinance.

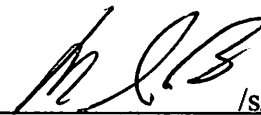
The pledge of tax levies for payment of principal of and interest on this bond may be discharged prior to maturity of the bond by making provision for the payment thereof on the terms and conditions set forth in the Bond Ordinance.

This bond is issued in fully registered form and is transferable only on the records maintained by the Registrar for that purpose upon the surrender of this bond by the registered owner hereof or his/her duly authorized agent and only if endorsed in the manner provided hereon, and thereupon a new fully registered bond of like principal amount and interest rate shall be issued to the transferee in exchange therefor. Such exchange or transfer shall be without cost to the registered owner or transferee. The City may deem the person in whose name this bond is registered to be the absolute owner hereof for the purpose of receiving payment of the principal of and interest on this bond and for any and all other purposes whatsoever.


It is hereby certified and declared that this bond is issued pursuant to and in strict compliance with the Constitution and laws of the State of Alaska and the charter, ordinances, and resolutions of the City, 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 this bond does not exceed any Constitutional, statutory or charter limitations.

IN WITNESS WHEREOF, the City of Wrangell, Alaska, has caused this bond to be signed on behalf of the City with the manual or facsimile signature of the Mayor, to be attested by the manual or facsimile signature of the City Clerk, and the seal of the City to be imprinted or impressed hereon, as of this 21st day of October, 2000.

CITY OF WRANGELL, ALASKA

By  /s/ Mayor, Vice

ATTEST:


/s/
City Clerk

The Certificate of Authentication for the Bond shall be in substantially the following form and shall appear on the front of the Bond:

CERTIFICATE OF AUTHENTICATION

Date of Authentication: _____

This is the General Obligation Bond, 2000, dated _____ 1, 2000, of the City of Wrangell, Alaska, described in the within-referenced Bond Ordinance.

Finance Director, City of Wrangell,
as Registrar

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto _____

PLEASE INSERT SOCIAL SECURITY OR TAXPAYER IDENTIFICATION NUMBER
OF TRANSFEREE

[Empty rectangular box for Social Security or Taxpayer Identification Number]

(Please print or typewrite name and address, including zip code of Transferee)

the within bond and all rights thereunder and does hereby irrevocably constitute and appoint _____ of _____, or its successor, as agent to transfer said bond on the books kept by the Registrar for registration thereof, with full power of substitution in the premises.

DATED: _____, _____.

SIGNATURE GUARANTEED:

NOTICE: Signature(s) must be guaranteed pursuant to law.

NOTE: The signature of 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.

SECTION 12. Execution of the Bond. The Bond shall be signed on behalf of the City by the manual or facsimile signature of the Mayor, shall be attested by the manual or facsimile signature of the City Clerk, and the seal of the City shall be impressed or imprinted thereon.

Only such Bond as shall bear thereon a Certificate of Authentication in the form set forth in Section 11 hereof, manually executed by the 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 Bond so authenticated has been duly executed, authenticated, registered, and delivered hereunder and is entitled to the benefits of this ordinance.

In case any of the officers of the City who shall have signed, attested, authenticated, registered or sealed the Bond shall cease to be such officers before the Bond so signed, attested, authenticated, registered or sealed have been actually issued and delivered, such Bond shall be valid nevertheless and may be issued by the City with the same effect as though the persons who had signed, attested, authenticated, registered or sealed the Bond had not ceased to be such officers. The Bond may also be signed, attested, authenticated, registered or sealed on behalf of the City by such persons as at the actual date of execution of the Bond shall be the proper

officers of the City although at the original date of the Bond any such person shall not have been such officer.

SECTION 13. Application of Proceeds of Bond. There is hereby authorized to be created in the office of the Finance Director a special fund of the City to be known as the “2000 Wrangell Schools Renovation Fund” (the “Renovation Fund”). At the time of delivery of the Bond, the proceeds of the Bond shall be deposited as follows:

(a) The accrued interest, if any, to the date of delivery shall be deposited in the Bond Fund and used to pay a portion of interest on the Bond on the first interest payment date;

(b) The balance of the Bond proceeds shall be deposited in the Renovation Fund and used to pay costs of the Improvements (as defined in Ordinance No. 685), and costs incidental thereto and to the issuance of the Bond.

Money remaining in the Renovation Fund after all of such costs have been paid or reimbursed shall be deposited in the Bond Fund. Money in the Renovation Fund may be invested as permitted by law. All interest earned and profits derived from such investments shall be retained in and become a part of the Renovation Fund.

SECTION 14. Sale of the Bond. The Interim City Manager and Finance Director are authorized to negotiate the sale of the Bond to the Bond Bank on terms and conditions consistent with this ordinance to be set forth in a Loan Agreement by and between the City and the Bond Bank, including, without limitation, the date, principal payment schedule, interest rates and prepayment provisions of the Bond, in substantially the form attached as Exhibit A to this ordinance, an undertaking for ongoing disclosure with respect to the Bond, and such agreements

or certificates as are necessary with respect to bond insurance for the Bond Bank's bonds, all subject to the Council's approval by the Sale Resolution.

The City officials, their agents and representatives are hereby authorized and directed to do everything necessary to complete the Improvements authorized by Ordinance No. 685, and for the proper issuance, execution and delivery of the Bond to the Bond Bank, and for the proper use and application of the funds derived from such sale.

SECTION 15. General Authorization; Prior Acts. The Mayor, Interim City Manager, City Clerk and Finance Director of the City and any other appropriate officers of the City are each hereby authorized and directed to take such steps, to do such other acts and things, and to execute such letters, certificates, agreements, papers, financing statements, assignments or instruments as in their judgment may be necessary, appropriate or desirable in order to carry out the terms and provisions of, and complete the transactions contemplated by, this ordinance. All acts taken pursuant to the authority of this ordinance but prior to its effective date are hereby ratified and confirmed.

SECTION 16. 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 Bond.

or certificates as are necessary with respect to bond insurance for the Bond Bank's bonds, all subject to the Council's approval by the Sale Resolution.

The City officials, their agents and representatives are hereby authorized and directed to do everything necessary to complete the Improvements authorized by Ordinance No. 685, and for the proper issuance, execution and delivery of the Bond to the Bond Bank, and for the proper use and application of the funds derived from such sale.

SECTION 15. General Authorization; Prior Acts. The Mayor, Interim City Manager, City Clerk and Finance Director of the City and any other appropriate officers of the City are each hereby authorized and directed to take such steps, to do such other acts and things, and to execute such letters, certificates, agreements, papers, financing statements, assignments or instruments as in their judgment may be necessary, appropriate or desirable in order to carry out the terms and provisions of, and complete the transactions contemplated by, this ordinance. All acts taken pursuant to the authority of this ordinance but prior to its effective date are hereby ratified and confirmed.

SECTION 16. 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 Bond.

SECTION 17. Effective Date. In accordance with Section 2-13 of the City Charter, this ordinance shall take effect 30 days after its passage.

PASSED IN FIRST READING October 17, 2000

PASSED IN SECOND READING October 24, 2000





Mayor, Vice

ATTEST: 
City Clerk

CERTIFICATE

I, the undersigned, duly chosen, qualified and acting City Clerk of the City of Wrangell, Alaska (the "City") and keeper of the records of the City Council (the "Council"), DO HEREBY CERTIFY:

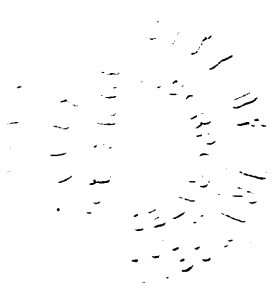
1. That the attached is a true and correct copy of Ordinance No. 697 of the City (the "Ordinance"), as finally passed at a regular meeting of the Council held on October 24, 2000, and duly recorded in my office.

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 of the Council was present throughout the meeting and a legally sufficient number of members of the Council voted in the proper manner for the passage of the Ordinance; that all other requirements and proceedings incident to the proper passage 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 and affixed the official seal of the City this 27th day of October, 2000.

Christie L. Jameson
City Clerk, City of Wrangell

[City Seal]



CITY OF WRANGELL, ALASKA
GENERAL OBLIGATION BOND, 2000
\$519,000

ORDINANCE NO. 697

AN ORDINANCE of the City of Wrangell, Alaska, providing for the issuance of a general obligation bond of the City in the principal sum of \$519,000 for the purpose of providing funds to pay a portion of the costs of certain capital improvements to Wrangell schools; providing for the date, form and terms of said bond; providing for the disposition of the proceeds of sale of the bond; providing for the annual levy of taxes to pay the principal of and interest on the bond; and providing for the sale of the bond to the Alaska Municipal Bond Bank.

PASSED: October 24, 2000

Prepared by:

PRESTON GATES & ELLIS LLP
Seattle, Washington

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 697

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* Neither this Table of Contents nor the preceding cover page is a part of this ordinance.

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 696

AN ORDINANCE OF THE COUNCIL OF THE
CITY OF WRANGELL, ALASKA, AMENDING
WRANGELL MUNICIPAL CODE BY ADDING A
NEW CHAPTER 5.22 ENHANCED 911
SURCHARGE

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 hereby.

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, Title 5, Chapter 5.22, Enhanced 922 Surcharge, is hereby
added as follows:

Title 5

REVENUE AND FINANCE

Chapters:

<u>5.02</u>	<u>Investment of City Funds</u>
<u>5.04</u>	<u>Property Tax</u>
<u>5.06</u>	<u>Transient Occupancy Tax</u>
<u>5.08</u>	<u>Sales Tax</u>
<u>5.10</u>	<u>Purchases and Sales</u>
<u>5.12</u>	<u>Improvements and Assessments</u>
<u>5.16</u>	<u>Improvements by Petition</u>
<u>5.18</u>	<u>Grants Administration</u>
<u>5.20</u>	<u>Investment Policy, Objectives, and Guidelines</u>
	<u>City of Wrangell Permanent Fund</u>
<u>5.22</u>	<u>Enhanced 911 Surcharge</u>

Chapter 5.22

ENHANCED 911 SURCHARGE

Sections:

5.22.010 Enhanced 911 Surcharge

5.22.010 Enhanced 911 Surcharge. A. A surcharge in the amount of seventy-five cents (\$0.75) per month per local access line is imposed on all local exchange access lines in the City of Wrangell, to fund the enhanced 911 system. This surcharge shall be reviewed annually by the City

Council, to determine whether the level of surcharge is adequate, excessive or insufficient to meet the anticipated enhanced 911 system needs.

B. A local exchange customer may not be subject to more than one (1) 911 surcharge per local exchange access line. A customer that has more than one hundred (100) local exchange access lines from a local exchange telephone company in the City is liable for the 911 surcharge only on one hundred (100) local exchange access lines.

C. The local exchange telephone company shall include the 911 surcharge, stated separately and included in the total amount owed, in the bills delivered to its customers. A local exchange service customer is liable for payment of the 911 surcharge until the amounts have been paid to the telephone company.

D. The local exchange telephone company shall remit the amounts collected to the City no later than sixty (60) days after the end of the month in which the amount was collected. From each remittance made in a timely manner, under this subsection, the local exchange telephone company is entitled to deduct and retain the greater of one percent (1%) of the amount collected or one hundred fifty dollars (\$150.00) as the cost of administration for collecting the 911 surcharge.

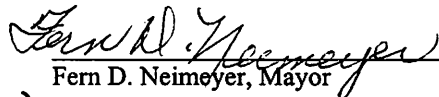
E. A local exchange telephone company is not obligated to take legal action to enforce collection of the 911 surcharge. However, if a local exchange telephone company is attempting to collect an unpaid debt from a local exchange service customer, the telephone company shall also attempt to collect any unpaid 911 surcharge that the customer owes. If a customer pays a portion of a bill that includes a 911 surcharge. The company shall annually provide the City with a list of the amounts due for the nonpayment of 911 emergency surcharges, together with the names and addresses of those customers who carry a balance for the nonpayment of the 911 emergency surcharges. The local exchange telephone company is not liable for uncollected amounts.

F. The City may, at its own expense, require an annual audit of a local exchange telephone company's books and records concerning collection and remittance of the 911 surcharge.

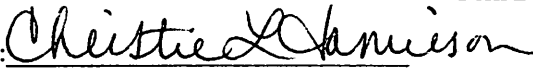
G. Amounts received by the City for the 911 surcharge shall be deposited into a separate fund established in accordance with 5.15 of the City Charter, which shall be used only for the enhanced 911 system. Appropriations from the fund shall be made in accordance with 5.14 of the City Charter.

PASSED IN FIRST READING _____ September 12 _____, 2000

PASSED IN SECOND READING _____ September 26 _____, 2000



Fern D. Neimeyer, Mayor

ATTEST: 

Christie L. Jamieson, City Clerk



CITY OF WRANGELL, ALASKA

ORDINANCE NO. 695

AN ORDINANCE OF THE COUNCIL OF THE
CITY OF WRANGELL, ALASKA, AMENDING
SECTION 3.28.010 SUPERVISION BY COUNCIL
– REPORTS BY CHIEF, OF CHAPTER 3.28
POLICE DEPARTMENT 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 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 hereby.

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, Title 3, Chapter 3.28, Police Department, is hereby amended
as follows:

Chapter 3.28

POLICE DEPARTMENT

Sections:

3.28.010	[Supervision by council--] Reports by chief
3.28.020	Personnel
3.28.030	Powers and duties

3.28.010 [Supervision by council--]Reports by chief. [It shall be the duty of the city council to
have complete supervision over the police department, and to require] [t]The chief of police [to] **shall**
make a complete annual report concerning the department in general, including suggestions and
recommendations for improvements. Said report shall also contain statistics on criminal acts committed
within the city.

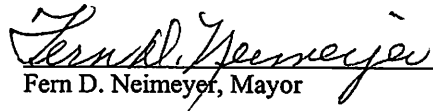
3.28.020 Personnel. The city manager shall select a chief of police who shall serve for an
indefinite term with compensation to be from time to time determined by the city council. The chief of
police shall be an officer of the city, and shall have supervision and control of the police department. The
chief of police shall select personnel to serve as police officers and staff members. All such appointments,
and the number thereof, shall require approval by the city manager.

3.28.030 Powers and duties. It shall be the duty of the police department to apprehend and arrest
and bring to justice all violators of the ordinances of the city; to suppress all riots, affrays, and unlawful
assemblies which may come to their knowledge, and generally to keep the peace; to serve all warrants,
writs, executions, and other processes properly directed and delivered to them; to apprehend and arrest
persons violating federal or state laws as provided by law, and turn them over to proper authorities; and in


all respects to perform all duties pertaining to the offices of policemen. The police department shall have charge of and operate the city jail.

PASSED IN FIRST READING September 12, 2000

PASSED IN SECOND READING September 26, 2000



Fern D. Neimeyer, Mayor

ATTEST: 

Christie L. Jamieson, City Clerk



CITY OF WRANGELL, ALASKA

ORDINANCE NO. 694

AN ORDINANCE OF THE COUNCIL OF THE
CITY OF WRANGELL, ALASKA, AMENDING
SECTION 3.24.010 SUPERVISION BY COUNCIL,
OF CHAPTER 3.24 FIRE DEPARTMENT 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 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 hereby.

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, Title 3, Chapter 3.24, Fire Department, is hereby amended
as follows:

Chapter 3.24

FIRE DEPARTMENT

Sections:

3.24.010 [Supervision by council] Reports by Fire Chief.

3.24.020 Composition

3.24.030 Duties of department

3.24.010 [Supervision by council] Reports by Fire Chief. [It shall be the duty of city council to
have complete supervision over the fire department and to require] [t]The fire chief [to make] shall give a
complete annual report concerning the department in general, including suggestions and recommendations
for improvements.

3.24.020 Composition. A. The city manager shall select a fire chief to serve for an indefinite
term with compensation to be from time to time determined by the city council.

B. The city manager shall also select as many persons as shall from time to time be necessary to
serve as fire wardens, but shall in no event select more than three fire wardens. Fire wardens shall also
serve at the pleasure of the city manager and at a rate of compensation to be from time to time determined
by the council.

C. The remainder of fire department personnel shall continue to be comprised of volunteers until
such time as the council by ordinance shall provide otherwise.

3.24.030 Duties of department. A. Fire Fighting Duties. It shall be the duty of the fire
department to extinguish fires; to rescue persons endangered by fire; to resuscitate and to administer first
aid to persons injured in or about burning structures or elsewhere in case of an emergency; to promote fire
prevention; and unless otherwise provided, to enforce all ordinances relating to fires, fire prevention, and
safety of persons from fire in theaters, stores, and other public buildings. It shall not be the duty of the fire
department to respond to fires outside the city limits unless contractually obligated to do so.

B. Search and rescue duties. It shall be the duty of the fire department to carry out all search and rescue operations, under the supervision of the fire chief or his designee. For the purposes of search and rescue operations, the fire department shall respond to situations arising both within and without the city limits.

PASSED IN FIRST READING September 12, 2000

PASSED IN SECOND READING September 26, 2000

ATTEST: Christie L. Jamieson
Christie L. Jamieson, City Clerk

Tom D. Wejmeyer
Tom D. Wejmeyer, Mayor



CITY OF WRANGELL, ALASKA

ORDINANCE NO. 693

AN ORDINANCE OF THE COUNCIL OF
THE CITY OF WRANGELL, ALASKA,
AMENDING TITLE 15, CHAPTER 15.12,
ELECTRICITY, 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 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 hereby.

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, Title 15, Chapter 15.12, Electricity, is hereby amended as follows:

CHAPTER 15.12

ELECTRICITY

PERMITS:

15.12.035 Permits – Approval – Posting – Fees – Issuance.

Electrical installations shall be made only upon receipt of permits approved by the office of the electrical superintendent. Permits are to be posted in a conspicuous location whenever electrical installations are being made and must be displayed until such time as final approval has been received on the entire installation. Permits shall be issued only upon submission of drawings and/or a complete description in writing of the work to be performed and the payment of the following fee(s):

<u>a) Residential up to six meter sockets</u>	<u>\$25.00</u>
<u>b) Residential over six meter sockets</u>	<u>\$50.00</u>
<u>c) Commercial</u>	<u>\$50.00</u>
<u>d) Temporary</u>	<u>\$20.00</u>

The above fees include two inspections – one rough-in and one final.

e) For each additional inspection made necessary for defective workmanship or material or for recall by customer \$35.00

Baring complications, permits will be issued within three business days from the time of application.

15.12.040 Permits – When Required – When not Required.

No electrical equipment shall be installed within or on any building, structure or premises, public or privately owned, nor shall any alteration or addition be made in any such existing facilities without first securing a permit from the office of the electrical superintendent.

No permits will be required for the following:

- a) **Minor repair work, replacing lamps, or the connection of portable electrical equipment to existing suitable permanently installed receptacles.**
- b) **The installation, alteration or repair of electrical equipment installed by or for the electrical utility for use in the generation, transmission, distribution or metering of electricity.**

15.12.045 INSPECTIONS:

All electrical work requiring an electrical permit must pass inspection prior to electrical service being rendered, and under no circumstances will service be supplied until all electrical wiring passes inspection. In the event of remodeling or additions to structures having existing service, the failure to pass electrical inspection will result in service being discontinued until wiring is brought up to code. All electrical wiring shall pass inspection prior to being covered (insulation, Sheetrock, etc.). All covering in place prior to inspection will be required to be removed before inspection takes place.

CONNECTION FEES:

15.12.055 Electrical Connection Fees.

After the office of the electrical superintendent has seen the plans and issued the electrical permit, the following connection fees shall be paid. These rates are for overhead service within one hundred (100) feet of an existing power pole and for a single point of attachment.

Residential:

<u>Temporary</u>	<u>\$ 50.00</u>
<u>100, 150 and 200 amp</u>	<u>\$400.00</u>
<u>Over 200 amp – see commercial connections schedule.</u>	

Commercial (single-phase)

<u>100, 150 and 200 amp</u>	<u>\$500.00 plus transformer cost</u>
<u>Over 200 but less than 400 amp</u>	<u>\$600.00 plus transformer cost</u>
<u>Over 400 amp</u>	<u>\$800.00 plus transformer cost</u>

Commercial (three-phase)

<u>100, 150, and 200 amp</u>	<u>\$700.00 plus transformer cost</u>
<u>Over 200 amp</u>	<u>\$700.00 plus transformer cost</u>
	<u>Plus \$10.00 per kVA required</u>

- I. All rental units, either single family or multi-family, shall have a means by which the electric utility can open and seal open the main disconnect for each structure or rental unit within a structure.**
- J. Meters shall be installed so that the meter is between 5.5 feet and 6.5 feet above finished grade, platform, deck, etc.**
- K. Where there is an electrical meter that is unattainable to be read or inspected because of an animal the utility believes to be dangerous or have potential to do bodily harm, the electric utility, upon written notice to the owner or the land-lord, will disconnect the electrical service until correction are made.**

15.12.050 Meter Deposits. [All domestic customers must make a deposit with the city in the amount of fifty dollars with the exception of those owning property or when the account is guaranteed by the property owner. The deposit must be made before the service will be connected. All other customers shall make credit arrangements satisfactory to the city to insure prompt payment of monthly bills. Deposits shall bear simple interest at five percent per year but shall not apply to any part of less than a full month, said interest credit or payment to be given no less frequently than semiannually. When service is discontinued, deposits and accumulated interest thereon will be refunded less any amount due the city for service.]

All customers requesting new electrical service shall be required to establish an account with the city and make a deposit in the following amount before service is rendered:

<u>Residential</u>	<u>\$100.00</u>
<u>Commercial</u>	<u>\$200.00</u>

Persons who make deposits for property they own will be refunded after one year or twelve consecutive months of good credit. All other customers' deposits will be refunded less any amount due the city for service, when service is discontinued. Deposits shall bear simple interest at five percent per year but shall not apply to any part of less than a full month, said interest credit or payment to be given no less frequently than semiannually.

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, ridged 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 and the city 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.]

The electric utility shall deliver power to a predetermined point of delivery on the customer's premises. It shall be their responsibility of the customer to furnish all labor, material, and equipment necessary to install and maintain all other premises wiring, including the service entrance. Such installation shall meet all national, state and city codes, rules, regulations, and standards.

For services which are in excess of one hundred but less than two hundred feet from existing power poles and not requiring a service pole, an additional charge of \$3.00 will be added for each foot over one hundred feet.

EXTENTIONS:

15.12.065 Extension Policies.

- A. Any person desiring an extension of the electrical utility service shall make application at the office of the electrical superintendent.**
- B. Extensions shall be made at the convenience of the electric utility and only after approval of proper design and feasibility by the electrical superintendent or a duly appointed representative.**
- C. The applicant may contract with a licensed contractor qualified to install the electric utility line extension, have the electric utility install the electrical utility line extension, or the electric utility may contract with a licensed contractor qualified to install an electric line extension.**
- D. Upon the applicant's acceptance of the cost and agreement by the applicant and the electric utility to proceed, both parties shall enter into a written agreement. The terms of the agreement shall include a completion date and the cost of the electric utility extension and such other provisions as may be required and deemed necessary.**
- E. 1. If the utility is to install the service, the property owner shall be required to deposit with the city an amount equal to fifty percent (50%) of the cost of the electric utility line extension. Full payment must be made prior to energizing the electric utility extension.**
 - 2. If the property owner contracts to install the electric utility line extension, the installation shall be inspected and approved by the electrical superintendent. Any associated charges and costs shall be paid in full prior to energizing the electric utility line extension.**
- F. Upon inspection and approval of the electric utility line extension by the electrical superintendent and full payment of the project costs, ownership of the electric utility line extension shall be transferred to the city and shall become and remain property of the city.**
- G. The city has established a "per pole span" fee for all electric utility extensions. These fees include easement and right-of-way acquisition, surveying, and design, engineering, administrative costs, materials, labor and equipment.**

Secondary:

\$1,500 per pole span

Primary (single-phase):

\$3,500 per pole span

Primary (three-phase):

\$4,500 per pole span

- H. A combination meter base/main disconnect type service entrance equipment is required to facilitate de-energizing the premises wiring in an emergency. No meter will be installed unless a main breaker/disconnect exists with the meter socket.**

B. [The city shall supply meter(s) and any required instrumentation transformer(s). All meters will be sealed by the city, and not 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's 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.]

The electric utility shall supply one meter per service connection. All additional meters will be installed at a cost of \$10.00 per meter. The electric utility will furnish and the customer will be charged for any instrument transformers necessary for metering. All meters and instrument transformer cabinets will be sealed by the electric utility, and no such seal shall be tampered with or broken except by a representative of the electric utility. It shall be the responsibility of the customer to take all reasonable and proper precautions to prevent damage to electric utility property on his/her premises. The customer shall not permit any person, except as authorized by the electric utility, to make any connections, repairs or changes to electric utility property on his/her premises and in the event any defect therein is discovered, the customer shall notify the electric utility immediately.

C. All [commercial and industrial] customers [that require two hundred 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 **electric utility** [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.]

The customer shall install a service entrance at a location approved by the electric utility. Such location shall be suitable for the preservation of the integrity of the meter(s) and shall be free from any adverse conditions. All wiring on the customer's premises shall be done at the customer's expense, with the exception of instrument transformer wiring, which will be done by the electric utility.

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.]

The customer shall maintain an accessible clear space for the electric utility to install, read and maintain meter(s). Such space shall have the following minimums: forty-eight (48) inches in front of the meter; twenty-four (24) inches to either side of the meter; eighty-four (84) inches in height.

G. The [city] **electric utility** 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] **electric utility**.

H. [The city shall have the right to do tree and brush trimming and/or removal on the customer's premises in order to maintain a six-foot minimum clearance for protection of electrical distribution lines and service drops.]

The customer is responsible for maintaining a six-foot minimum clearance for the protection of the service drop. If the customer fails to maintain the required clearance the electric utility will give notice in writing of the customer's failure. If after thirty (30) days from receipt of notice, the customer has still not maintained the clearance, the electric utility will supply, and the customer will be charged for all labor and equipment necessary to maintain the clearance. The electric utility will maintain all clearances within fifteen (15) feet of primary distribution lines.

I. [Whenever any clearance between the service connection 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 or the city, 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.]

When ever any actions taken by the customer result in any part of the electrical system, either the customers or the utilities, become non-compliant with national, state or city rules, regulations, codes or standards, the customer shall, at the customer's expense, take all steps necessary to bring the system back into compliance.

J. A combination meter base/main disconnect type service entrance equipment is required to facilitate de-energizing the premises wiring in an emergency. No meter will be installed unless a main breaker/disconnect exists with the meter socket.

K. All rental units, either single family or multi-family, shall have a means by which the electric utility can open and seal open the main disconnect for each structure or rental unit within a structure.

L. Meters shall be installed so that the meter is between 5.5 feet and 6.5. feet above finished grade, platform, deck, etc.

M. Where there is an electrical meter that is unattainable to be read or inspected because of an animal the utility believes to be dangerous or have potential to do bodily harm, the electric utility, upon written notice to the owner or the land-lord, will disconnect the service until corrections are made.

15.12.090 Customer's Installations.

A. The city reserves the right to refuse to connect with or render service to any applicant or any customer where such connections and/or rendition will adversely affect the service rendered to its other customers or where the applicant or customer has not complied with [the state or municipal regulations] **all national, state, and city rules, regulations, codes and standards** pertaining to the service to be rendered by the city.

B. The city may require the installation of necessary filters **or other devices** to prevent or suppress such interference caused by any one or more of, but not limited to the following:

fluorescent lighting, motors, power-driven hand-tools, battery charger, appliances, electric signs, and/or any other type of electrical equipment which tends to cause radio interference.

C. Suitable protective devices on the customer's premises may be required whenever the [city] **electric utility** deems such installation necessary to protect its property or that of its customers.

D. Nothing in this section shall be construed as placing upon the city any responsibility for permitting the continuation or maintenance of any of the customer's wiring, current consuming devices, plumbing, or other equipment and the city shall not be held liable for any loss or damage resulting from any defects in the customer's installations and shall not be held liable for damage to persons or property arising from the use of the service on the premises of the customers. There shall be no adjustments on the meter readings, due to defective ground, and/or defective wiring beyond the meter.

[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.]

15.12.170 Service Charges.

A. 2. [Customers who require less than two hundred KVA; three-phase service shall pay a one-time charge equal to two-thirds 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.]

Whenever, within a five-year period, additional customers connect to an existing three-phase transformer installation, 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. However, should a new service require the electric utility to upgrade the existing three-phase transformer installation to accommodate the additional load, the customer shall be charged at new service rates.

[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 one hundred 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 one hundred 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.] **the electric utility will disconnect the service so that the customer can make the necessary changes, and reconnect the service after the changes have been made and inspected. A disconnect/reconnect fee of \$150.00 will be charged.**

15.12.172 Customer Service Inspection.

A. The [city] **electric utility** will periodically test customer's meters for accuracy and when necessary, in the opinion of the [city light department] **electric utility**, will replace a customer's meter. When a customer requests his/her meter be checked by the [city light department] **electric utility**, a fee of [fifteen dollars] **thirty 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.]

15.12.180 Rates – Based on Consecutive Service.

B. All rates are for service only and do not cover charges which will be made for installing, reconnecting or moving from one location to another any services and/or equipment not the property of the city. All additional charges shall be reasonable and shall be determined by the [light plant] **electrical** superintendent, and/or his duly authorized agent.

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, **120/240 volt** service [and served at secondary distribution 115/230 voltage level.] All installations shall be subject to the approval of the [city] **electric utility**.

B. Rate:

Customer charge	\$8.00 per month
Energy charge	
0 – 300 kWh	\$0.09 per kWh
Over 300 kWh	\$0.072 per kWh

15.12.210 Meter Rate – Small Commercial Service (SCHEDULE B).

B. Availability. Small commercial service under this schedule shall be limited to single phase, [115 and/or 230 volt service] **120/240 volts service**. All installations shall be subject to the approval of the [city] **electric utility**.

15.12.215 Meter Rates – Large Commercial Service (SCHEDULE C).

B. Availability. Large commercial service under this schedule shall be limited to single-phase or three-phase, [115 and/or 230 volt service] **120/240, 120/208, or 240/480 volt service**. All installations shall be subject to the approval of the [city] **electric utility**.

15.12.220 Meter Rates – Industrial Service (SCHEDULE D).

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] **electric utility**. All installations shall be subject to the approval of the [city] **electric utility**.

15.12.240 Use of Poles.

A. [This section applies to all utility poles owned by the city, which may be used by any one other than the city.] **Power poles and service poles belonging to the electric utility or for which the electric utility has jurisdiction, may not be used for any purpose other than electrical power transmission and distribution, unless per a written pole attachment agreement.**

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]

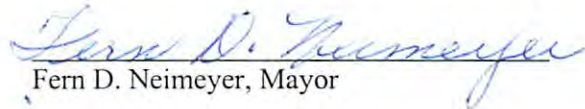
The annual rate for attachmentsto any pole by any user, the rate to include right-of-way maintenance by the utility at the base of the pole only, shall be as follows:

1. **Fourteen dollars per pole effective January 1, 2001**

C. All poles used in the transmission and distribution of electrical power will be approved by the electric utility and be treated with and approved preservative.

PASSED IN FIRST READING _____ July 25, _____, 2000

PASSED IN SECOND READING _____ August 8, _____, 2000


Fern D. Neimeyer, Mayor

ATTEST: 
Christie L. Jamieson, City Clerk



CITY OF WRANGELL, ALASKA

ORDINANCE NO. 692

AN ORDINANCE OF THE COUNCIL OF
THE CITY OF WRANGELL, ALASKA,
AMENDING CHAPTER 16.12 DISPOSITION
OF PUBLIC LANDS AND TIDELANDS OF
THE WRANGELL MUNICIPAL CODE BY
ADDING A NEW SECTION 16.12.040 (E)
ENTITLED FUND DISPOSITION

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 hereby.

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, Title 16, Chapter 16.12, is hereby amended as follows:

16.12.040 Value assessment—Notice of terms. A. When an application is filed for the sale, lease or other disposition of real property, tidelands or any interest therein, the city clerk shall cause an appraisal of the property to be made by the assessor, who shall submit a report to the council, which will include his estimate of the market value of the property, that is, the price a willing buyer not compelled to purchase the property would pay to a willing seller not compelled to sell the property. The council shall then submit the application and, upon approval of a majority of those voting on the question, the council shall approve the sale on such terms and conditions as provided herein, or set by the council. The costs of appraisal fees, survey fees and fees necessary for the preparation of documents, and all other costs associated with the application shall be borne by the applicant.

B. Following approval by the council, if the subject property has a value of one million dollars or less, the city clerk shall thereafter give notice of the sale, lease or other disposition by publication of notice in a newspaper of general circulation in the city at least thirty days before the date of the sale, lease, or other disposition, and the notice shall be posted within that time in at least three public places in the city.

C. The 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 bids shall be opened in public, and that sealed bids may be submitted at any time prior to the opening; that the property may be sold, leased, or disposed to the highest responsible bidder for cash, or terms as provided in section 16.12.015; that the city reserves the right to reject any and all bids.

D. Terms. Certified or Cashiers check or cash equal to twenty-five percent (25%) of the bid MUST accompany the bid. Personal checks will not be accepted. Purchasers may choose to pay balance by cash or execute an installment purchase agreement with the City of Wrangell. Term of installment purchase agreement shall not exceed fifteen (15) years. Interest rate on unpaid balance will accrue at prime plus two (2) points at time of closing.

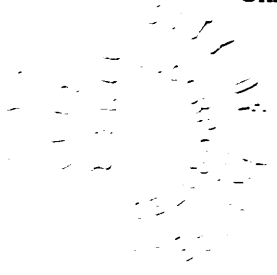
E. Fund Disposition. All funds received from tidelands sales shall be deposited into the City of Wrangell's Permanent Fund.

PASSED IN FIRST READING June 13, 2000

PASSED IN SECOND READING July 11, 2000


Fern D. Neimeyer, Mayor

ATTEST: 
Christie L. Jamieson, City Clerk



CITY OF WRANGELL, ALASKA

ORDINANCE NO. 691

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, DELETING CHAPTER 18.04 BUILDING CODE AND ADDING A NEW SECTION 18.04 BUILDING CODE TO 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 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 hereby.

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, Title 18, Chapter 18.04, is hereby deleted in its entirety and a new section 18.04 is added as follows:

Title 18

BUILDINGS AND CONSTRUCTION

Chapters:

18.04 Building Code
18.08 Plumbing Code
18.12 Electrical Code
18.16 Fire Code
18.20 Trailers and Trailer Camps

Chapter 18.04

BUILDING CODE

Sections:

[18.04.010 Uniform Building Code adopted by reference.]
[18.04.020 U.B.C. Section 205 deleted.]
[18.04.025 U.B.C. Section 304, Table No. 3-A-Building Permit Fees repealed.]
[18.04.030 U.B.C. Section 4505(b) deleted and replaced.]
[18.04.040 U.B.C. Section 4505(c), deleted.]
[18.04.050 U.B.C. Chapters 13 and 14 deleted--Sections H-101 through H-1002 of the Uniform Housing Code adopted by reference.]
[18.04.060 U.B.C. Section 420 amended.]
[18.04.070 U.B.C. Section 204 repealed and replaced--Board of appeals.]
[18.04.080 U.B.C. Appendix, Volume I, adopted buy reference--Changes.]
[18.04.090 Penalty for violations.]
[18.04.100 Building permit fees.]
18.04.010 Adoption.

18.04.020 Modifications.
18.04.030 Appeals.
18.04.040 Building permits—Compliance with ordinances.
18.04.050 Local amendments to the Uniform Building Code, 1997 Edition.
18.04.105 Board of appeals.
18.04.106.2 Work Exempt from Permit.
18.04.106.4.2. Retention of plans.
18.04.107.2 Permit Fees.
18.04.107.3 Plan review fees.
18.04.108.5.5 Insulation inspection.
18.04.202 “A” definitions.
18.04.203 “B” definitions.
18.04.904.2 Fire extinguishing systems.
18.04.1302 Energy conservation.
18.04.Table 18-1-C Foundations for stud bearing walls.

18.04.010 Uniform Building Code adopted by reference. For the purpose of regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings and structures or portions thereof in the city, there is adopted by reference, as the building code of the city, that certain compilation of rules and regulations prepared and published by the International Conference of Building Officials, a nationally recognized technical trade organization, which compilation is entitled "Uniform Building Code, 1979 Edition," Volume 1, five copies of which have been filed in the office of the clerk of the city for public use, inspection and examination and which compilation is made a part of this chapter as if fully set forth, subject only to the enumerated additions, deletions and changes set forth in this chapter.]

18.04.020 U.B.C. Section 205 deleted. Section 205 of the Uniform Building Code is deleted.]

18.04.025 U.B.C. Section 304, Table No. 3-A-Building Permit Fees repealed. 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 is repealed. The other inspections and fees set forth in said Table No. 3-A are also repealed]

18.04.030 U.B.C. Section 4505(b) deleted and replaced. Section 4505(b) of the Uniform Building Code is deleted in its entirety. Substitute Section 4505(b) as follows:
4505(b) Projection and clearance. The horizontal clearance between a marquee and the curbline shall be not less than six inches (6").

The marquee shall in no case be less than eight feet (8') above the ground, pavement or sidewalk below.]

18.04.040 U.B.C. Section 4505(c) deleted. Section 4505(c) of the Uniform Building Code is deleted.]

18.04.050 U.B.C. Chapters 13 and 14 deleted--Sections H-101 through H-1002 of the Uniform Housing Code adopted by reference. Chapters 13 and 14 of the Uniform Building code are deleted. There is adopted by reference, as Chapter 13, Sections H-101 through H-1002 of the Uniform Housing Code, 1979 Edition, prepared and published by the International Conference of Building Officials, which compilation is entitled "Uniform Housing Code, 1979 Edition," five copies of which have been filed in the office of the clerk of the city for public use, inspection and examination, and which Sections H-101 through H-1002 are made a part of this chapter as if fully set forth herein.]

18.04.060 U.B.C. Section 420 amended. Section 420 of the Uniform Building Code is amended by adding to the definition of structure: "and shall include earth, soil, rock, rubble or concrete fills where such fills are placed to reclaim land, create usable land, or to serve as the foundation of other structures, or where such fills are to be used as roadways, dikes, dams, or any water diversion purposes."]

18.04.070 U.B.C. Section 204 repealed and replaced--Board of appeals. Section 204 of the Uniform Building Code is repealed and reenacted to read as follows:

In order to determine the suitability of alternate materials and types of construction and to provide for reasonable interpretations of the provisions of this Code, there shall be and hereby is created a Board of Appeals, consisting of the Mayor and the Council. The Board shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing to the Building Official with a duplicate copy to the appellant.]

18.04.080 U.B.C. Appendix, Volume I, adopted by reference--Changes. A. For the purpose of providing a reasonable degree of safety for persons living and sleeping in apartment houses and hotels through providing for alterations to such existing buildings as do not conform to the minimum safety requirements of the Uniform Building Code, there is adopted in its entirety the Appendix of the Uniform Building Code, Volume 1, of the 1979 edition.

B. Section S-103(d) of the Appendix of the Uniform Building Code is deleted.

C. Fee to correspond with Section 303 of the Uniform Building Code, Volume 1.]

18.04.090 Penalty for violations. 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.]

18.04.100 Building permit fees. A. No building permit fees shall be charged for improvements or construction of less than two thousand dollars' valuation.

B. All building permit fees for permits for construction of valuation of two thousand dollars or more shall be as follows:

1. All residential construction, ten dollars;
2. Commercial construction, fifteen dollars;
3. Remodeling and miscellaneous construction, five dollars.]

18.04.010 Adoption. The bound volumes containing the code known as the Uniform Building Code, 1997 Edition, of the International Conference of Building Officials, including Appendix Chapter 3, Divisions I, II and IV; Chapter 4, Division II; Chapter 11; Chapter 12, Division I; and Chapter 34, Division I, together with the local amendments as set forth in Chapter 15.08, shall constitute the laws of the city relating to building regulations. Where the Uniform Building Code conflicts with this code, this code shall prevail. Copies of the Uniform Building Code and Standards may be examined at the city offices.

18.04.020 Modifications. The building official shall have the power to modify any of the provisions of the Uniform Building Code adopted by this chapter upon application in writing by the owner or lessee or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code; provided, that the spirit of the code is observed, public safety secured, and substantial justice done. The particulars of the modification, when granted or allowed, and the decision of the building official thereon shall be entered upon the records of the department, and a signed copy shall be furnished the applicant.

18.04.030 Appeals. Whenever the building official disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decisions of the building official to the city manager within thirty days from the date of the decision.

18.04.040 Building permits—Compliance with ordinances. It is established that no permit will be issued for the construction of new buildings or building, within the corporate limits of the city, which is inconsistent with any city ordinances and regulations.

18.04.050 Local amendments to the Uniform Building Code, 1997 Edition. The amendments to the 1997 edition of the Uniform Building Code are listed hereafter by section.

The last digits of the section number, after the title and chapter digits, refer to the section of the Uniform Building Code being amended; i.e., 15.08.104 (e) references Section 104 (e).

18.04.105 Board of appeals. Delete the entire section and insert the following: Section 204 of the Uniform Building Code is repealed and reenacted to read as follows:

In order to determine the suitability of alternate materials and types of construction and to provide for reasonable interpretations of the provisions of this Code, there shall be and hereby is created a Board of Appeals, consisting of the Mayor and the Council. The Board shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing to the Building Official with a duplicate copy to the appellant.

18.04.106.4.2 Retention of plans. Amend the sentence to read: One set of approved plans, specifications, and computations shall be retained by the building official for a period of not less than 90 days from the date of completion of the work covered therein.

18.04.107.2 Permit Fees. A. No building permit fees shall be charged for improvements or construction of less than two thousand dollars valuation. B. All building permit fees for permits for construction of valuation of two thousand dollars or more shall be as follows: 1. All residential construction, ten dollars; 2. Commercial construction, fifteen dollars; 3. Remodeling and miscellaneous construction, five dollars.

18.04.107.3 Plan review fees. Amend by revising the first sentence to read: When submittal documents are required by Section 06.3.2, a plan review fee may be required to be paid before a permit will be issued.

18.04.108.5.5 Insulation inspection. Amend by deleting the existing paragraph for lath or gypsum board inspection.

18.04.202 "A" definitions. Delete the definition of "alley" and substitute the following: ALLEY is a public space or thoroughfare, 20 feet or less, but not less than 10 feet in width, which has been dedicated for public use.

18.04.203 "B" definitions. Add the following definition: BUILDING, PUBLIC shall be any structure which is other than a Group R-3 dwelling or Group U Occupancy.

18.04.904.2 Fire extinguishing systems. A. Amend Section 904.2.2, All occupancies except Group R, Division 3 and Group U occupancies, by deleting "the floor area exceeds 1,500 square feet and." B. Amend Section 904.2.3.2, Basements, by deleting "when the basement is larger than 1,500 square feet in floor area." C. Amend Section 9.04.2.4.1, General, by deleting Exceptions 1 and 2.

18.04.1302 Energy conservation. Amend by adding a new section as follows: For the purpose of energy conservation, the requirements of the Building Energy Efficiency Standard, 1991 Edition, by the State of Alaska will be the criteria to be used for new construction.

18.04 Table 18-1-C Foundations for stud bearing walls. Amend by revising the minimum footing width to eighteen inches and minimum footing thickness to six inches for supporting one floor.

PASSED IN FIRST READING _____ June 27 _____, 2000

PASSED IN SECOND READING _____ July 11 _____, 2000

Fern D. Neimeyer
Fern D. Neimeyer, Mayor

ATTEST: *Christie L. Jamieson*
Christie L. Jamieson, City Clerk



CITY OF WRANGELL, ALASKA

ORDINANCE NO. 690

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, DELETING CHAPTER 18.08 PLUMBING CODE AND ADOPTING NEW CHAPTERS 18.08 PLUMBING CODE AND 18.10 PLUMBING CODE AND AMENDMENTS

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 hereby.

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, Title 18, Chapter 18.08 is deleted in its entirety and replaced with a new Chapter 18.08 as follows:

Chapter 18.08

PLUMBING CODE

Sections:

18.08.010 [National Plumbing Code adopted by reference--Section 205 deleted.] **Adoption.**

18.08.020 [Permits and fees.] **Modifications.**

18.08.030 [Penalty for violations.] **Appeals.**

18.08.010 Adoption. [National Plumbing Code adopted by reference--Section 205 deleted.] [For the purpose of regulating the construction, reconstruction, addition, enlargement, conversion, equipment, use and maintenance of all plumbing within and without all buildings and structures and portions thereof within the city there is adopted by reference, as the plumbing code of the city, that certain compilation of rules and regulations prepared and published by the American Society of Mechanical Engineers, which compilation is known as the "National Plumbing Code, 1979 Edition," five copies of which have been filed with the office of the clerk of the city for public use, inspection and examination and which compilation is made a part of this chapter as if fully set forth herein, except that Section 205 is deleted.] **The bound volumes containing the code known as the Uniform Plumbing Code, 1997 Edition, of the International Association of Plumbing and Mechanical Officials, and every part thereof, together with the local amendments as set forth in Chapter 18.10, shall constitute the laws of the city relating to plumbing installations. Copies of the Uniform Plumbing Code may be examined at the city offices.**

18.08.020 Modifications. [Permits and fees. Permits and fees shall be required as provided under Chapter 3 of the Uniform Building Code, 1979 Edition.] **The building official shall have the power to modify any of the provisions of the Uniform Plumbing Code adopted by this chapter upon application in writing by the owner or lessee or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code; provided, that the spirit of the code is observed, public safety secured, and substantial justice done. The particulars of the modification,**

when granted or allowed, and the decision of the building official thereon shall be entered upon the records of the department, and a signed copy shall be furnished the applicant.

18.08.030 Appeals. [Penalty for violations. 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.] Whenever the building official disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decisions of the building official to the city manager within thirty days from the date of the decision. The appellant shall pay a non-refundable filing fee of \$50 to the City for processing the appeal, and the filing fee shall be deposited with the building official.

SEC. 5. Wrangell Municipal Code, Title 18, Chapter 18.10 is added as follows:

Chapter 18.10

PLUMBING CODE AMENDMENTS

Sections:

- 18.10.010 Local amendments to the Uniform Plumbing Code, 1997 Edition.
- 18.10.102.3.2 Penalties.
- 18.10.103.3.2. Retention of plans.
- 18.10.103.4 Fees.
- 18.10.509.0 Prohibited locations.
- 18.10.609.7 Installation, unions and location.

18.10.010 Local amendments to the Uniform Plumbing Code, 1997 Edition. The amendments to the 1997 edition of the Uniform Plumbing Code are listed hereafter by section. The last digits of the section number, after the title and chapter digits, refer to the section of the Uniform Plumbing Code being amended; i.e. 18.10.102.3.2 shall reference Section 102.3.2.

18.10.102.3.2 Penalties. Delete the paragraph and substitute the following: For Penalties, see the Wrangell Municipal Code.

18.10.103.3.2. Retention of plans. Delete the second sentence.

18.10.103.4. Fees. Delete the section and schedule of fees.

18.10.509.0 Prohibited locations. Amend by revising the second sentence to read as follows: Fuel-burning water heaters shall not be installed under a stairway, landing or required exit.

18.10.609.7 Installation, unions and location. Amend by adding Section 609.7 as follows: Water meters and related fittings shall be installed according to city regulations. The water meter shall be accessible for maintenance and repair.

PASSED IN FIRST READING _____ June 13 _____, 2000

PASSED IN SECOND READING _____ June 27 _____, 2000


Fern D. Neimeyer, Mayor

ATTEST: Christie Jamieson
Christie L. Jamieson, City Clerk



CITY OF WRANGELL, ALASKA

ORDINANCE NO. 689

AN ORDINANCE OF THE COUNCIL OF THE
CITY OF WRANGELL, ALASKA, DELETING
SECTION 5.04.010 (B) LEVY AND LIMITATIONS
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 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 hereby.

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, Title 5, Section 5.04.010 (B) is hereby deleted in its entirety
and replaced with a new Section 5.04.010 (B) as follows:

Chapter 5.04

PROPERTY TAX*

Sections:

5.04.010	Levy and limitations.
5.04.020	Nonlimitation on levy for bond payments.
5.04.030	Exemptions.
5.04.035	Repair and rehabilitation exemption qualification.
5.04.036	Exemption--Timber processing.
5.04.040	Returns--Required.
5.04.050	Returns--Failure to submit.
5.04.060	Returns--Contents.
5.04.070	Returns--Assessor's discretion to accept.
5.04.080	Returns--Assessor's right to examine and inspect.
5.04.090	Assessment--Determination.
5.04.100	Listing of property.
5.04.110	Description of property.
5.04.120	Assessment roll--Preparation.
5.04.130	Assessment notice.
5.04.140	Publication of notice of equalization hearings.
5.04.150	Corrections by assessor.
5.04.160	Appeal by person assessed.
5.04.170	Notice of errors or changes in assessment roll.
5.04.180	Failing of appeal by person assessed.
5.04.190	Appeal record.
5.04.200	Hearing--Notice.
5.04.210	Hearing--Procedures.
5.04.220	Appeal records.
5.04.230	Higher appeals.

- 5.04.240 Recordkeeping--Clerk of the board.
- 5.04.250 Recordkeeping--Assessor.
- 5.04.260 Assessment roll--Completion.
- 5.04.270 Assessment--Computation.
- 5.04.280 Assessment roll--Validity.
- 5.04.290 Assessment roll--Delivery to council.
- 5.04.300 Differential taxation zones--Adopted.
- 5.04.310 Differential taxation zones--Defined.
- 5.04.320 Differential taxation zones--Adoption--Classes--
Review
- 5.04.330 Council authority to fix tax rate.
- 5.04.340 Mailing of tax statements.
- 5.04.350 Delinquent date for payment of taxes.
- 5.04.360 Penalty and interest for late payments.
- 5.04.370 Enforcement of delinquent real property taxes.
- 5.04.380 Enforcement of delinquent personal property taxes.
- 5.04.390 Distraint and sale of personal property.
- 5.04.400 Warrant of distraint.
- 5.04.410 Notice of sale at public auction.
- 5.04.420 Sale of seized property.
- 5.04.430 Return on sale.
- 5.04.440 Proceeds of sale.

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 of the assessed value of the real property assessed.

B. [There shall be a tax of fifteen dollars per year upon boats and vessels having a registered or certified net tonnage greater than two hundred twenty-five tons. There shall be no tax levied on boats or vessels of a net tonnage less than two hundred twenty-five tons, and such vessels shall not be subject to the reporting requirements of WMC Sec. 5.04.040 or this chapter.] **Boats and vessels are exempt and allowed under AS29.450.050 (D) (2).**

PASSED IN FIRST READING June 13, 2000

PASSED IN SECOND READING June 27, 2000

Fern D. Neimeyer
Fern D. Neimeyer, Mayor

ATTEST: *Christie L. Jamieson*
Christie L. Jamieson, City Clerk



CITY OF WRANGELL, ALASKA

ORDINANCE NO. 688

AN ORDINANCE OF THE COUNCIL OF THE
CITY OF WRANGELL, ALASKA, DELETING
CHAPTER 18.16 FIRE CODE AND ADOPTING A
NEW CHAPTER 18.16 FIRE CODE 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 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 hereby.

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, Title 18, Chapter 18.16 is hereby deleted in its entirety and replaced with a new Chapter 18.16 as follows:

Chapter 18.16

FIRE CODE

Sections:

- [18.16.010 Fire Prevention Code adopted by reference.]
- [18.16.020 Definitions.]
- [18.16.030 F.P.C.--Amendments.]
- [18.16.040 F.P.C. Section 1.9 amended--Permits.]
- [18.16.050 F.P.C. Section 11.2 amended--Exitways.]
- [18.16.060 F.P.C. Section 12.1 amended--Small arms primers.]
- [18.16.070 F.P.C. Section 14.4 amended--Basement sprinklers.]
- [18.16.080 F.P.C. Section 16.51 amended--Location of bulk plants.]
- [18.16.090 F.P.C. Section 24.3 deleted.]
- [18.16.100 F.P.C. Section 29.1 amended--Permit required for tent.]
- [18.16.110 F.P.C. Section 3-.3 amended--Welding or cutting permit.]
- [18.16.120 F.P.C. Article 31 amended--List of standards and publications.]
- [18.16.130 Modifications from provisions of the Fire Prevention Code.]
- [18.16.140 Establishment of limits of districts in which storage of explosives and blasting agents is to be prohibited.]
- [18.16.150 Establishment of limits of districts in which storage of flammable liquids in outside above ground tanks is to be prohibited.]
- [18.16.160 Establishment of limits in which bulk storage of liquefied petroleum gases is restricted.]
- [18.16.170 Bureau of fire prevention--Established--Duties.]
- [18.16.180 Appeals.]
- [18.16.190 New materials, processes, or occupancies.]
- [18.16.200 Early fire-warning alarm.]
- [18.16.210 Fire inspections.]

[18.16.220 Violations--Reports.]
[18.16.230 Violations--Penalties.]
18.16.010 Adoption
18.16.020 Modifications
18.16.030 Appeals
18.16.040 Local Amendments to the Uniform Fire Code, 1997 Edition
18.16.103.1.4 Appeals
18.16.105.8 Permit Required
18.16.7902.2.2.1 Locations where aboveground tanks are prohibited

18.16.010 Adoption. [Fire Prevention Code adopted by reference.] [There is adopted by the council of the city for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the Fire Prevention Code, recommended by the American Insurance Association, being particularly the 1979 edition thereof and the whole thereof.] **The bound volumes containing the code known as the Uniform Fire Code, 1997 Edition, of the International Conference of Building Officials, including Appendices I-A, II-B, IIF, IIG, III-A, III-B, III-C, V-A and Division VI Appendices, together with the local amendments as set forth in Chapter 15.28, shall constitute the laws of the city relating to conditions hazardous to life and property from fire or explosion. Copies of the Uniform Fire Code may be examined at the city offices.**

18.16.020 Modifications. [Definitions.] [A. Wherever the word "city" is used in this chapter or is used in the Fire Prevention Code, it shall be held to mean the city of Wrangell, Alaska.]

[B. Wherever the term "corporation counsel" is used in the Fire Prevention Code, it shall be held to mean the attorney for the city.] **The chief of the fire department shall have the power to modify any of the provisions of the Uniform Fire Code adopted by this chapter upon application in writing by the owner or lessee or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code; provided, that the spirit of the code is observed, public safety secured, and substantial justice done. The particulars of the modification, when granted or allowed, and the decision of the chief of the fire department thereon shall be entered upon the records of the department, and a signed copy shall be furnished the applicant.**

18.16.030 Appeals [F.P.C.--Amendments. The Fire Prevention Code is amended and changed as set forth in this chapter.] **Whenever the chief of the fire department disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decisions of the chief of the fire department to the city manager within thirty days from the date of the decision. The appellant shall pay a non-refundable filing fee of \$50 to the City for processing the appeal, and the filing fee shall be deposited with the building official.**

18.16.040 Local Amendments to the Uniform Fire Code, 1997 Edition. [F.P.C. Section 1.9 amended--Permits.] [Article 1, General Provisions, Section 1.9, Permits, of the Fire Prevention Code is amended by addition of paragraph (f) as follows:

(f) No permit of a non-temporary nature shall be valid unless approved by a majority of the members of the City Council. Any permit so approved shall bear the signature of the Mayor.] **The amendments to the 1997 edition of the Uniform Fire Code are listed hereafter by section. The last digits of the section number, after the title and chapter digits, refer to the article and section of the Uniform Fire Code being amended; i.e. 15.48.103.1.4 references Section 103.1.4.**

[18.16.050 F.P.C. Section 11.2 amended--Exitways. Article II, Exit Ways, Maintenance of, Section 11.2, Marking of Exit Ways, paragraph (a), is amended by changing the number of persons in the first line from "100" to "50".]

[18.16.060 F.P.C. Section 12.1 amended--Small arms primers. Article 12, Section 12.1, paragraph (b)(5) of the Fire Prevention Code is amended by changing 1,000 small arms primers to 10,000 small arms primers.]

[18.16.070 F.P.C. Section 14.4 amended--Basement sprinklers. Article 14, Fire Protection Equipment, Section 14.4, Sprinklers Required in Basements, paragraph (a), is amended by changing the number of square feet in the second line from "2,500" to "1,500."]

[18.16.080 F.P.C. Section 16.51 amended--Location of bulk plants. Article 16, Flammable and Combustible Liquids, Division V, Bulk Plants, Section 16.51, Location, of the Fire Prevention Code, is amended to read as follows:

No new bulk plants shall be constructed within the limits of the City of Wrangell unless the location has been approved by the City Planning and Zoning Commission, the Bureau of Fire Prevention, and the council.]

[18.16.090 F.P.C. Section 24.3 deleted. Section 24.3 of the Fire Prevention Code is deleted.]

[18.16.100 F.P.C. Section 29.1 amended--Permit required for tent. Article 29, Section 29.1, Permit Required, of the Fire Prevention Code, is amended to read as follows:

Section 29.1 Permit Required. No tent for assembly shall be erected, maintained, operated or used without a permit.]

[18.16.110 F.P.C. Section 30.3 amended--Welding or cutting permit. Article 30, Section 30.3, Permit Required for Welding or Cutting, of the Fire Prevention Code is amended by adding the following paragraph to subsection (b):

(3) Where individual cylinders or manifolds or both, and the aggregate nominal gas capacity of all cylinders in use or connected for use, not exceeds 750 cubic feet.]

[18.16.120 F.P.C. Article 31 amended--List of standards and publications. Article 31, List of Standards and Publications, of the Fire Prevention Code, is amended by adding Uniform Building Code by the International Conference of Building Officials, 50 South Los Robles, Pasadena, California 91101.]

[18.16.130 Modifications from provisions of the Fire Prevention Code. The chief of the bureau of fire prevention shall have the power to modify any of the provisions of the Fire Prevention Code upon application in writing by the owner or lessee, or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code; provided, that the spirit of the code shall be observed, public safety secured, and substantial justice done. The particulars of such modifications when granted or allowed and the decision of the chief of the bureau of fire prevention thereon shall be entered upon the records of the department and a signed copy shall be furnished the applicant. No exceptions or modifications to the requirements of the code of a permanent or continuing nature shall be granted unless such exceptions or modifications are more stringent than the code or, if less stringent, unless approved by a majority of the members of the city council.]

[18.16.140 Establishment of limits of districts in which storage of explosives and blasting agents is to be prohibited. Storage of explosives and blasting agents is expressly forbidden in the areas established as Fire Zone One and Fire Zone Two by the city.]

[18.16.150 Establishment of limits of districts in which storage of flammable liquids in outside aboveground tanks is to be prohibited. The limits referred to in Section 16.22(a) of the Fire Prevention Code, in which storage of flammable liquids in outside aboveground tanks is prohibited, are defined as within the areas of Fire Zone One as established by the city.]

[18.16.160 Establishment of limits in which bulk storage of liquefied petroleum gases is restricted. The limits referred to in Section 21.6(a) of the Fire Prevention Code, in which bulk storage of liquefied petroleum gas is restricted, are established as within the area established as Fire Zone One and Fire Zone Two by the city.]

[18.16.170 Bureau of fire prevention--Established--Duties. A. There is established within the city a bureau of fire prevention. It shall be the duty of the bureau of fire prevention to enforce the Fire

Prevention Code within the jurisdiction of the city. The chief of the Wrangell fire department shall administer the bureau of fire prevention.]

[B. A report by the bureau of fire prevention shall be made annually and transmitted to the mayor of the city. It shall contain all proceedings under this code, with such statistics as the chief of the fire department may wish to include therein. The chief of the fire department shall also recommend any amendments to the code which, in his judgment, shall be desirable.]

[18.16.180 Appeals. Wherever the bureau of fire prevention shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the code do not apply, or that the true intent and meaning of the code do not apply, or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the chief to the council of the city within thirty days from the date of the decision appealed. The council shall hear the appeal within twenty-one days of receipt of the appeal. An appeal shall not act to stay a legal order issued by the bureau of fire prevention under the provisions of Sections 1.5 and 1.6 of the fire Prevention Code if the order states that an extreme hazard exists.]

[18.16.190 New materials, processes, or occupancies. The bureau of fire prevention and the building code enforcement officer of the city shall act as the committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies, which shall required permits, in addition to those not enumerated in the code. The chief of the fire prevention shall post such list in a conspicuous place in his office and distribute copies thereof to interested persons.]

[18.16.200 Early fire-warning alarm. A. All hotels, motels, and other rental premises for habitation, including single- and double-family dwellings and mobile homes for rental purposes, shall have installed an early fire-warning alarm formally known as a "Products-of-combustion (other than heat) alarm."

B. The required minimum standards for such alarms and systems are as follows:

1. Single-family, double-family and triplexes shall have at least one fully operable products-of-combustion (other than heat) alarm meeting the requirements of N.F.P.A. standard No. 74 in each dwelling unit, located as to protect the sleeping area.

2. Motels, hotels and residential apartment structures of four-plex or greater capacity shall have installed a products-of-combustion (other than heat) alarm system meeting the requirements of N.F.P.A. standard No. 72-A.

C. The requirements of subsection A of this section shall be effective February 21, 1975, as to newly constructed premises. Existing structures shall be modified to comply with the requirements of subsection A of this section on or before October 1, 1975.

D. The building official is empowered to withhold issuance of a building permit as to any plan submitted which fails to indicate prospective installation of an appropriate early fire-warning alarm. He shall not issue a building permit for construction of a structure requiring installation of an N.F.P.A. standard No. 72-A alarm system until such proposed plan has been approved by the State Fire Marshal's Office, Division of Fire Prevention for the Alaska Department of Public Safety.]

[18.16.210 Fire inspections. It shall be the duty of the fire chief to inspect or cause to be inspected by the fire department officers or members, as often as may be necessary, but not less than twice a year in outlying districts and four times per year in the closely built portions of the city, all buildings, structures, premises and public thoroughfares for the purpose of ascertaining and causing to be corrected any conditions likely to cause fire or any violations of the provisions or intent of the city's fire prevention code.]

[18.16.220 Violations--Reports. Whenever the fire chief or any officer or member of the fire department authorized to perform inspections discovers a hazardous fire condition or violation of the city's fire prevention code, the fire chief shall file a complete report with the city council pursuant to Section 9.08.130 of this code.]

[18.16.230 Violations--Penalties. 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.

B. the application of the penalty set forth in subsection A of this section shall not be held to prevent the enforced removal of prohibited conditions.]

18.16.103.1.4. Appeals. See Wrangell Municipal Code, Section 18.16.030.

18.16.105.8 Permit required. Delete all required permits except the following:

- a.2. Aircraft refueling vehicles.**
- c.1. Candles and open flames in assembly areas.**
- e.1. Explosives and blasting agents.**
- f.1. Fire hydrants and water-control valves.**
- f.2. Fireworks.**
- 0.1. Opening burning.**
- p.3. Pyrotechnical special effects material.**

18.16.7902.2.2.1 Locations where aboveground tanks are prohibited.

Revise the sentence to read as follows:

Storage of Class 1 and 11 liquids in aboveground tanks outside of buildings is prohibited in all areas of the city except those designated as an Industrial Use District on the Zoning Map.

PASSED IN FIRST READING June 13, 2000

PASSED IN SECOND READING June 27, 2000


Fern D. Neimeyer, Mayor

ATTEST: 
Christie L. Jamieson, City Clerk



CITY OF WRANGELL, ALASKA

ORDINANCE NO. 687

AN ORDINANCE OF THE COUNCIL OF
THE CITY OF WRANGELL, ALASKA,
AMENDING WMC BY ADDING A NEW
CHAPTER 18.24 ENTITLED, DANGEROUS
BUILDINGS OF TITLE 18 BUILDINGS AND
CONSTRUCTION

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 hereby.

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, Title 18, Chapter 18.24, is hereby added as follows:

TITLE 18

BUILDINGS AND CONSTRUCTION

Chapters:

- 18.04 Building Code
- 18.08 Plumbing Code
- 18.12 Electrical Code
- 18.16 Fire Code
- 18.20 Trailers and Trailer Camps
- 18.24 Dangerous Buildings

Chapter 18.24

DANGEROUS BUILDINGS

Sections:

- 18.24.010 Adoption.
- 18.24.015 Local amendments to the Uniform Code for the Abatement of
Dangerous Buildings, 1997 Edition.
- 18.24.020 Modifications.
- 18.24.025 Appeals.
- 18.24.030 Definitions.

18.24.201b Inspections.
18.24.205 Board of appeals.
18.24.402 Recordation of notice and order.
18.24.404.3 Amends Section 404—Abatement of nuisance in emergency.
18.24.401 Form of appeal.
18.24.802.1 General.
18.24.905 Personal obligation and special assessment.
18.24.907 Authority for Installment Payment of Assessments with Interest.
18.24.908 Lien of assessment.

18.24.010 Adoption. The bound volumes containing the code known as the Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, of the International Conference of Building Officials, and every part thereof, together with the local amendments as set forth in 18.24, shall constitute the laws of the city relating to the abatement of dangerous buildings. Copies of the Uniform Code for the Abatement of Dangerous Buildings may be examined at the city offices.

18.24.015 Local amendments to the Uniform Code for the Abatement of Dangerous Buildings, 1997b Edition. The amendments to the 1997 edition of the Uniform Code for the Abatement of Dangerous Buildings are listed hereafter by section. The last digits of the section number, after the title and chapter digits, refer to the section of the Uniform Code for the Abatement of Dangerous Buildings being amended; ie., 18.24.201 refers to Section 201. The Uniform Code for the Abatement of Dangerous Buildings is also amended by the definitions contained in Section 18.24.020.

18.24.020 Modifications. The building official shall have the power to modify any of the provisions of the Uniform Code for the Abatement of Dangerous Buildings adopted by this chapter upon application in writing by the owner or lessee or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code; provided, that the spirit of the code is observed, public safety secured, and substantial justice done. The particulars of the modification, when granted or allowed, and the decision of the building official thereon shall be entered upon the records of the department, and a signed copy shall be furnished the applicant.

18.24.025 Appeals. A. Whenever the building official disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decisions of the building official to the city manager within thirty days from the date of the decision. B. The appeal will follow the procedures set out in Section 15.56.501 et seq.

18.24.030 Definitions. “Board of appeals” as used in the code means “city council.” “Director of public works” as used in the code means “superintendent of public works.” “Fire marshal” as used in the code means “chief of the city fire department.” “Misdemeanor” as used in the code means “violation.”

18.24.201b Inspections. Delete “health officer, the.”

18.24.205 Board of appeals. Delete the entire section and substitute the following: The Board of Appeals shall provide the final interpretation of the provisions of this code and hear appeals provided for hereunder. The board shall render all decisions and findings in writing to the appellants, with a copy to the building official. Appeals to the board shall

be processed in accordance with the provisions contained in Section 501 of this code. Copies of all rules or regulations adopted by the board shall be delivered to the building official, who shall make them freely accessible to the public.

18.24.402 Recordation of notice and order. Change the term “county recorder” as appears twice in this section to “Ketchikan District Recorder’s Office.”

18.24.404.3 Amends Section 404—Abatement of nuisance in emergency. Add subsection (.3) as follows: (.3) The City Manager, upon the written recommendation of the building official, may abate any public nuisance summarily without notice in an emergency where the life or safety of the public is endangered and where immediate action is necessary and timely notice cannot be given. All other abatement proceedings, except the necessity and the manner and method of giving notice, shall apply to the nuisance summarily abated, including the recovery of the costs of the summary abatement.

18.24.501 Form of appeal. Add subsection by adding new paragraph 8 as follows: 8. The appellant shall pay a non-refundable filing fee of \$50 to the City for processing the appeal, and the filing fee shall be deposited with the building official.

18.24.802.1 General. Change the word “shall” as appears twice in this subsection to “may.”

18.24.905 Personal obligation and special assessment. Delete the provisions of this section and replace as follows: (a) The responsibility for payment of the charges for abatements as set forth in this chapter shall rest upon the owners of the property upon which the abatement occurred, to include the owners at the time of occurrence of the condition rendering the property subject to these abatement proceedings and the owners at the time of the actual abatement proceedings. (b) The city shall have the right to bring suit for the collection of charges for abatement as set forth in this chapter plus costs and attorney’s fees against all the parties responsible for payment, jointly and severally. (c)

In addition, the city shall have the right to impose an assessment against the property for the repayment of the abatement charges. If the city proceeds with an assessment, it shall confirm the assessment, cause the same to be recorded on the assessment roll, and thereafter said assessment shall constitute a special assessment and a lien upon the property. (d) The lien created herein may be enforced as provided in AS 34.35.005-.045. The enforcement of the lien is a cumulative remedy and does not bar the collection of the charges for abatement as provided in subsection (b) above.

18.24.907 Authority for Installment Payment of Assessments with Interest. Delete the title and the entire section and substitute the following: Payment Schedule—Delinquency, Interest. These matters shall be controlled by Wrangell Municipal Code, Section 5.16.170.

18.24.908 Lien of assessment. Delete the subsections (.1) and (.2) and substitute the following: Immediately upon its being placed on the assessment roll the assessment shall be deemed to be complete, the several amounts assessed shall be payable, and the assessments shall be liens against the lots or parcels of land assessed, respectively. The lien shall be subordinate to all existing special assessment liens previously imposed and to state, borough and city property taxes upon the same property. The lien shall be paramount to all other liens. The lien shall continue until the assessment and all interest due and payable thereon are paid.

PASSED IN FIRST READING May 23, 2000

PASSED IN SECOND READING June 13, 2000

Fern D. Neimeyer
Fern D. Neimeyer, Mayor

ATTEST: Christie L. Jamieson
Christie L. Jamieson, City Clerk



ORDINANCE NO. 685

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, authorizing the issuance of general obligation bonds in an amount not to exceed \$520,000 to finance all or part of the cost of making certain capital improvements to Wrangell schools; and providing for the submission to the qualified voters of the City at a special election to be held on August 15, 2000, of a proposition approving such capital improvements and ratifying the authorization of said bonds.

WHEREAS, the Wrangell School Board (the "School Board") has approved and submitted to the Alaska Department of Education a plan of capital improvements to remedy structural and building code deficiencies at the Wrangell High School, Intermediate and Primary School, as identified in a survey of school facilities conducted in January 1998; and

WHEREAS, the School Board expects that the Alaska Department of Education will approve such capital improvements as qualified under AS 14.11.100(n)(2)(B) for reimbursement of up to 70% of the principal and interest on school construction bonds if approved by the voters of the City of Wrangell (the "City"); and

WHEREAS, the City Council of the City (the "Council") has determined that such plan of capital improvements and the question of incurring debt and issuing general obligation bonds to finance such capital improvements should be placed before the City's voters at a special election to be held on August 15, 2000;

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

Section 1. Classification. This ordinance is a special ordinance that is to be omitted from the Wrangell Municipal Code.

Section 2. Severability. In the event that any one or more of the provisions of this ordinance shall for any reason be held to be invalid, such invalidity shall not affect or invalidate any other provision of this ordinance or the bonds authorized herein, but this ordinance and the bonds shall be construed and enforced as if such invalid provision had not been contained herein; provided, however, that any provision that shall for any reason be held by reason of its extent to be invalid shall be deemed to be in effect to the extent permitted by law.

Section 3. Findings; Improvements. It is hereby found and declared that the public welfare and benefit require that the following capital improvements be made to facilities of the School District of the City of Wrangell (as hereafter described, collectively, the "Improvements"):

A. Wrangell High School: demolish and repair exterior wall of the computer rooms; provide additional floor joists in the administrative office area; repair effects of settlement in the student commons and bathroom areas; and rebuild main entry stairs and handicap access ramp to meet building code requirements.

B. Wrangell Intermediate School: install equipment to provide ventilation and sumps and pumps in crawl space beneath the multipurpose room and the music room.

C. Wrangell Primary School: rebuild exterior stairs to correct effects of settlement and to meet building code requirements; construct area separation wall between Intermediate School and Primary School; analyze and repair as necessary bolted connections in the covered play area to meet building code requirements; and insulate and ventilate crawl space under the Primary School.

The cost of all necessary design, engineering and other consulting services, inspection and testing, purchases of equipment, and other costs incurred in connection with the making of the Improvements shall be deemed a part of the costs of the Improvements. The School Board shall determine the exact specifications for the Improvements. The School Board shall determine the application of available funds with respect to the Improvements so as to accomplish, as nearly as may be, all Improvements described or provided for in this section.

Section 4. Authorization of Bonds. For the purpose of providing all or a portion of the funds necessary to pay costs of the Improvements, together with incidental costs and costs related to the sale and issuance of the Bonds, the City shall issue and sell its general obligation bonds in the aggregate principal amount of not to exceed \$520,000 (the "Bonds"). The Bonds shall be issued in an amount not exceeding the amount approved by the electors of the City and not exceeding the amount permitted by the constitution of the State of Alaska and the Charter of the City. The balance, if any, of the cost of the Improvements shall be paid out of any other legally available funds. The Bond proceeds shall not be used for other than a capital purpose.

The Bonds shall be issued in such amounts and at such time or times as found necessary and advisable by the Council and as permitted by law. The Bonds may be issued in one or more series and shall bear interest payable at a rate or rates authorized by the Council. The Bonds shall mature in such amounts and at such times within a maximum term of 25 years from date of issue, all as authorized by the Council and as provided by law.

The Bonds shall be general obligations of the City and, unless paid from other sources (including reimbursement payments from the State of Alaska under the school construction bond program), both principal of and interest on the Bonds shall be payable out of annual tax levies to be made upon all the taxable property within the City without limitation as to rate or amount and in excess of any constitutional or statutory tax limitation.

The exact date, form, terms, options of redemption, maturities, covenants and manner of sale of the Bonds shall be as hereafter fixed by ordinance or ordinances of the Council. After voter approval of the Bond proposition and in anticipation of the issuance of such Bonds, the

City may issue short-term obligations as authorized by the laws of the State of Alaska and the Charter of the City.

Section 5. Bond Election. The proposition that the City shall issue the Bonds to pay costs of the Improvements shall be submitted to the qualified voters of the City for their ratification or rejection at a special election to be held in the City on August 15, 2000. Said proposition shall be in substantially the following form:

PROPOSITION 1

**\$520,000 GENERAL OBLIGATION BONDS
FOR CAPITAL IMPROVEMENTS TO WRANGELL SCHOOLS**

To make capital improvements to remedy structural deficiencies and satisfy building code requirements at the Wrangell High School, Intermediate School and Primary School, shall the City of Wrangell, Alaska, issue general obligation bonds in the principal amount of not to exceed \$520,000, maturing within a maximum of 25 years, all as provided in Ordinance No. 685 of the City?

BONDS Yes

BONDS No

INFORMATION REGARDING SCHOOL CAPITAL IMPROVEMENTS

A. Wrangell High School

Estimated Total Costs and Revenues

Estimated total cost of improvements, including bond interest			
Construction, equipment and associated project costs	\$	203,772	
Bond interest	\$	72,813	\$ 276,585
Estimated amount that will be paid by the State			
State debt service reimbursement			\$ 193,609
Estimated amount that will be paid by the City			
Debt service not reimbursed by State			\$ 82,976

Estimated Annual Costs and Taxes

Estimated additional annual operating and maintenance cost	\$	0
Approximate amount that would be due in annual taxes on \$100,000 in assessed value to retire this debt without State reimbursement	\$	29.30
Approximate amount that will be due in annual taxes on \$100,000 in assessed value to retire this debt with State reimbursement	\$	8.80

B. Wrangell Intermediate School

Estimated Costs and Revenues

Estimated total cost of improvements, including bond interest

Construction, equipment and associated project costs	\$	33,774		
Bond interest	\$	13,035	\$	46,809
Estimated amount that will be paid by the State State debt service reimbursement			\$	32,766
Estimated amount that will be paid by the City State service not reimbursed by State			\$	14,043

Estimated Annual Costs and Taxes

Estimated additional annual operating and maintenance cost	\$	0
Approximate amount that would be due in annual taxes on \$100,000 in assessed value to retire this debt without State reimbursement	\$	5.20
Approximate amount that will be due in annual taxes on \$100,000 in assessed value to retire this debt with State reimbursement	\$	1.60

C. Wrangell Primary School

Estimated Total Costs and Revenues

Estimated total cost of improvements, including bond interest

Construction, equipment and associated project costs	\$ 281,454	
Bond	100,746	\$ 382,200
Estimated amount that will be paid by the State		
State debt service reimbursement		\$ 267,540
Estimated amount that will be paid by the City		
Debt service not reimbursed by State		\$ 114,660

Estimated Annual Costs and Taxes

Estimated additional annual operating and maintenance cost	\$	0
Approximate amount that would be due in annual taxes on \$100,000 in assessed value to retire this debt without State reimbursement	\$	40.50
Approximate amount that would be due in annual taxes on \$100,000 in assessed value to retire this debt with State reimbursement	\$	12.20

* * * * *

Section 6. Notice. Notice, publication and posting shall be given by the City Clerk in accordance with the provisions of the Wrangell Municipal Code, the City Charter, and state law.

Section 7. Election Precinct. For the purpose of the special election on the Bond proposition, the City shall have one election precinct.

Section 8. Polling Hours. 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 special election.

Section 9. Qualification of Voters. The qualifications of voters on the proposition set forth in this ordinance shall be the same as for voters at municipal elections generally.

PASSED IN FIRST READING May 23 , 2000

PASSED IN SECOND READING June 6 , 2000

Fern D. Neimeyer
Fern D. Neimeyer, Mayor

ATTEST: *Christie L. Jamieson*
Christie L. Jamieson, City Clerk




CLERK'S CERTIFICATE

I, the undersigned, City Clerk of the City of Wrangell, Alaska (the "City"), and keeper of the records of the City Council (the "Council"), DO HEREBY CERTIFY:

1. That the attached Ordinance (the "Ordinance") is a true and correct copy of Ordinance No. 685 of the City, as finally passed at a meeting of the Council held on the 6th day of June, 2000, 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 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 fully 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 7th day of June, 2000.



City Clerk, City of Wrangell, Alaska

ORDINANCE NO. 684

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, authorizing the issuance of not to exceed \$4,500,000 in general obligation bonds payable also from revenues in the City's Port Enterprise Fund to finance the construction of capital improvements for Heritage Harbor in the City, and providing for the submission to the qualified voters of the City at a special election to be held on August 15, 2000, of a proposition approving such capital improvements and ratifying the authorization of said bonds.

WHEREAS, it is deemed necessary for the public welfare and benefit that the City of Wrangell, Alaska (the "City") design, acquire, construct, equip and install certain capital improvements to create new harbor facilities in the City to be known as Heritage Harbor (as further identified in Section 3 of this ordinance, the "Project"); and

WHEREAS, the City expects to receive state and federal grant funds to pay for a portion of the costs of the Project; and

WHEREAS, to provide funds for a portion of the costs of the Project it is deemed necessary and advisable that the City issue and sell its unlimited tax levy general obligation bonds payable also from revenues in the City's Port Enterprise Fund in the principal amount of not to exceed \$4,500,000 (the "Bonds"); and

WHEREAS, the constitution of the State of Alaska and Charter of the City require that the authorization of the Bonds must be submitted to the qualified voters of the City for their ratification or rejection;

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

Section 1. Classification. This ordinance is a special ordinance that is to be omitted from the Wrangell Municipal Code.

Section 2. Severability. In the event any one or more of the provisions of this ordinance shall for any reason be held to be invalid, such invalidity shall not affect or invalidate any other provision of this ordinance or the bonds authorized herein, but this ordinance and the bonds shall be construed and enforced as if such invalid provision had not been contained herein; provided, however, that any provision that shall for any reason be held by reason of its extent to be invalid shall be deemed to be in effect to the extent permitted by law.

Section 3. Findings; the Project. It is hereby found and declared that the public welfare and benefit require that the City design, acquire, construct, equip and install certain capital improvements to create new harbor facilities in the City to be known as Heritage Harbor, identified as the “Wrangell Harbor Improvements” in the U.S. Corps of Engineers feasibility study on file with the City Clerk (State identification number AK 9908-04JJ) (the “Project”). Such improvements shall be made at the time and in the order and in the manner deemed most necessary and advisable by the Council.

The cost of all necessary design, engineering and other consulting services, inspection and testing, and other costs incurred in connection with the making of the foregoing improvements shall be deemed a part of the costs of such improvements. The City shall determine the application of available funds with respect to the Project so as to accomplish, as nearly as may be, all improvements described or provided for in this section.

It is estimated that the costs of such improvements will not exceed \$8,505,000, of which approximately \$4,252,500 will be paid from proceeds of the Bonds.

The Council shall determine the exact specifications for the Project. If the Council, by ordinance, shall determine that it has become impractical to acquire, construct or equip any portion of the Project by reason of changed conditions, or costs substantially in excess of the amount of Bond proceeds or other revenues estimated to be available, the City shall not be required to acquire, construct or equip such portions. If the Project has been constructed or acquired or duly provided for, or found to be impractical, the City may apply the Bond proceeds or any portion thereof to the payment of principal of and interest on the Bonds as the Council, by resolution and in its discretion, shall determine.

Section 4. Authorization of Bonds. For the purpose of providing a portion of the funds necessary to pay costs of the Project, together with incidental costs and costs related to the sale and issuance of the Bonds, the City shall issue and sell its general obligation bonds payable also from revenues in the City's Port Enterprise Fund in the aggregate principal amount of not to exceed \$4,500,000. The Bonds shall be issued in an amount not exceeding the amount approved by the electors of the City and not exceeding the amount permitted by the constitution of the State of Alaska and the Charter of the City. The balance, if any, of the cost of the Project shall be paid out of any other legally available funds. The Bond proceeds shall not be used for other than a capital purpose.

The Bonds shall be issued in such amounts and at such time or times as found necessary and advisable by the Council and as permitted by law. The Bonds may be issued in one or more series and shall bear interest payable at a rate or rates authorized by the Council. The Bonds shall mature in such amounts and at such times within a maximum term of 25 years from date of issue, all as authorized by the Council and as provided by law. The Bonds shall be general obligations of the City and, unless paid from other sources (including the Port Enterprise Fund,

which shall be additionally pledged to repayment of the Bonds), both principal of and interest on the Bonds shall be payable out of annual tax levies to be made upon all the taxable property within the City without limitation as to rate or amount and in excess of any constitutional or statutory tax limitation. The exact date, form, terms, options of redemption, maturities, covenants and manner of sale of the Bonds shall be as hereafter fixed by ordinance or ordinances of the Council. After voter approval of the Bond proposition and in anticipation of the issuance of such Bonds, the City may issue short-term obligations as authorized by the laws of the State of Alaska and the Charter of the City.

Section 5. Bond Election. The proposition that the City shall issue the Bonds for the purposes described in Section 3 hereof shall be submitted to the qualified voters of the City for their ratification or rejection at a special election to be held in the City on August 15, 2000. Said proposition shall be in substantially the following form:

PROPOSITION NO. #1

CITY OF WRANGELL

HERITAGE HARBOR IMPROVEMENTS
GENERAL OBLIGATION BONDS PAYABLE ALSO
FROM THE PORT ENTERPRISE FUND
\$4,500,000

To acquire, construct and equip capital improvements to create new harbor facilities in the City to be known as Heritage Harbor, including construction of a breakwater and inner harbor improvements including docks and slips for commercial and recreational users, shall the City of Wrangell, Alaska, issue general obligation bonds payable also from revenues in the City's Port Enterprise Fund in the principal amount of not to exceed \$4,500,000, maturing within a maximum of 25 years, all as provided in Ordinance No. 684 of the City?

BONDS, YES

BONDS, NO

Section 6. Notice. Notice, publication and posting shall be given by the City Clerk in accordance with the provisions of the Wrangell Municipal Code, the City Charter, and state law.

Section 7. Election Precinct. For the purpose of the special election on the foregoing proposition, the City shall have one election precinct.


Section 8. Polling Hours. 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 special election.

Section 9. Qualification of Voters. The qualifications of voters on the proposition set forth in this ordinance shall be the same as for voters at municipal elections generally.

PASSED IN FIRST READING _____ May 9 _____, 2000

PASSED IN SECOND READING _____ May 23 _____, 2000


Fern D. Neimeyer, Mayor

ATTEST: 
Christie L. Jamieson, City Clerk

CLERK'S CERTIFICATE

I, the undersigned, City Clerk of the City of Wrangell, Alaska (the "City"), and keeper of the records of the City Council (the "Council"), DO HEREBY CERTIFY:

1. That the attached Ordinance (the "Ordinance") is a true and correct copy of Ordinance No. 684 of the City, as finally passed at a meeting of the Council held on the 23rd day of May, 2000, 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 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 fully 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 26th day of May, 2000.


Christie Jamison

City Clerk, City of Wrangell, Alaska

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 683

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING SECTION 9.08.090 CERTAIN CONDITIONS DECLARED NUISANCE, 9.08.100 INDUSTRIAL WASTE AND 9.08.250 PENALTY FOR VIOLATION OF CHAPTER 9.08 NUISANCES 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 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 hereby.

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, Title 9, Chapter 9.08, is hereby amended as follows:

Chapter 9.08

NUISANCES*

Sections:

9.08.010	Defined.
9.08.020	Prohibited--Abatement generally.
9.08.030	Burial
9.08.040	Slaughterhouses and similar operations.
9.08.050	Water pollution.
9.08.060	Maintaining gutters free of obstructions.
9.08.070	Offensive drains.
9.08.080	Accumulations of rubbish and materials prohibited.
9.08.090	Certain conditions declared nuisances.
9.08.100	[Industrial waste.] Hazardous building or structure—Prohibited.
9.08.110	[Hazardous building or structure--Prohibited.] Hazardous building or structure—Condemnation authority.
9.08.120	[Hazardous building or structure—Condemnation authority.] Hazardous building or structure—Inspection and report.
9.08.130	[Hazardous building or structure--Inspection and report.] Hazardous building or structure—Report to council.

- 9.08.140 [Hazardous building or structure--Report to council.] **Hazardous building or structure—Notice of hearing.**
- 9.08.150 [Hazardous building or structure--Notice of hearing.] **Hazardous building or structure—Board powers—Hearing.**
- 9.08.160 [Hazardous building or structure--Board powers--Hearing.] **Hazardous building or structure—Order of board.**
- 9.08.170 [Hazardous building or structure--Order of board.] **Failure to comply with notice—Abatement by city.**
- 9.08.180 [Failure to comply with notice--Abatement by city.] **Appeals.**
- 9.08.190 [Appeals] **Imminently dangerous structures.**
- 9.08.200 [Imminently dangerous structures.] **Stay of proceedings on appeal.**
- 9.08.210 [Stay of proceedings on appeal.] **Appeal following hearings.**
- 9.08.220 [Appeal following hearing.] **Remedies not exclusive.**
- 9.08.230 [Remedies not exclusive.] **Notification of offenders by police chief--Abatement.**
- 9.08.240 [Notification of offenders by police chief--Abatement.] **Penalty for violation.**
- 9.08.250 Penalty for violation.]

9.08.010 Defined. For purposes of this chapter, "nuisance" means any act or creation which is injurious to the public health, or which prevents or obstructs the free and comfortable enjoyment of life and property or which is dangerous to surrounding property.

9.08.020 Prohibited--Abatement generally. A. It is unlawful for any person, firm or corporation to permit or maintain the existence of any nuisance on any property under his or its control.

B. Whenever a nuisance is deemed to exist it shall be abated by the health officer or chief of police at the expense of the person maintaining such nuisance.

9.08.030 Burial. It is unlawful for any person to bury any person within the city limits except in an established cemetery.

9.08.040 Slaughterhouses and similar operations. A. No person shall establish or maintain a slaughterhouse; keep herds of more than five swine or goats; cure or keep hides, skins or pelts; slaughter cattle, swine, sheep or any other kind of animals; pursue or carry on any other business offensive to the senses or prejudicial to the public health or comfort in any part of the city.

B. Any person maintaining stables, stockyards, or hogpens in which livestock are confined shall be required to keep the same free from accumulations of filth so that the same shall not be prejudicial to the public health.

9.08.050 Water pollution. It is unlawful for any person to throw, empty out or deposit in any gutter or ditch or near any inhabited place, the suds or filthy water resulting from the washing of clothes, slops from kitchens or other foul or filthy matter or allow the same to stand on his own premises or to seep into the premises of another.

9.08.060 Maintaining gutters free of obstructions. It shall be the duty of every owner of any property to keep the gutter in front of such property at all times clean and free from all obstructions to the free passage of water, and to remove all dirt, filth, garbage or rubbish that may have accumulated on the street or alley adjoining the property, to the middle of the street or alley.

9.08.070 Offensive drains. No person shall permit any cellar, pool, sewer, water closet or private drain belonging to him to become nauseous, foul or offensive and prejudicial to the public health and comfort.

9.08.080 Accumulations of rubbish and materials prohibited. No owner, lessee, agent, tenant, or occupant shall allow or permit any junk vehicles, junk, debris, or indiscriminate storage of machinery, equipment parts, lumber, or other material, or any accumulation of garbage, manure, offal, rubbish, stagnant water, or any filthy liquid or substance, or anything that is or may become putrid or offensive to be or remain upon his yard, lot, or premises, or upon any yard, lot or premises controlled by him.

9.08.090 Certain conditions declared nuisances. In addition to other public nuisances declared by other sections of this code, the nonexclusive following are declared to be public nuisances:

A. The sale or offering for sale of unwholesome food or drink; or places where such sales or offerings are made;

[B. The sale, offering for sale, or furnishing of intoxicating liquor in violation of state law or ordinances of the city; or a place where intoxicating liquor is sold, offered for sale, or furnished in violation of state law or ordinances of the city;]

[C.] **B.** The exposure, display, sale, or distribution of obscene pictures, books, pamphlets, magazines, papers, documents, or objects; or a place where such are exposed, displayed, sold, or distributed;

[D. A place where persons gamble, whether by cards, slot machines, punchboards, or otherwise;]

[E. A place where prostitution, illicit sexual intercourse, or other immoral acts are practiced;]

[F. A place where activities in violation of state law or ordinance are carried on;]

[G.] **C.** The public exposure of a person having a contagious disease;

[H.] **D.** [The continued making of loud or unusual noises which annoy persons of ordinary sensibilities; or the keeping of an animal which makes such noises;] **The keeping of an animal that causes a disturbance by noise after being informed that this noise is having that effect and the noise continues.**

[I.] **E.** The operation or use of any electrical apparatus or machine which materially and unduly interferes with radio or television reception by others;

[J.] **F.** Any use of a street or sidewalk or a place adjacent thereto which causes crowds of people to gather so as to obstruct traffic on such street or sidewalk, or which otherwise obstructs traffic thereon, except as may be authorized by law or ordinance;

[K.] **G.** All ditches, drains, wells, pools, cisterns, bodies, or containers of water in which mosquitoes breed or are likely to breed, or which are so constructed, formed, conditioned, or situated as to endanger the public health or safety;

[L.] **H.** Rank weeds or grass; carcasses; accumulations of manure, refuse or other things, which are, or are likely to be, breeding places for flies, mosquitoes, vermin, or disease germs;

[M.] **I.** Any pit, hole, or other thing which is so constructed, formed, conditioned, and/or situated as to endanger the public safety;

[N.] **J.** Any fire or explosion hazard which endangers the public peace, health, safety, or welfare;

[O.] **K.** Any occupation or activity which endangers the public peace, health, safety, morals, or welfare.

[9.08.100 Industrial waste.] [Every person or corporation owning, operating, maintaining, conducting, or managing any cannery, cold storage plant, packing plant, saltery,

smokery, fertilizing plant or any plant where fish or animal products are kept, sold, canned, smoked, salted, pickled, frozen or handled in any manner, shall remove and dispose of all refuse and unused portions of such fish, fish products and animals in such manner that the same shall not be deposited on any of the beaches or shores, or upon any public or private property, or upon any of the tideflat, shorelines, public highways, creeks, or streams within the city or upon any property adjacent thereto, where the same would become a nuisance or a menace to the health of the people of the city; nor deposited within any of the waters adjacent to the city or within the corporate limits or adjacent thereto sufficiently near to become a nuisance or menace to the health or well-being of the people of the city.]

[9.08.110] [9.08.100 Hazardous building or structure--Prohibited. It is unlawful for any person, firm, association, club, or corporation to have, keep or maintain within the city any building or other structure which is or has become a fire or health hazard or public nuisance.]

[9.08.120] [9.08.110 Hazardous building or structure--Condemnation authority. Any building or other structure within the city which is a fire or health hazard or public nuisance shall be subject to condemnation as authorized by AS 29.48.035(15).]

[9.08.130] [9.08.120 Hazardous building or structure--Inspection and report. Whenever the city manager, fire chief, chief of police, building inspector, or health officer of the city, after inspection, deems any building or other structure to be a fire or health hazard or a public nuisance, he shall render to the city council a complete written report concerning the condition of such building or other structure, and a statement of the reasons why such building or other structure should be condemned, including in such report any violations of this chapter or of any other code provision of the city, and any statutes of the state, together with his recommendations as to abating, altering, repairing, removing or demolishing such building or other structure.]

[9.08.140] [9.08.130 Hazardous building or structure--Report to council. Upon receipt of such report, the mayor or other officer or employee of the city designated by the council shall, after personal inspection of such building or other structure, make and deliver to the city council in writing his findings in the matter accepting or modifying such report of the city manager, fire chief, chief of police, building inspector, or health officer, which findings, including other pertinent facts, shall recite the following:

- A. A description of the land, buildings or other structure in questions;
- B. The ownership of the land on which the building or other structure complained of is situated;
- C. The name of the owner of the building or other structure in question, and the names of lessees and/or occupants or persons in possession of such building or other structure, if any;
- D. The purpose or purposes for which such building or other structure is used or intended for use;
- E. In what respect the building or other structure is a fire or health hazard or public nuisance; and
- F. His recommendation on the premises for condemnation, abatement, alteration, repair, removal or demolition of such building or other structure.]

[9.08.150] [9.08.140 Hazardous building or structure--Notice of hearing. If the mayor or such other officer or employee of the city designated by the council recommends condemnation, abatement, alteration, repair, removal, demolition, or any other affirmative action against such building or other structure, he shall, with the prior approval of the council, give notice to the owner of the land on which such building or other structure is situated, or his agent, and to the owner of such building or other structure, or his agent, and to the lessees and persons in

possession or occupation of such building or other structure, specifying a date, which shall be not less than thirty days from the date such notice is given, on which a public hearing will be had before the city council sitting as a board of adjustment, with the mayor as ex officio chairman, on the question of condemning, abating, altering, repairing, removing or demolishing such building or other structure. A copy of the findings specified in Section 9.08.140 shall accompany the notice of hearing.]

~~[9.08.160]~~ **[9.08.150 Hazardous building or structure--Board powers--Hearing.** A. At such hearing the city council, sitting as a board of adjustment, shall have all the powers expressed and implied by AS 29.33.110, and also the following powers:

1. To compel the attendance of witnesses and to swear such witnesses;
2. To hear and decide requests for exceptions to the terms of this chapter;
3. To hear and decide the question of whether such building or other structure is or has become a fire or health hazard or public nuisance;
4. To decide the question of whether such building or other structure should be condemned, abated, altered, repaired, removed or demolished;
5. To make such other order or decision as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the provisions of this chapter shall be observed and substantial justice done;
6. To order that such building or other structure be condemned, abated, altered, repaired, removed or demolished;
7. To hear and decide appeals where it is alleged there is error in the order or findings of the mayor or other officer or employee of the city designated by the council, or in the order or findings of the city manager, fire chief, chief of police, building inspector, or health officer, or in any intermediate order, requirement, decision, or determination made in the premises;
8. To authorize, upon appeal in specific cases, such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement would result in unnecessary hardship, and so that the spirit of this chapter shall be observed and substantial justice done; and
9. To make all proper rules and regulations suitable for carrying out the aforesaid powers, and for effecting the objectives and purposes of this chapter.

B. In exercising its powers, the board, in conformity with the provisions of As 29.33.110 and of this chapter, may reverse or affirm, in whole or in part, or may modify any intermediate 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 officer from whose order or decision an appeal is taken. To reverse any intermediate order, requirement, decision or determination of any intermediate officer, or to decide in favor of the applicant on any matter upon which it is required to pass under this chapter, or to effect any exception to or variation from this chapter, or any rule or regulation made thereunder, the concurring vote of four members of the board shall be required.

C. At such hearing a quorum shall consist of five members of the board, or four members and the mayor as ex officio chairman; and the concurring vote of four members of the board shall be sufficient for making any order or resolution authorized by this chapter. The mayor, as ex officio chairman, shall be entitled to vote in case of a tie vote, but not otherwise.

D. At such hearing a record shall be kept of the proceedings by a competent stenographer, and the owner of such building or other structure shall be furnished a copy without expense.]

taking an appeal would in his opinion cause imminent peril to life, limb or property, then in such case proceedings shall not be stayed.]

[9.08.220] 9.08.210 Appeal following hearing. After hearing on appeal before the board, appeal may be taken to the superior court aforesaid by persons aggrieved, and with the approval of the council, by the mayor, city manager, fire chief, chief of police, or health officer, as provided by AS 29.33.130. The chairman of the board may, after notice of appeal is filed, by certificate filed with the clerk of the superior court, prevent an automatic stay of proceedings as provided by AS 29.33.130.]

[9.08.230] 9.08.[220]100 Remedies not exclusive. Nothing in this chapter shall interfere with remedies provided in other sections of this code for the abatement of nuisances, or with the remedies provided in the building code, or with any other remedy afforded by the laws of the state. The board or mayor of the city may, at their option, choose any method or combination of methods provided for in this chapter, or provided by law, in order to enforce the provisions of this chapter.]


[9.08.240] 9.08.[230]110 Notification of offenders by police chief--Abatement. It shall be the duty of the chief of police upon receiving notice of any violation of the provisions of this chapter immediately to notify the offender to abate and remove the same within such time as he may deem proper, not to exceed twenty-four hours. If the nuisance has not been removed or abated within the time specified in the notice, the chief of police shall cause the same to be removed and the expense thereof shall be paid by the city and recovered from the owner by an action at law.

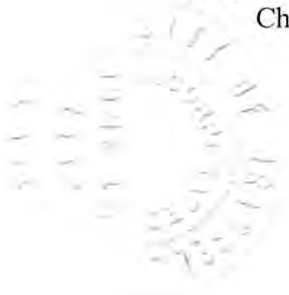
[9.08.250] 9.08.[240]120 Penalty for violation. In addition to the remedies provided by this chapter against any such building or other structure, any person, firm, association or corporation who wilfully violates any provision of this chapter, or who wilfully fails or refuses to comply with final order, determination, decision or judgment of the board of adjustment made in accordance with the provisions of this chapter, or any final intermediate order made in accordance with the provisions of this chapter by the city manager, fire chief, chief of police, building inspector, or health officer, or other authorized officer or employee of the city shall [deemed] guilty of a [misdemeanor] **violation** and, upon conviction, be subject to a fine not exceeding three hundred dollars, [or to imprisonment, not exceeding thirty days, or both such fine and imprisonment.]

PASSED IN FIRST READING April 25, 2000

PASSED IN SECOND READING May 23, 2000


Fern D. Neimeyer, Mayor

ATTEST: 
Christie L. Jamieson, City Clerk



CITY OF WRANGELL, ALASKA

ORDINANCE NO. 682

AN ORDINANCE OF THE COUNCIL OF
THE CITY OF WRANGELL, ALASKA,
AMENDING SECTION 15.12.140 (D)
DISCONTINUANCE OF SERVICE OF
CHAPTER 15.12 ELECTRICITY 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 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 hereby.

SEC. 3. Effective Date. This ordinance shall be published as provided by law and shall be effective July 1, 2000.

SEC. 4. Wrangell Municipal Code, Title 15, Chapter 15.12, is hereby amended as follows:

15.12.140 Discontinuance of service. 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 days from its date, shall be deemed to have a delinquent account. **Interest will be added to the delinquent account at the maximum rate allowable under Alaska State Statutes 45.45.010.** Service to customers with delinquent accounts maybe discontinued in accordance with the procedures in this code. Service may not be reestablished 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

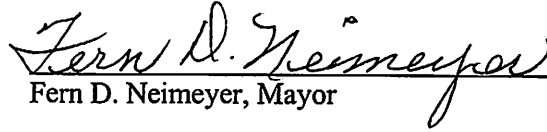
The right is reserved to refuse service to anyone who is indebted to the city for light or power, merchandise or labor and material in connection with electric service.

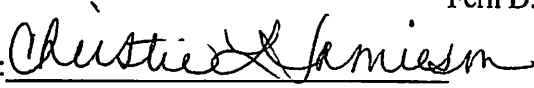
Where scheduling does not permit normal service reconnection on the same day as requested, the customer may elect to pay an after-hours charge equal to the actual cost of

overtime labor to obtain reconnection of service that day; otherwise, service will be reconnected the next business day.

PASSED IN FIRST READING April 25, 2000

PASSED IN SECOND READING May 9, 2000


Fern D. Neimeyer, Mayor

ATTEST: 
Christie L. Jamieson, City Clerk



CITY OF WRANGELL, ALASKA

ORDINANCE NO. 681

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING SECTION 15.08.210 RATES AND CHARGES—ADOPTION—DELINQUENCIES (B)--COLLECTION AND SECTION 15.08.240 SCHEDULE OF RATES AND CHARGES 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 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 hereby.

SEC. 3. Effective Date. This ordinance shall be published as provided by law and shall be effective July 1, 2000.

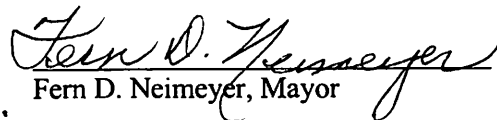
SEC. 4. Wrangell Municipal Code, Title 15, Chapter 15.08, is hereby amended as follows:

15.08.210 Rates and charges—Adoption—Delinquencies—Collection. B. In the event the charges for sewerage service are not paid [within thirty days after rendition of the bill] **by the 20th of the month** for such service, such charges shall be deemed and declared to be delinquent **and shall accrue interest at the maximum rate allowable under Alaska State Statutes 45.45.010.**

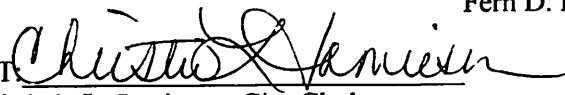
15.08.240 Schedule of rates and charges. **D. Liveboard units shall be charged the same as the Class A Residential Rate.**

PASSED IN FIRST READING April 25, 2000

PASSED IN SECOND READING May 9, 2000


Fern D. Neimeyer, Mayor

ATTEST


Christie L. Jamieson, City Clerk



CITY OF WRANGELL, ALASKA

ORDINANCE NO. 680

AN ORDINANCE OF THE COUNCIL OF
THE CITY OF WRANGELL, ALASKA,
AMENDING SECTION 15.04.380 BILLS—
PAYMENT BY DUE DATE AND SECTION
15.04.640 MONTHLY WATER RATES OF
CHAPTER 15.04 WATER 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 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 hereby.

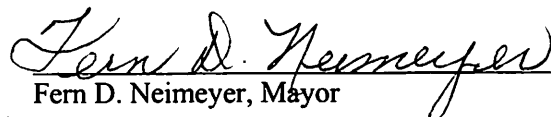
SEC. 3. Effective Date. This ordinance shall be published as provided by law and shall
be effective July 1, 2000.

SEC. 4. Wrangell Municipal Code, Title 15, Chapter 15.04, is hereby amended as
follows:

15.04.380 Bills—Payment by due date. Each bill rendered shall [contain the final date
on which payment is due] **become due on the 20th day of each month.** If the bill is not paid
by that date, the account shall be considered delinquent **and interest will be charged at the
maximum rate allowable under Alaska State Statutes 45.45.010** unless arrangements have
been made with the council, in writing, that specify another due date.

PASSED IN FIRST READING April 25, 2000

PASSED IN SECOND READING May 9, 2000


Fern D. Neimeyer, Mayor

ATTEST 
Christie L. Jamieson, City Clerk



CITY OF WRANGELL, ALASKA

ORDINANCE NO. 679

AN ORDINANCE OF THE COUNCIL OF
THE CITY OF WRANGELL, ALASKA,
AMENDING SECTION 9.04.070
COLLECTION OR DISPOSAL FEES OF
CHAPTER 9.04 GARBAGE, 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 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 hereby.

SEC. 3. Effective Date. This ordinance shall be published as provided by law and shall be effective July 1, 2000.

SEC. 4. Wrangell Municipal Code, Title 9, Chapter 9.04, is hereby amended as follows:

9.04.070 Collection or disposal fees. A. Every owner, occupant, liveaboard, tenant, or lessee within the City's service area shall receive refuse pickup service and shall pay such fees as are set forth in this section unless waiver of service is authorized by the city manager or his authorized agent, after special investigation of conditions upon which the waiver is requested.

B. Residential service shall consist of the removal of refuse substances, as defined in this chapter, in containers approved by the city manager or his authorized agent, weighing with contents when full, not over fifty-five pounds, or the equivalent thereof, once weekly.

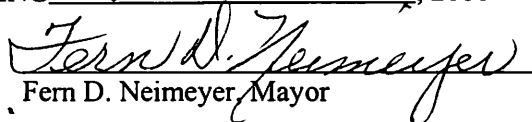
C. The city manager shall have the authority to waive any fees in Schedule A for a period of up to two weeks during community clean-up projects.

D. All customers shall be billed on the basis of the charges as set forth in Schedule A.

E. Interest will be charged to all delinquent accounts in the accordance with the rates set forth in Alaska State Statutes 45.45.010. Delinquency shall occur after the 20th day of the month.

PASSED IN FIRST READING April 25, 2000

PASSED IN SECOND READING May 9, 2000


Fern D. Neimeyer, Mayor

ATTEST:


Christie L. Jamieson, City Clerk

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 678

AN ORDINANCE OF THE COUNCIL OF
THE CITY OF WRANGELL, ALASKA,
AMENDING SECTION 15.12.240 USE OF
POLES OF CHAPTER 15.12 ELECTRICITY
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 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 hereby.

SEC. 3. Effective Date. This ordinance shall be published as provided by law and shall be effective January 1, 2001.

SEC. 4. Wrangell Municipal Code, Title 15, Chapter 15.12, is hereby amended as follows:

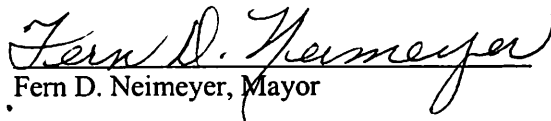
15.12.240 Use of poles. A. This section applies to all utility poles owned by the city which may be used by anyone other than the city.

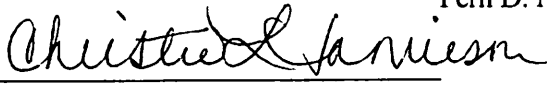
B. The annual rate for each attachment to any pole by any user, the rate to include right-of-way maintenance by the city at the base of the pole only, shall be as follows:

1. [~~Six~~] **Fourteen** dollars per attachment effective January 1, [~~1989~~] **2001**;
2. Eight dollars per attachment effective January 1, 1990;
3. Nine dollars per attachment effective January 1, 1991.]

PASSED IN FIRST READING April 25, 2000

PASSED IN SECOND READING May 9, 2000


Fern D. Neimeyer, Mayor

ATTEST: 
Christie L. Jamieson, City Clerk



CITY OF WRANGELL, ALASKA

ORDINANCE NO. 677

AN ORDINANCE OF THE COUNCIL OF
THE CITY OF WRANGELL, ALASKA,
AMENDING CHAPTER 16.12 DISPOSITION
OF PUBLIC LANDS AND TIDELANDS 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 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 hereby.

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, Title 16, Chapter 16.12, is hereby amended as follows:

Chapter 16.12

DISPOSITION OF PUBLIC LANDS* AND TIDELANDS

Sections:

- | | |
|-----------|---|
| 16.12.010 | Applicability of provisions. |
| 16.12.015 | Disposal of public lands for public use. |
| 16.12.020 | Commencement of proceedings. |
| 16.12.030 | [Value assessment--Notice of terms.] <u>Sale of Tidelands.</u> |
| 16.12.040 | [Resolution required to finalize disposition.] <u>Value assessment – Notice of terms.</u> |
| 16.12.050 | [Effective date of resolution.] <u>Landlocked Tidelands.</u> |
| 16.12.060 | [Ratification by election--Procedure.] <u>Restriction on Sale of Tidelands and Sufficiency of Proof.</u> |
| 16.12.070 | [Over-the-counter sales.] <u>Preference Rights of Upland Owners and Tidelands Leasees.</u> |
| 16.12.075 | [Default provisions.] <u>Additional Requirements.</u> |
| 16.12.080 | [Construction as condition of sale--Generally.] <u>Exchange or Trade of City Real Property or Tidelands</u> |
| 16.12.090 | [Construction as condition of sale--Term during which construction must begin.] <u>Effective date of resolution.</u> |
| 16.12.100 | [Construction as condition of sale—Construction completion terms.] <u>Ratification by election—Procedure.</u> |
| 16.12.105 | [Construction as condition of sale—Construction completion terms for |

- industrial development.] **Over-the-counter sales.**
- 16.12.110 [Construction as condition of sale--Extension of construction period.] **Default provisions.**
- 16.12.120 [Construction as condition of sale—Default provisions.] **Construction as condition of sale—Generally.**
- 16.12.130 [Construction as condition of sale--Inspection and report authority— Appeals.] **Construction as condition of sale—Term during which Construction must begin.**
- ~~16.12.140 Construction as condition of sale—Construction completion terms.~~
- ~~16.12.150 Construction as condition of sale—Construction completion terms for industrial development.~~
- ~~16.12.160 Construction as condition of sale—Extension of construction period.~~
- ~~16.12.170 Construction as condition of sale—Default provisions.~~
- ~~16.12.180 Construction as condition of sale—Inspection and report authority-- Appeals.~~

16.12.010 Applicability of provisions. 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 **or tideland** owned by the city. Nothing herein shall preclude the council from waiving all of the provisions of this chapter, when in the judgment 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, lease, or interest is one million dollars or less (as determined by a qualified appraiser of the city assessor) and is accomplished by resolution after public notice published fourteen days prior to passage of the resolution.

16.12.015 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, or any interest therein, owned by the city, [excluding] **including** tidelands, which interest has a value of one million dollars or less, to the state or U.S. Government for public use, the disposal may be made without sealed bid procedures and at less than fair market value.

B. Prior to disposal under subsection 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 ten 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.

16.12.020 Commencement of proceedings. Proceedings commencing disposition of real property, [excluding] **including** tidelands, to other than the state or U.S. Government as provided in Section 16.12.015, 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.

16.12.030 Sale of Tidelands [Value assessment--Notice -- Terms.] [A. Following approval by the council, 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 one million dollars or less, the city clerk shall thereafter give notice of the sale, lease, or

other disposition by publication of notice in a newspaper of general circulation in the city at least thirty days before the date of the sale, lease, or disposition, and the notice shall be posted within that time in at least three public places in the city.] **A. The policy of outright disposal by sale of tideland submerged lands is not favored; the orderly development of the city with due consideration toward ocean resource harvesting, municipal revenue and public recreation would indicate a strong preference toward tidelands leasing. However, when it is in the public interest, the council may, by resolution, authorize the sale of tracts of tide and submerged lands in the manner provided for the sale of other real property owned by the city. Tidelands, which may be sold pursuant to this section, as that term is used herein, refers only to those tide and submerged lands conveyed by the State of Alaska to the City of Wrangell pursuant to AS 38.05.820. B. All sales of tide and submerged lands shall be public sales and shall be governed by the provisions of this chapter, insofar as applicable.**

[B. The 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 bids shall be opened in public, and that sealed bids may be submitted at any time prior to the opening; that the property may be sold, leased, or disposed to the highest responsible bidder for cash, or terms as provided in Section 16.12.030(C); that the city reserves the right to reject any and all bids.]

[C. Terms. Certified or Cashier's Check or cash equal to twenty-five percent (25%) of the bid MUST accompany the bid. Personal checks will not be accepted. Purchaser may choose to pay balance by cash or execute an installment purchase agreement with the City of Wrangell. Term of an installment purchase agreement shall not exceed four (4) years. Interest on unpaid balance will accrue at 11.5%.]

16.12.040 [Resolution required to finalize disposition.] Value assessment—Notice of terms. [The city clerk shall report the results of the closed bid sale to the council after the public opening whereafter the council shall determine the highest responsible bidder. Immediately thereafter, the council shall adopt a resolution specifying all material terms and conditions of the disposition. A resolution shall be required for all dispositions.] **A. When an application is filed for the sale, lease or other disposition of real property, tidelands or any interest therein, the city clerk shall cause an appraisal of the property to be made by the assessor, who shall submit a report to the council, which will include his estimate of the market value of the property, that is, the price a willing buyer not compelled to purchase the property would pay to a willing seller not compelled to sell the property. The council shall then submit the application and, upon approval of a majority of those voting on the question, the council shall approve the sale on such terms and conditions as provided herein, or set by the council. The costs of appraisal fees, survey fees and fees necessary for the preparation of documents, and all other costs associated with the application shall be borne by the applicant.**

B. Following approval by the council, if the subject property has a value of one million dollars or less, the city clerk shall thereafter give notice of the sale, lease or other disposition by publication of notice in a newspaper of general circulation in the city at least thirty days before the date of the sale, lease, or other disposition, and the notice shall be posted within that time in at least three public places in the city.

C. The 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 bids shall be

opened in public, and that sealed bids may be submitted at any time prior to the opening; that the property may be sold, leased, or disposed to the highest responsible bidder for cash, or terms as provided in section 16.12.015; that the city reserves the right to reject any and all bids.

D. Terms. Certified or Cashiers check or cash equal to twenty-five percent (25%) of the bid MUST accompany the bid. Personal checks will not be accepted. Purchasers may choose to pay balance by cash or execute an installment purchase agreement with the City of Wrangell. Term of installment purchase agreement shall not exceed four (4) years. Interest on unpaid balance will accrue at 11.5% per annum.

16.12.050 Landlocked Tidelands. Those portions of city owned tidelands which have been filled and are now landlocked with NO access to navigable waters shall be treated as all other uplands owned by the city and disposed of in the manner provided in Chapter 16.12 for city owned real property.

16.12.060 Restriction on Sale of Tidelands and Sufficiency of Proof. No sale of tidelands shall occur except upon public hearing, thirty days' notice of which shall be given by three successive weekly publications in the local newspaper, the cost of which shall be borne by the applicant. At the hearing, the applicant must clearly demonstrate the benefits of sale of the subject tidelands tract that could not be realized by the city through leasing; a determination by the council adverse to the applicant may not be appealed unless clearly erroneous. An applicant for purchase of tidelands must conclusively demonstrate the outright sale of the nominated tidelands tract, as contrasted with leased of such tract, is in the city's best interest. The city reserves the right to refuse sale of any tidelands tracts, regardless of sufficiency of proof.

16.12.070 Preference Rights of Upland Owners and Tidelands Leasees. A. Uplands owners abutting tide and submerged lands for which a sale application is submitted, whether submitted by the uplands owner or a third party, shall be entitled to a preference right in the form of the right to meet or exceed the highest bid or offer tendered by another person for the purchase of abutting tide or submerged lands. No additional notice other than that already required by this title shall be required of the applicant. Furthermore, failure to exercise this preference right at or before the time of sale shall result in the forfeiter of said preference right.

B. The lessee's of an existing and current tidelands lease shall be entitled to a preference right in the form of the right to meet or exceed the highest bid or offer tendered by another person for the purchase of the tidelands leased by said lessee. The tidelands lessee's preference shall be superior to that preference granted to upland's owners herein above in section A. No additional notice, other than that already required by this title, shall be required of the applicant. Furthermore, failure to exercise this preference at or before the time of sale shall result in the forfeiter of said preference right.

16.12.075 Additional Requirements. The city council may provide such additional and necessary requirements as they find necessary to carry out the specific and unique terms of each such sale and as may from time to time be necessary and not inconsistent with this chapter.

16.12.080. Exchange or Trade of City Real Property or Tidelands. Notwithstanding any other requirement of this chapter, except the requirements provided for public notice in section 16.12.015, exchanges or trades of city owned real property or tidelands or interests therein shall be governed solely by this subsection and in compliance with the city charter.

The city council may, by resolution and without public bidding, exchange any city owned real property or tidelands or interest therein, for other real property, tidelands or interest therein, provided that: A. The value of the city owned real property, or interest therein, and the value of the real property, or tidelands, or interest therein, to be exchanged have been determined by either an appraisal prepared by a qualified appraiser obtained by the city within the preceding twelve months, or by review of the then current property assessment records of the city. B. The value of the city owned real property, or tidelands interest therein, is equal to the value of the real property, tidelands or interest therein, to be exchanged; or, if the value of the city owned real property, tidelands or interest therein, is different from the value of the real property, or tidelands or interest therein, to be exchanged, the difference is made up in money. C. The city council determines by resolution that the city owned property or tidelands or interest therein is no longer needed for municipal purposes and that the exchange of properties or tidelands or interests therein is in the public interest.

[16.12.050] **16.12.090 Effective date of resolution.** A resolution providing for the disposition of property shall become effective upon adoption by the council. The City Attorney shall prepare a deed or other appropriate instrument of conveyance to be executed by the Mayor and Clerk, and exchange same with the successful purchaser when purchase price, plus any interest due, is paid in full.

[16.12.060] **16.12.100 Ratification by election--Procedure.** Real property which has a value of more than one million dollars or more shall be disposed of by a noncode 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.

[16.12.070] **16.12.105 Over-the-counter sales.** A. Lots or parcels of land offered for sale pursuant to Section 16.12.030 for which no responsive bids are received may, upon resolution of the council, be offered for public sale over the counter upon such terms and conditions as provided in Section 16.12.030(C).

B. The resolution shall specify the date and hour on which over-the-counter sales shall commence and an expiration date.

C. Such lots shall be offered by the city clerk over the counter at City hall on a first-come first-Served basis and be sold for the minimum bid value (appraised valuation).

D. The purchases shall be ratified by a resolution authorizing the mayor and clerk to subsequently issue an appropriate form of deed, upon payment in full.

[16.12.075] **16.12.110 Default provisions.** The purchaser may choose to make installments which shall not exceed four years. Should any installment be more than three (3) months delinquent, the City will declare the purchaser in default and begin immediate proceedings. The purchaser may bring the installment current by paying delinquent principal and interest, plus a penalty of 8% prior to the City obtaining judgement. If the City obtains judgement, the purchaser's interest in the property is relinquished.

The City may sell any or all repossessed property. If the property is resold for more than the initial sale price, the initial buyer shall receive 100% of the principal paid. If the resale is for less than the initial sale price, the initial buyer shall receive 100% of the principal less the difference between the initial sales price and resale price.

[16.12.080] **16.12.120 Construction as condition of sale--Generally.** The council or its agents may required the construction of certain improvements within a specified period of time as

a condition to the conveyance of any city-owned real property by sale or other disposition. Whenever the contract of sale, and/or instrument of conveyance recites "construction" or "construction conditions" or similar language, or if the notice of sale pertaining or relating to the subject property recites the aforementioned terminology or similar language pertaining to construction requirements, all of the provisions of this section and Sections 16.12.090 through 16.12.130 shall be applicable thereto and become incorporated by reference in the transaction as if fully set forth.

~~[16.12.090] 16.12.130 Construction as condition of sale--Term during which construction must begin.~~ Real property sold or otherwise disposed of by the city with the stipulation that construction shall be undertaken or otherwise subject to construction requirements or construction as a condition subsequent to vesting shall mean that construction shall occur within two years from the date of sale. The date of sale for the purposes of this section shall mean the effective date of the resolution authorizing the conveyance of the subject property, lease agreement, or other agreement evidencing the conveyance.

~~[16.12.100] 16.12.140 Construction as condition of sale--Construction completion terms.~~ A. "Construction," within the meaning of Sections 16.12.080 through 16.12.130, shall require eighty percent completion of a residential or commercial structure. "Eight-percent completed" is intended to imply greater progress than mere substantial completion.

B. Standards for minimum acceptable completion shall include the following in compliance with title 18 of this code.

1. Earthwork site preparation;
2. Foundation completion;
3. Structural completion of the building, including all exterior walls and the completed roof;
4. Installation and connection of electrical, water and sewer utilities;
5. Installation of all plumbing, including internal fixtures;
6. Installation of all electrical wiring completed through the point of installing boxes and connections thereto from the primary power source; and
7. Installation of all insulation materials.

C. Completion shall not require installation of the following:

1. Finished flooring;
2. Dry wall, sheet rock, or other interior wallboard or ceiling material;
3. Installation of internal lighting fixtures, switches, outlets and box covers;
4. interior walls or partitions not containing plumbing or electrical wiring;
5. Paint;
6. Drain gutters; or
7. finished landscaping.

~~[16.12.105] 16.12.150 Construction as condition of sale--Construction completion terms for industrial development.~~ A. "Construction," within the meaning of Sections 16.12.080 through 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 sixty 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 thirty 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 thirty 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 titles 15 and 18 of this code.

[16.12.110] 16.12.160 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 thirty days before the construction completion date. The council shall prepare a written decision within thirty 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.

[16.12.120] 16.12.170 Construction as condition of sale--Default provision. 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:

A. In the event there has been no foundation or site of preparation work, the contract shall terminate and the real property or interest therein shall revert to the city. The city may require that the defaulting party or parties execute a quitclaim deed to the city conveying all of their interest in the subject property to the city. The city shall refund to the defaulting party or parties the amounts paid toward the purchase of the subject property except the greater of twenty-five percent of the total purchase price of five hundred dollars, whichever is greater, which shall be retained by the city as liquidated damages. In the event of a lease, the city shall retain all sums paid to the date of default as liquidated damages.

B. In the event of default after completion of substantial earthwork and site preparation but before installation of a foundation, the contract shall terminate and the real property shall revert to the city. The city may require the defaulting party or parties to execute a quitclaim deed conveying all of their interest in the subject property to the city. The city shall refund twenty-five percent of the total purchase price to the defaulting party or parties and retain all other amounts paid to that date as liquidated damages. In the event of default under a lease, the city shall retain all rental amounts theretofore paid the city as liquidated damages.

C. In the event of default after the foundation is substantially complete, whether the foundation is of piling, poured concrete or other recognized and acceptable foundation material, the defaulting party shall have the option of removing the foundation and restoring the lot to its original condition within thirty days and relinquishing all of his right, title, and interest therein by quitclaim conveyance to the city and be refunded fifty percent of the total purchase price, or to retain the real property and pay the city liquidated damages for breach of conditions in the amount of the original lot purchase price within thirty days after default; and, in the event of failure to timely make such remittance, the real property and all improvements thereon shall revert to the city which shall also retain all amounts theretofore paid for the purchase of said property as liquidated damages. A lessee in default shall have the option of terminating the lease

and relinquishing the real property and all improvements thereon to the city and forfeiting all rental payments theretofore paid as liquidated damages, or may retain the property and continue the lease and pay the city the amount of two thousand dollars in liquidated damages within thirty days after the default.

[16.12.130] 16.12.180 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 thirty days of written request by purchaser.

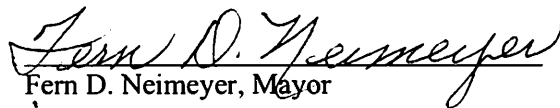
B. The purpose of the inspection is to determine whether or not there has been compliance with the construction requirements according to the standards contained in this chapter.


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 ten 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 April 25, 2000

PASSED IN SECOND READING May 9, 2000


Fern D. Neimeyer, Mayor

ATTEST: 
Christie L. Jamieson, City Clerk



CITY OF WRANGELL, ALASKA

ORDINANCE NO. 676

AN ORDINANCE OF THE COUNCIL OF THE
CITY OF WRANGELL, ALASKA, PROVIDING
FOR A SPECIAL ELECTION REGARDING THE
CONSTRUCTION OF A NEW MUSEUM/CIVIC
CENTER

WHEREAS, on January 28, 1997, the City of Wrangell ("City") approved the appropriation of \$2,000,000 for a Museum/Civic Center Project, contingent upon the Museum staff finding additional funding within twenty-four months, and upon City Council approval of the size, location, and type of facility, and

WHEREAS, on January 28, 1997, the City of Wrangell authorized the City administration to issue a Request for Proposals for a Museum/Civic Center Feasibility Study, and

WHEREAS, on May 13, 1997, the City of Wrangell awarded a contract for a Museum/Civic Center comprehensive needs, assessment and economic analysis to MRV for an amount not to exceed \$48,600.00, and

WHEREAS, on July 17, 1997, the Port Commission recommended that the City Council consider the Port Fill Area near the City Dock ("City Dock Site") as the future site location of the new Museum/Civic Center, and

WHEREAS, on August 12, 1997, the City of Wrangell approved the City Dock site as the site location for the Museum/Civic Center as recommended by the Museum Committee, and

WHEREAS, on March 10, 1998, the City of Wrangell authorized the City administration to enter into a contract for conceptual design services for the new Museum/Civic Center building with Professional Practice Environments, Inc/Salmon Bay Design Group, for \$19,800.00, and

WHEREAS, on June 23, 1998, the City of Wrangell approved dedication of the Waterfront Fill Site behind Benjamin's Store, for the new location of the Museum/Civic Center building, and

WHEREAS, on January 13, 1999, Mayor William Privett signed an agreement with Edward B. Rasmuson, from the James Nolan Trust, accepting a proposal for \$6,000,000 in funding for the Museum/Civic Center Project in exchange for the City's commitment of \$2,500,000 towards the Museum/Civic Center Project, and

WHEREAS, on January 26, 1999, the City of Wrangell accepted the proposal of the James Nolan Trust, appropriated an additional \$500,000 as part of the City of Wrangell's share of project costs, and requested that the city attorney review it and prepare a ballot proposition for a special election regarding construction of such project, and

WHEREAS, on February 3, 1999, the City of Wrangell rescinded the motion made and approved on January 26, 1999, accepting the proposal of the James Nolan Trust appropriating an additional \$500,000 as part of the City of Wrangell's share, and requesting the city attorney to review and prepare a ballot proposition for a special election, and

WHEREAS, on February 3, 1999, the City of Wrangell, at the same special meeting, then accepted and approved the proposal of the James Nolan Trust and the appropriation of an additional \$500,000 as part of the City of Wrangell's share and determined to move forward with the construction of the Wrangell Museum/Civic Center, and

WHEREAS, on March 23, 1999, the City of Wrangell authorized the City administration to enter into a contract with PPE/SBDG for architectural services for the Museum/Civic Center Project (re-named the James and Elsie Nolan Center Project), at a cost of not to exceed \$584,000, and

WHEREAS, on July 27, 1999, the City of Wrangell authorized advertisement for bids for the construction of the foundation for the James and Elsie Nolan Center, to be opened September 7, 1999, and

WHEREAS, on September 14, 1999, the City of Wrangell accepted the bid of Ty-Matt, Inc., in the amount of \$335,000, for the foundation and storm sewer relocation of the James and Elsie Nolan Museum/Civic Center, and

WHEREAS, on March 8, 2000, at the regular City Council meeting, the citizens of Wrangell strongly expressed their concern that their opportunity to vote on a Museum/Civic Center, was taken away at the February 3, 1999 Special Council Meeting, and

WHEREAS, on March 8, 2000, there was filed with the City Clerk a petition, designated as an "Initiative Petition," requesting that an election be held with respect to the Museum/Civic Center, and

WHEREAS, on March 14, 2000, the City Council authorized the City Clerk to prepare a form of ballot permitting voter choice on the issues of whether or not to proceed with the construction of the Museum/Civic Center Project, and

WHEREAS, the City of Wrangell has spent \$654,056.94 to date and obligated an additional \$377,147.50, an additional, for the Museum/Civic Center Project, totaling to the amount of \$1,031,204.44, as of March 30, 2000.

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

SEC. 1. Classification. This ordinance is a special ordinance which is to be omitted from 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 its application to other persons or circumstances shall not be affected thereby.

SEC. 3. Special Election. A special election is hereby called to place the question of whether or not to construct a new Museum/Civic Center, before the voters of the City of Wrangell at a special municipal election to be held June 28, 2000.

SEC. 4. Ballot Proposition. The City Clerk is hereby ordered to take all necessary steps to place the following proposition on the special election ballot to be submitted to the qualified voters in the City of Wrangell on June 28, 2000.

PROPOSITION NO. 1

Shall the City of Wrangell proceed to construct and equip a new Museum/Civic Center funded by a grant of \$6,000,000 from the James Nolan Trust (of which \$3,000,000 is to fund construction and \$3,000,000 to fund maintenance and operation) and \$2,500,000 of City funds?

Yes /_/
No /_/

SEC. 5. Election Precinct. For the purpose of the special election on the foregoing proposition, the City shall have one election precinct.

SEC. 6. Polling Hours. 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 special election.

SEC. 7. Qualification of Voters. The qualifications of voters on the aforementioned proposition shall be the same as for voters at municipal elections generally.

SEC. 8. Notice. Notice, publication and posting shall be given by the City Clerk in accordance with the provisions of the Wrangell Municipal Code, the City Charter, and state law.

SEC. 9. Effective Date. This ordinance shall become effective 30 days after final passage.

PASSED IN FIRST READING _____ March 28 _____, 2000

PASSED IN SECOND READING _____ April 11 _____, 2000

Fern D. Neimeyer
Fern D. Neimeyer, Mayor

ATTEST: Christie L. Jamieson
Christie L. Jamieson, City Clerk



CITY OF WRANGELL, ALASKA

ORDINANCE NO. 675

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, ADDING A NEW SECTION 10.44, POSSESSION, CONTROL OR CONSUMPTION OF ALCOHOLIC BEVERAGES BY PERSONS UNDER 21 YEARS OF AGE AND SECTION 10.48 POSSESSION OF TOBACCO BY A MINOR, TO TITLE 10 PUBLIC PEACE, MORALS AND WELFARE 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 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. Public Hearing. There shall be public hearing prior to the approval of the second final reading.

SEC. 5. Wrangell Municipal Code, Title 10, Sections 10.44 and 10.48, are hereby added as follows:

Title 10

PUBLIC PEACE, MORALS, AND WELFARE

Chapters:

- 10.04 False Fire Alarms
- 10.08 Interference With Officers
- 10.12 Escape
- 10.16 Trespass on Public Floats
- 10.20 Assault and Battery
- 10.24 Disorderly Conduct
- 10.28 Curfew for Minors
- 10.32 Carrying Weapons
- 10.36 Discharge of Firearms and Other Weapons
- 10.40 Abandoned Personal Property
- 10.44 Possession, Control, or Consumption of Alcoholic Beverages
- 10.48 Possession of Tobacco by a Minor

Sections:

10.44.010 Possession, control or consumption of alcoholic beverages by persons under 21 years of age. A. It shall be unlawful for any person under the age of 21 to possess, consume or be in control of any alcoholic beverages within the City of Wrangell, except those furnished to persons under Alaska Statute 04.16.051 (b). B. A person convicted under this is guilty of a Violation. Upon conviction, the Court shall impose a fine of not less than \$100 nor more than \$300 for each offense.

10.48.010 Possession of tobacco by a minor. A. It shall be unlawful for any person under 19 years of age to purchase, possess or use any cigarette, pipe, cigar or other tobacco product on public property or in any public place within the corporate limits of the City. B. Possession of tobacco by a minor is a Violation of this Ordinance and upon conviction is punishable by a fine up to \$300.00 for each offense.

PASSED IN FIRST READING February 15, 2000

PASSED IN SECOND READING March 14, 2000


Fern D. Neimeyer, Mayor

ATTEST: 
Christie L. Jamieson, City Clerk



CITY OF WRANGELL, ALASKA

ORDINANCE NO. 674

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, AMENDING CHAPTER 3.44, PLANNING AND ZONING COMMISSION, SPECIFICALLY SECTIONS 3.44.030 TERMS OF MEMBERSHIP, 3.44.040 ELECTION OF PRESIDENT AND VICE PRESIDENT, 3.44.090 MEETINGS-RULES AND REGULATIONS, 3.44.100 ABSENCE FROM MEETINGS, 3.44.120 POWERS AND DUTIES GENERALLY, 3.44.130 SUBMISSION OF MAPS, PLATS, AND PLANS TO COMMISSION, AND 3.44.140 COUNCIL-COMMISSION ACTION ON ORDINANCES

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 30 days after final passage.

SEC. 4. Wrangell Municipal Code, Title 3, Chapter 3.44, is hereby amended as follows:

Chapter 3.44

PLANNING AND ZONING COMMISSION

Sections:

- 3.44.030 Terms of membership
- 3.44.040 Election of [president and vice president] **chair and vice chair**
- 3.44.090 Meetings—Rules and regulations
- 3.44.100 Absence from meetings
- 3.44.120 Powers and duties generally
- 3.44.130 Submission of maps, plats, and plans to commission
- 3.44.140 Council-commission action on ordinances

3.44.030 Terms of membership. The term of membership shall be three years. Any vacancy shall be filled by nomination of the mayor and confirmed by the council for the unexpired portion of the term. Members appointed to the commission shall serve respective terms expiring ten days after the general municipal election, and new appointments to the commission shall be made within ten days after the election.

3.44.040 Election of [president and vice president] chair and vice chair. The commission, at its first meeting, shall annually elect a **chair and vice chair** [president and vice president, who shall be members appointed by the mayor and] who shall hold office during the pleasure of the commission.

3.44.090 Meetings--Rules and regulations. A. The commission may make and alter rules and regulations for its government and procedure consistent with the laws of the state and with the City Charter and ordinances. **[It shall meet at least once a month.]** A true and correct copy of the rules and regulations and as from time to time supplemented or amended shall be filed with the city clerk who shall publicly retain the same and furnish copies thereof to the public upon request.

B. The commission shall meet at least once per month; **[reasonable public notice shall be given.]** Special meetings may be convened at any time; **reasonable public notice of at least 48 hours shall be given for all meetings [but shall require advance notice]** by public posting of notice **[thereof]** in at least three public places and appearance on the local television or mini-scanner, **and public radio. [preceding the meeting by at least forty-eight hours.]** Notice of special meetings shall recite the subject matters to be considered **[thereat,]** and the commission shall take no official action with respect to matters not so noticed.

3.44.100 Absence from meetings. If an appointed member is absent from more than one-half of all the meetings of the commission, regular and special, held within any period of four consecutive calendar months, **the member [he]** shall thereupon cease to hold office.

3.44.120 Powers and duties generally. It shall be the duty of the commission, and it shall have the power, except as otherwise provided by law, to recommend and make suggestions to the city council and to all other public authorities concerning **planning, [laying out,]** widening, extending, parking and locating of streets, sidewalks and boulevards; relief of traffic congestion; betterment of housing and sanitation conditions; and establishment of zones or districts limiting the use, height, **and** area **[and bulk]** of buildings and structures in conformance with titles 19 and 20 of this code concerning zoning and planning; to recommend to the city council and all other public authorities plans for the regulation of future growth, development and beautification of the city in order to secure to the city and its inhabitants, sanitation, proper service of all public utilities, harbors, shipping and transportation facilities; to do and perform any and all other acts and things necessary or proper to carry out the provisions of this chapter; and in general to study and to propose such measures as may be advisable for the promotion of the public interest, health, **[morals,]** safety, comfort, convenience and welfare of the city. **[, and of the area for six miles adjacent thereto. Proposals and recommendations to the city council required under this section shall be submitted in the form of planning and zoning commission resolutions.]**

3.44.130 Submission of maps, plats, and plans to commission. All maps, **plans,** plats and replats of lands **laying [laid]** out **[in]** building lots and the streets, alleys, **easements,** or other portions of the **lot [same]** intended to be dedicated to public use or for the use of purchasers or owners of lots fronting **[thereon]** or adjacent **[thereto]** **to the land** and located within the city limits; and all plans or plats for vacating or laying out, widening, extending, parking and locating streets; **[or]** **and** plans for public buildings shall first be submitted to the commission by the city engineer or other proper municipal officer, and a report thereon secured from the commission in writing before approval shall be given by the proper municipal official.

3.44.140 Council-commission action on ordinances. A. Copies of all ordinances for the establishment of the boundaries of any zone or district provided for by Section 3.44.~~100~~ **120,** and all ordinances regulating or limiting the use, height, area, **[bulk]** or construction of buildings to be submitted to the council shall, before the same are presented to the council, be first submitted **[by the recorder]** to the commission for recommendation, **[and the recorder shall immediately so notify the council,]** and the commission shall make its recommendation thereon in writing to the council.

B. The commission shall first hold a public hearing at such time and place as may be directed by the council, and make a careful and appropriate investigation thereon.


C. Before final action shall be taken by the city council or any department of a city government on the location or design of any public building, bridge, statue, park, parkway, boulevard, playground or public grounds, the same shall be submitted to the commission for consideration and report.

D. Unless the city council definitely names a longer period for the return of a report specified in this section, the approval by the commission of any matter so referred to it in accordance with the provisions of this chapter shall be deemed to have been given at the end of thirty days **[after the receipt of the same in writing by its secretary]** unless the commission submits a report thereon prior to that time.

PASSED IN FIRST READING February 22, 2000

PASSED IN SECOND READING March 14, 2000


Fern D. Neimeyer, Mayor

ATTEST: 
Christie L. Jamieson, City Clerk



CITY OF WRANGELL, ALASKA

ORDINANCE NO. 673

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WRANGELL, ALASKA, DELETING CHAPTERS 11.04 GENERAL PROVISIONS, 11.08 DEFINITIONS, 11.12 ADMINISTRATION, 11.16 ENFORCEMENT, 11.20 TRAFFIC-CONTROL DEVICES, 11.24 RULES OF THE ROAD, 11.40 SIZE AND WEIGHT LIMITS, 11.44 EQUIPMENT, 11.48 VEHICLE INSPECTION, 11.52 PERMITS AND LICENSES, AND 11.60 COMMON CARRIER OF TITLE 11 VEHICLES AND TRAFFIC OF THE WRANGELL MUNICIPAL CODE IN THEIR ENTIRETY AND ADOPTING NEW SECTIONS 11.04.010 ADOPTION OF STATE UNIFORM TRAFFIC LAWS, 11.04.020 STATE SURCHARGES, 11.04.030 VIOLATION-PENALTY, 11.08.010 CHIEF OF POLICE REGULATION AUTHORITY, 11.12.010 ADOPTION OF UNIFORM TRAFFIC BAIL SCHEDULE OF TITLE 11 VEHICLES AND TRAFFIC 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 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. Public Hearing. There shall be a public hearing prior to the approval of the second final reading.

SEC. 5. Wrangell Municipal Code, Title 11, Chapters 11.04, 11.08, 11.12, 11.16, 11.20, 11.24, 11.40, 11.44, 11.48, 11.52, and 11.60 are hereby deleted in their entirety and adding new sections 11.04.010, 11.04.020, 11.04.030, 11.08.010, and 11.12.010 as follows:

Title 11

VEHICLES AND TRAFFIC

Chapters:

11.04 General Provisions
11.08 Definitions
11.12 Administration
11.16 Enforcement

- 11.20 Traffic-Control Devices
- 11.24 Rules of the Road
- 11.40 Size and Weight Limits
- 11.44 Equipment
- 11.48 Vehicle Inspection
- 11.52 Permits and Licenses
- 11.60 Common Carriers

Chapter 11.04

GENERAL PROVISIONS

Sections:

11.04.010 [Adoption of state laws by reference—Interpretation] **Adoption of State Uniform Traffic Laws**

11.04.020 State surcharges.

11.04.010 [Adoption of state laws by reference--Interpretation.] **Adoption of State Uniform Traffic Laws.** [A. Adopted by reference as a part of this title and traffic code as if fully set forth are various provisions of the Alaska Statutes and Alaska Administrative Code comprising the Motor Vehicle Laws of the State of Alaska, which adoption is indicated in this code by the prefatory notation: "AK." A citation to such a provision which is incorporated by reference will subsequently designate a section of the codified Alaska Statutes by "AS" or designate a provision of the Alaska Administrative Code by "AAC." The statutory authority for adoption of the respective Alaska Administrative Code provisions is recited at the end of each Alaska Administrative Code provision which is incorporated in this title by reference.]

[B. The term "Alaska State Trooper or peace officer" as incorporated by reference shall be deemed to mean and construed as identical with chief of police, police officer, marshal, deputy marshal, or such other local police officer sworn to undertake the duties prescribed in Section 11.12.010. The term "department" appearing in the Alaska Statutes and Administrative Code provisions adopted by reference shall be construed to mean the local police department or marshal's office, whichever is applicable.] **There is hereby incorporated by reference into this code, except as otherwise provided by the Chapter Title 13 of the Administrative Code, and all non-criminal Title 28 Traffic Statutes, to the extent that such provisions are in effect on or following the date of this ordinance.**

11.04.020 State surcharges. The city police may notify persons charged with motor vehicle violations that the state has imposed surcharges on traffic fines as stated in AS 12.55.039 and AS 28.05.151 (c).

11.04.030 Violation—Penalty. Penalties for violation of any provision of this chapter shall be by a fine of not more than three hundred dollars. The imposition of demerit points, revocation or suspension of licenses or restrictions thereof as may be imposed by the state pursuant to its rules, regulations and statutes, are independent of any penalty under this chapter.

Chapter 11.08

DEFINITIONS

Sections:

- 11.08.010 [Generally.] **Chief of police regulation authority.**
- [11.08.020 Abandoned vehicle.]
- [11.08.030 Alley.]
- [11.08.040 Arterial highway.]
- [11.08.050 Authorized emergency vehicle.]

[11.08.060 Authorized flagman.]
[11.08.070 Bicycle.]
[11.08.080 Bus.]
[11.08.090 Business district.]
[11.08.100 Cancel.]
[11.08.110 Centerline.]
[11.08.120 City street.]
[11.08.130 Combination of vehicles.]
[11.08.140 Commissioner.]
[11.08.150 Controlled-access highway or freeway.]
[11.08.160 Crosswalk.]
[11.08.170 Department.]
[11.08.180 Driveway-towaway operation.]
[11.08.190 Driver.]
[11.08.200 Explosives.]
[11.08.210 Farm tractor.]
[11.08.220 Flammable liquid.]
[11.08.230 Gross weight.]
[11.08.240 Highway.]
[11.08.250 Hours of darkness.]
[11.08.260 House trailer.]
[11.08.270 Implement of husbandry.]
[11.08.280 Intersection.]
[11.08.290 Laned roadway.]
[11.08.300 License to operate a motor vehicle.]
[11.08.310 Lienholder.]
[11.08.320 Limited-access highway.]
[11.08.330 Legal owner.]
[11.08.340 Local authority.]
[11.08.350 Metal tire.]
[11.08.360 Motorcycle.]
[11.08.370 Motor scooter.]
[11.08.380 Motor vehicle.]
[11.08.390 Nonresident operating privilege.]
[11.08.400 Official traffic-control device.]
[11.08.410 Official traffic signs.]
[11.08.420 Operator and driver.]
[11.08.430 Owner.]
[11.08.440 Parking.]
[11.08.450 Parking meter area.]
[11.08.460 Passenger car.]
[11.08.470 Pedestrian.]
[11.08.480 Person.]
[11.08.490 Pneumatic tire.]
[11.08.500 Pole trailer.]
[11.08.510 Police officer.]
[11.08.520 Private road or driveway.]
[11.08.530 Public sale.]
[11.08.540 Railroad sign or signal.]
[11.08.550 Residence district.]
[11.08.560 Revocation of operator's license.]
[11.08.570 Right-of-way.]
[11.08.580 Road tractor.]
[11.08.590 Roadway.]
[11.08.600 Rotary traffic island.]
[11.08.610 Safety zones.]

[11.08.620 School bus.]
[11.08.630 School zone.]
[11.08.640 Semitrailer.]
[11.08.650 Sidewalk.]
[11.08.660 Snow vehicle.]
[11.08.670 Solid tire.]
[11.08.680 Stand or standing.]
[11.08.690 Stop.]
[11.08.700 Stop or stopping.]
[11.08.710 Suburban district.]
[11.08.720 Suspension of operator's license.]
[11.08.730 Taxicab.]
[11.08.740 Through highway.]
[11.08.750 Tow car.]
[11.08.760 Traffic.]
[11.08.770 Traffic-control signals.]
[11.08.780 Traffic regulations.]
[11.08.790 Trailer.]
[11.08.800 Truck.]
[11.08.810 Truck tractor.]
[11.08.820 Vehicle.]
[11.08.830 Work site.]

11.08.010 [Generally.] **Chief of police regulation authority.** [Whenever in this title the terms set forth in this chapter are used, they will have the meanings respectively assigned to them in this chapter.] **The chief of police is empowered to make regulations necessary to make effective the provisions of the traffic ordinances of the city and to make and enforce temporary or experimental regulations to cover parking control or emergencies or special conditions. Except for parking regulations, no such temporary or experimental regulations shall remain in effect for more than ninety days. Every such temporary or experimental regulation shall be submitted to the city council at the council's regular meeting prior to the enforcement of such regulation, and, in the event the council disapproves its enforcement, the police department shall not thereafter enforce such regulation.**

[11.08.020 Abandoned vehicle. AK:13 AAC 10.005.]

[11.08.030 Alley. AK:13 AAC 10.010.]

[11.08.040 Arterial highway. AK:13 AAC 10.015.]

[11.08.050 Authorized emergency vehicle. "Authorized emergency vehicle" means vehicles of the Wrangell fire department, Wrangell police department, State Highway Patrol, ambulance service vehicles public or private, and other similarly used vehicles authorized by the city council and equipped with a bell, siren, or exhaust whistle of a type approved by the city council. See also AK:13 AAC 10.020.]

[11.08.020 Authorized flagman. AK:13 AAC 10.025.]

[11.08.070 Bicycle. AK:13 AAC 10.030.]

[11.08.080 Bus. AK:13 AAC 10.035.]

[11.08.090 Business district. "Business district" means the territory within the city included in the following named streets and the streets included within the district bounded as follows: The territory between the Front Street intersection at Federal Way to the Front Street intersection at Case Street. See also AK:13 AAC 10.040.]

[11.08.100 Cancel. AK:13 AAC 10.145.]

[11.08.110 Centerline. AK:13 AAC 10.050.]

[11.08.110 City street. AK:13 AAC 10.055.]

[11.08.130 Combination of vehicles. AK:13 AAC 10.060.]

[11.08.140 Commissioner. "Commissioner" means, and shall be construed identically with, the chief of police.]

[11.08.150 Controlled-access highway or freeway. AK:13 AAC 10.070.]

[11.08.160 Crosswalk. "Crosswalk" means that portion of a roadway ordinarily included within the prolongation of curb and property lines at intersections, or any other portion of a roadway clearly indicated for pedestrian crossing by lines or other markings on the surface. See also AK:13 ACC 10.075.]

[11.08.170 Department. "Department" means the local police department.]

[11.08.180 Driveaway-towaway operation. AK:13 AAC 10.085.]

[11.08.190 Driver. AK:13 AAC 10.090.]

[11.08.200 Explosives. AK:13 AAC 10.095.]

[11.08.210 Farm tractor. AK:13 AAC 10.100.]

[11.08.220 Flammable liquid. AK:13 AAC 10.105.]

[11.08.230 Gross weight. "Gross weight" means the combined weight of vehicles and load. See also AK:13 AAC 10.110.]

[11.08.240 Highway. AK:13 AAC 10.115.]

[11.08.250 Hours of darkness. AK:13 AAC 10.120]

[11.08.260 House trailer. AK:13 AAC 10.125]

[11.08.270 Implement of husbandry. AK:13 AAC 10.130.]

[11.08.280 Intersection. "Intersection" means the area embraced within the prolongation of the lateral curblines or, if none, then the lateral boundary lines of two or more streets or highways which join one another at an angle whether or not one such street or highway crosses the other. See also AK:13 AAC 10.135.]

[11.08.290 Laned roadway. AK:13 AAC 10.140]

[11.08.300 License to operate a motor vehicle. AK:13 AAC 10.145.]

[11.08.310 Lienholder. AK:13 AAC 10.150.]

[11.08.320 Limited-access highway. AK:13 AAC 10.155.]

[11.08.330 Legal owner. AK:13 AAC 10.160.]

[11.08.340 Local authority. AK:13 AAC 10.165.]

[11.08.350 Metal tire. AK 13 AAC 10.170.]

[11.08.360 Motorcycle. AK:13 AAC 10.175.]

[11.08.370 Motor scooter. AK:13 AAC 10.180.]

[11.08.380 Motor vehicle. "Motor vehicle" means every vehicle as defined in this title which is self-propelled, including motorcycles. See also AK:13 AAC 10.185.]

[11.08.390 Nonresident operating privilege. AK:13 AAC 10.190.]

[11.08.400 Official traffic-control device. AK:13 AAC 10.195.]

[11.08.410 Official traffic signs. "Official traffic signs" means all signs and markings, other than signals, not inconsistent with this title, placed or erected by authority of the city council for the purpose of directing, warning or regulating traffic.]

[11.08.420 Operator and driver. "Operator" and "driver" mean any person who is in actual physical control of a vehicle. See also AK:13 AAC 10.200.]

[11.08.430 Owner. AK:13 AAC 10.205.]

[11.08.440 Parking. "Parking" means the stopping or standing of a vehicle, whether attended or unattended, and whether or not occupied by any person, upon a street, roadway, highway, alley, or other public thoroughfare, otherwise than momentarily; provided, that vehicles actually being loaded or unloaded, or stopped in obedience to traffic regulations or traffic signs or signals, shall not be deemed to be parked. See also AK:13 AAC 10.210.]

[11.08.450 Parking meter area. "Parking meter area" means any area upon any public street, highway, alley or other public thoroughfare within the city where a parking meter is installed.]

[11.08.460 Passenger car. AK:13 AAC 10.215.]

[11.08.470 Pedestrian. "Pedestrian" means any person afoot. See also AK:13 AAC 10.220.]

[11.08.480 Person. AK:13 AAC 10.225.]

[11.08.490 Pneumatic tire. AK:13 AAC 10.230.]

[11.08.500 Pole trailer. AK:13 AAC 10.235.]

[11.08.510 Police officer. "Police officer" means every officer of the city police department, and any officer or person authorized to direct or regulate traffic, or to make arrests or citations for violation of traffic regulations. See also AK:13 AAC 10.240.]

[11.08.520 Private road or driveway. "Private road or driveway" means every road or driveway not open to the use of the public for purposes of vehicular travel. See also AK:13 AAC 10.245.]

[11.08.530 Public scale. AK:13 AAC 10.250.]

[11.08.540 Railroad sign or signal. AK:13 AAC 10.255.]

[11.08.550 Residence district. "Residence district" means all territory within the city other than that designated as business district. See also AK:13 AAC 10.260.]

[11.08.560 Revocation of operator's license. AK:13 AAC 10.265.]

[11.08.570 Right-of-way. "Right-of-way" means the privilege of the immediate use of the street, highway, alley, or other public thoroughfare. See also AK:13 AAC 10.270.]

[11.08.580 Road tractor. AK:13 AAC 10.275.]

[11.08.590 Roadway. "Roadway" means that portion of a street, alley or highway between the regularly established curblines, or that part devoted to vehicular traffic. See also AK:13 AAC 10.280.]

[11.08.600 Rotary traffic island. AK:13 AAC 10.285.]

[11.08.610 Safety zones. "Safety zones" means the area or space officially set apart within a roadway for the exclusive use of pedestrians, and which is so marked or indicated by proper signs as to be plainly visible at all times while set apart as a safety zone. See also AK:13 AAC 10.290.]

[11.08.620 School bus. AK:13 AAC 10.295.]

[11.08.630 School zone. AK:13 AAC 10.300.]

[11.08.640 Semitrailer. AK:13 AAC 10.305.]

[11.08.650 Sidewalk. AK:13 AAC 10.310.]

[11.08.660 Snow vehicle. AK:13 AAC 10.315.]

[11.08.670 Solid tire. AK:13 AAC 10.320.]

[11.08.680 Stand or standing. AK:13 AAC 10.325.]

[11.08.690 Stop. AK:13 AAC 10.330.]

[11.08.700 Stop or stopping. AK:13 AAC 10.335.]

[11.08.710 Suburban district. AK:13 AAC 10.340.]

[11.08.720 Suspension of operator's license. AK:13 ACC 10.345.]

[11.08.730 Taxicab. "Taxicab" means a motor vehicle used for the carriage of passengers for hire.]

[11.08.740 Through highway. AK:13 AAC 10.350.]

[11.08.750 Tow car. AK:13 AAC 10.355.]

[11.08.760 Traffic. "Traffic" means pedestrians, ridden animals, herded and led animals, vehicles either singly or together, while using any street, roadway, sidewalk, or other public thoroughfare, for purpose of travel. See also AK:13 AAC 10.360.]

[11.08.770 Traffic-control signals. "Traffic-control signals" means any device using colored lights, or words, or any combination thereof, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and to proceed. See also AK:13 AAC 10.365.]

[11.08.780 Traffic regulations. AK:13 AAC 10.370.]

[11.08.790 Trailer. "Trailer" means any vehicle without motive power designed to be or attached to another vehicle, so constructed that no appreciable part of its weight rests upon or is carried by such other vehicle. See also AK:13 AAC 10.375.]

[11.08.800 Truck. AK:13 AAC 10.380.]

[11.08.810 Truck tractor. AK:13 AAC 10.385.]

[11.08.820 Vehicle. "Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a public highway; but not including devices moved by human power or used exclusively upon stationary rails or tracks. See also AK:13 AAC 10.390.]

[11.08.830 Work Site. AK:13 AAC 10.395.]

Chapter 11.12

ADMINISTRATION

Sections:

11.12.10 [Traffic law enforcement and traffic direction.] **Adoption of State Uniform Traffic Bail Schedule**

[11.12.020 Annual traffic report to manager.]

[11.12.030 Authority to close streets to traffic.]

[11.12.040 Speed regulation authority.]

[11.12.050 Authority to increase or decrease speed limits.]

[11.12.060 Authority to determine and indicate angle parking.]

[11.12.070 Marking funeral processions.]

[11.12.080 Experimental regulations.]

[11.12.090 Traffic violations—Recordkeeping]

[11.12.100 Accidents--Investigation and arrest.]

[11.12.110 Accidents—Recordkeeping]

[11.12.120 Accidents--Confidentiality of records.]

[11.12.130 Accidents--Studies and remedies.]

11.12.010 [Traffic law enforcement and traffic direction] Adoption of State Uniform Traffic Bail Schedule. The "State Uniform Traffic Bail Schedule" enacted January 1, 1987, as amended up to February 9, 1988, is adopted as the traffic bail schedule for the city. In addition, the city adopts all changes made in said schedule from time to time. [A. It shall be the duty of the police department and such officers as are assigned by the chief of police to enforce all traffic regulations and all of the State Motor Vehicle Laws applicable to street and highway traffic of the city, to make arrests for traffic violations, to investigate accidents and to carry out those duties especially imposed upon the department by this title.]

[B. Officers of the police department and such officers as are assigned by the chief of police are authorized to direct all traffic by voice, hand, or signal in conformance with traffic laws; provided, that, in the event of a fire or other emergency or to expedite traffic or safeguard pedestrians, officers of the police department may direct traffic as conditions may require notwithstanding the provisions of the traffic laws.]

[C. Officers of the fire department, when at the scene of a fire or when operating firefighting apparatus on public streets, may direct or assist the police in directing traffic thereat or in the immediate vicinity.]

[11.12.020 Annual traffic report to manager. The police department shall annually prepare a traffic report which shall be filed with the manager. Such report shall contain information on traffic matters in the city as follows:]

[A. The number of traffic accidents, the number of persons killed, the number of persons injured, and other pertinent traffic accident data;]

[B. the number of traffic accidents investigated and other pertinent data on the safety activities of the police;]

[C. the plans and recommendations of the department for future traffic safety activities.]

[11.12.030 Authority to close streets to traffic. A. the manager or his designee may be authorized to close streets to traffic.]

[B. Whenever any street is closed to the use of traffic and the same is so indicated by authorized signs or barriers, no vehicle shall proceed into the street or any portion thereof except as directed by the signs. Whenever a street is closed, notice shall immediately be given to the fire chief and police chief by the person who closed the street.]

[11.12.040 Speed regulation authority. The manager or his designee is authorized to regulate the timing of traffic-control signals so as to permit the movement of traffic in an orderly and safe manner at speeds slightly at variance with the speeds otherwise applicable under this title.]

[11.12.050 Authority to increase or decrease speed limits. Whenever the manager or his designee determines upon the basis of an engineering and traffic investigation that a speed greater or less than the speed limits set forth in this title would facilitate the orderly movement of vehicular traffic, he may determine and declare a speed limit which is found to be most appropriate to facilitate an orderly movement of traffic and is reasonable and safe, which declared speed limit shall be effective when appropriate signs giving notice thereof are erected upon said street or highway.]

[11.12.060 Authority to determine and indicate angle parking. The manager or his designee shall determine upon what streets or highways angle parking shall be permitted and shall mark or sign such streets. Angle parking shall not be indicated or permitted at any place where passing traffic would thereby be caused or required to drive on the left side of the roadway or where angle parking would create a hazard to passing traffic.]

[11.12.070 Marking funeral processions. The chief of police shall designate a type of pennant or other identifying insignia to be displayed upon, or other method to be employed to identify, the vehicles in funeral processions.]

[11.12.080 Experimental regulations. A. The manager or his designee is empowered to make emergency and experimental regulations, such regulations not to remain in effect more than ninety days.]

[B. The manager or his designee may test traffic-control devices under actual conditions of traffic.]

[11.12.090 Traffic violations--Recordkeeping. A. The police department or the traffic division thereof shall keep a record of all moving violations of the traffic code of the city or the State Motor Vehicle Laws of which any person has been charged. Such records shall be so maintained as to show all such types of moving violations and the total of each. The records shall accumulate during at least a five-year period and, from that time on, the records shall be maintained for at least the most recent five-year period.]

[B. All forms for records of the violations mentioned in subsections A of this section and notices of the violations shall be serially numbered. For each month and year a written record shall be kept available to the public, showing the disposal of all such forms.]

[11.12.100 Accidents--Investigation and arrest. It shall be the duty of the police officers of the department to investigate traffic accidents, to arrest and to assist in the prosecution of those persons charged with violations of law causing or contributing to such accidents.]

[11.12.110 Accidents--Recordkeeping. the police department shall receive and properly record all traffic accident reports made under any provision of this code.]

[11.12.120 Accidents--Confidentiality of records., All written reports made by drivers, owners, or occupants of vehicles involved in accidents shall be without prejudice to the individual so reporting and shall be for the confidential use of the police department, except that the police department may disclose the identity of a person involved in an accident when such identity is not otherwise known or when such person denies his presence at such accident. No such report shall be used as evidence in any trial, civil or criminal, arising out of an accident except that the police department shall furnish upon demand of any person who has or claims to have been made a report or upon demand of any court a certificate showing

that the specified accident report has or has not been made to the police department solely to prove the compliance or failure to comply with the requirement that the report be made to the department.]

[11.12.130 Accidents--Studies and remedies. Whenever the accidents in any particular location become numerous, the police department shall cooperate with the engineer in conducting studies of such accidents and determining the remedial measures.]

[Chapter 11.16]

[ENFORCEMENT]

[Sections:]

[11.16.010 Maximum penalty.]

[11.16.020 Lesser penalty controls.]

[11.16.030 Recordation and disposition according to state or city violation.]

[11.16.040 Disposition of certain traffic offenses.]

[11.16.050 Mandatory appearance.]

[11.16.060 Mail-in bail.]

[11.16.070 Penalties for city violations.]

[Appendix A]

[Appendix B]

[Appendix C]

[Appendix D]

[11.16.010 Maximum penalty. A provision of the State Motor Vehicle Laws adopted by reference in this title shall not be rendered invalid because it prescribes a maximum penalty exceeding municipal jurisdiction or authority; instead, the maximum penalty shall be a fine not to exceed three hundred dollars or imprisonment not more than thirty days, or both.]

[11.16.020 Lesser penalty controls. In the event conflicting maximum penalties are prescribed by adopted statute or regulation, or by Uniform Traffic Bail Schedule, or by separate code section, the lesser penalty shall be the controlling maximum.]

[11.16.030 Recordation and disposition according to state or city violation. A. Municipal peace officers commissioned to enforce state laws shall indicate a violation of a State Motor Vehicle Law by completing the standard citation adopted in Section 11.16.040 with reference appropriate to the state statute or Alaska Administrative Code section, deleting reference to any section of the Wrangell traffic code, and proceeds from court fines shall be retained by the state.]

[B. Violations of the Wrangell traffic code which are adopted by reference from the State Motor Vehicle Laws shall reference both the appropriate statute or AAC section and the corresponding section of the Wrangell traffic code, and the proceeds from court fines shall be remitted to the city. Violations of Wrangell traffic code not constituting provisions adopted from the State Motor Vehicle Laws shall reference only the Wrangell code section on the citation, and the proceeds from court fines shall be remitted to the city.]

[11.16.040 Disposition of certain traffic offenses. A. When a person is arrested for the commission of a motor vehicle or traffic offense which is a misdemeanor, the arresting officer shall, except when otherwise required by law or the immediate circumstances, issue a citation to the person in charge of or operating the motor vehicle involved. A copy of the standard citation and its contents are annexed as to this chapter as Appendix A.]

[B. The citation shall have printed on it a schedule of motor vehicle and traffic offenses, as determined by the Alaska Supreme Court in its rules to be amendable to payment by fine without a court appearance, with an appropriate fine for each offense, also to be determined by the court in its rules.]

[C. If the offense for which the citation is issued is one for which a fine may be paid without a court appearance, the person to whom it is issued may plead guilty to the offense by signing an appropriate

APPENDIX A
(Section 11.16.040)

UNIFORM SUMMONS AND COMPLAINT
WRANGELL POLICE DEPT.

PLAINTIFF }
JUDICIAL } SS No. W 003251
DISTRICT } COMPLAINT AFFIDAVIT

OF ALASKA
IN THE _____ COURT OF _____
THE UNDERSIGNED, BEING DULY SWORN, UPON HIS OATH DEPOSES AND SAYS:

ON _____ THE _____ DAY OF _____ 19____ AT _____ A.M.
P.M.

NAME
DEFENDANT _____
LAST PLEASE PRINT FIRST MIDDLE

STREET _____

CITY - STATE _____ PHONE _____

AGE _____ BIRTH DATE _____ RACE _____ SEX _____ HT. _____ WT. _____
DRIV. LIC. NO. _____ KIND NUMBER STATE

VEH. LIC. NO. _____ STATE _____ YR. _____

MAKE _____ STYLE _____ COLOR _____

UPON A PUBLIC HIGHWAY, NAMELY AT (LOCATION) _____

PLACE OF EMPLOYMENT

DID UNLAWFULLY (PARK) (OPERATE) IN THE JUDICIAL DISTRICT AND STATE AFORESAID AND DID THEN AND THERE COMMIT THE FOLLOWING OFFENSE.

In violation of Sec _____

NAME
Last
First
Middle

State Statute State Traffic Regulations Parking Violation
 Local Ordinance in such case made and provided Borough Ordinance

Conditions that increased Seriousness of Violation	SLEPPY PAVEMENT	<input type="checkbox"/> Rain <input type="checkbox"/> Snow <input type="checkbox"/> Ice <input type="checkbox"/> Fog <input type="checkbox"/> Snow <input type="checkbox"/> Cross <input type="checkbox"/> Oncoming Pedestrian <input type="checkbox"/> Same Direction	CAUSED PERSON TO DODGE	<input type="checkbox"/> Pedestrian <input type="checkbox"/> Driver	TYPE ACCIDENT	<input type="checkbox"/> PD <input type="checkbox"/> PI <input type="checkbox"/> FATAL <input type="checkbox"/> Vehicle <input type="checkbox"/> Ped <input type="checkbox"/> Mis Fixed Object <input type="checkbox"/> Right Angle <input type="checkbox"/> Head on <input type="checkbox"/> Sideswipe <input type="checkbox"/> Rear end <input type="checkbox"/> Ran off Roadway <input type="checkbox"/> Intersection
	DARKNESS	<input type="checkbox"/> Fog <input type="checkbox"/> Snow <input type="checkbox"/> Cross <input type="checkbox"/> Oncoming Pedestrian <input type="checkbox"/> Same Direction	JUST MISSED ACCIDENT			
	OTHER TRAFFIC PRESENT	<input type="checkbox"/> Oncoming Pedestrian <input type="checkbox"/> Same Direction				

AREA Business Industrial School Residential Rural
HIGHWAY TYPE 2 lane 3 lane 4 lane 4 lane divided

THE UNDERSIGNED FURTHER STATES THAT HE HAS JUST AND REASONABLE GROUNDS TO BELIEVE, AND DOES BELIEVE, THAT THE PERSON NAMED ABOVE COMMITTED THE OFFENSE HEREIN SET FORTH, CONTRARY TO LAW.
SWORN TO AND SUBSCRIBED BEFORE ME

THIS _____ DAY OF _____ 19____

(Name and title) _____ (Signature of officer or other complainant)

COURT APPEARANCE: _____ DAY OF _____ 19____ AT _____ M.
ADDRESS OF COURT _____

SIGNATURE _____

APPENDIX "B"
(Section 11.16.050)

UNIFORM BAIL SCHEDULE

STATUTE	OFFENSE	BAIL
	B. MANDATORY APPEARANCE	
11AAC12.020	SPEED 20MPH OR MORE OVER POSTED LIMITS	***
13AAC02.140	YIELD EMER TR	***
13AAC02.175(A-E)	USE SOWLK/LFT EDGE ROWY/MOT UNOR INFLU	***
13AAC02.220(B)	REQ INSTL SIGNAL LIGHTS & USE -EQUIPMENT	**
13AAC02.260(A)	RED SIGNL SCH BUS	***
13AAC02.275(B)	SPEED 20MPH OR MORE OVER POSTED LIMITS	***
13AAC02.280	SPEED 20MPH OR MORE OVER LIMIT LOWERED BY ST	***
13AAC02.285(A-C)	EXCEEDING SPEED LIMIT LOWRD BY LOCAL AUTHRTY	***
13AAC02.310	SPEEDING IN SCHOOL ZONE, PLAYGROUND, CROSSWLK	***
13AAC02.315	SPEED 20MPH/MORE VIOL OVERWGT/OVERSIZ	***
13AAC02.315	VIOL 50% OVER MAX LIMIT-BRIDGE/ELEVD STRUCT	***
13AAC02.325(A-D)	SPECIAL LIMIT ON BUSES, TRAILERS-20MPH/MORE	***
13AAC02.330(A)	RACE OR CONTST SPD	***
13AAC02.460(A)	SNOWMACHINE TAILLIGHT/REFLECTOR REQUIRED	**
13AAC02.530	LITTERING/DEPOSITING MATERIAL ON HIGHWAY	***
13AAC04.005(A)	DRIVING/MOVING VEHICLE UNSAFE CONDITION	***
13AAC04.020(A-C)	HEADLIGHTS ON MOTOR VEHICLE RPL	**
13AAC04.025(A-C)	TAILLIGHTS ON MOTOR VEHICLE AND TRAILERS,R&L	**
13AAC04.030(A-B)	REFLECTORS ON MOTOR VEHICLE AND TRAILERS,R&L	**
13AAC04.035(A-B)	-STP LGT AND TURN SIGN MTR VEH/TRAILRS R&L	**
13AAC04.040(A-B)	ADDNL LGT/REFLCTR, BUS, TRUCK, TRAILRS R&L	**
13AAC04.045(A-B)	COLOR LIGHTS, MARKERS AND REFLECTORS	**
13AAC04.050(A-B)	MOUNTING OF LIGHTS, REFLECTOR/CLEARANCE LIGHT	**
13AAC04.055(A-C)	VISIBIL REQ LIGHTS, REFLECTORS CLEAR LIGHT	**
13AAC04.070(A-D)	LIGHTS ON PARKED VEHICLES, RPL	**
13AAC04.070(E)	PK LGTS NOT USED VEH MOTION UNLES HOLMPS USED	**
13AAC04.075(A-F)	LIGHTS AND EMBLEM ON FARM EQUIPMENT, R&L	**
13AAC04.080(A)	LIGHTS ON OTHER VEHICLES/EQUIPMENT, R&L	**
13AAC04.085(A)	WHEN LIGHTS MISDIRECTED	**
13AAC04.085(B-D)	AUXILIARY SPOTLIGHTS, FOGLEIGHTS, R&L	**
13AAC04.090(A-E)	EMERGENCY VEHICLES/SCHOOL BUS RED LIGHTS, R&L	**
13AAC04.095(A-C)	VEHICLES DISPLAYING FLASHING AMBER LIGHTS,R&L	**
13AAC04.100(A-D)	FIREMANS VEHICLE DISPLAYING FLASHING BLUE LGT	**
13AAC04.105(A-B)	STOPLIGHTS, TURN SIGNALS, R & L	**
13AAC04.110(A-E)	ADDITIONAL LIGHTS FOR MOTOR VEHICLES, R&L	**
13AAC04.115(A-B)	MULTIPLE BEAM ROADLIGHTING EQUIPHNT, R&L	**
13AAC04.125(1-2)	SINGLE BEAM ROADLIGHTING EQUIPMENT, R&L	**
13AAC04.130(1-3)	LIGHTS FOR MOTOR SCOOTERS, R&L	**
13AAC04.135	ALTERNATE ROADLIGHTING EQUIPMENT, R&L	**
13AAC04.140	NUMBER OF DRIVING LIGHTS LIMITATIONS	**
13AAC04.145(A-C)	SPECIAL RESTRICTIONS ON LIGHTS	**
13AAC04.150(A-C)	SIGNS AND LIGHTS REQUIRED FOR SCHOOL BUSES	**
13AAC04.180(1-10)	MTR VEH AND TRAILR BRAKES R&L	**
13AAC04.185(1-3)	PERFORM ABILTY BRAKES R&L	**
13AAC04.190(A)	BRAKES OTHER VEHICLES	**
13AAC04.195	BRAKES GOOD WORKING ORDER	**
13AAC04.215(A-C)	MUFFLER, MODIFICATION OF EXHAUST SYSTEM	**
13AAC04.220(A-B)	MIRRORS MTR VEH EXCLD MTRCYCLE AND MTRSCGUTER	**
13AAC04.225(A-C)	WINDSHIELD WIPERS R&L	**
13AAC04.235	SAFETY GLAZING WINDOWS R&L	**
13AAC04.245(A-G)	WARNING DEVICES DISPLYD DISABLED VEH R&L	**
13AAC04.255(B-E)	AIR CONDITIONING EQUIP R&L	**

APPENDIX "B" (Continued)

UNIFORM BAIL SCHEDULE

STATUTE	OFFENSE	BAIL
13AAC04.260	TV IN A MOTOR VEHICLE, LIMITATIONS	**
13AAC04.265	SPLASH GUARDS MUST BE USED	**
13AAC04.270(A-B)	SEATBELT INSTALLED AFTER 1966	**
13AAC04.280(A-B)	MOTORCYCLE RIDERS, HELMET/OTHER EQUIP REQ	**
13AAC04.290	MOTORCYCLE-MAXIMUM HEIGHT FOR HANDLEBARS	**
13AAC04.295	MOTORCYCLE WINDSHIELD-REQUIRED HEIGHT	**
13AAC04.305	MOTOR VEHICLE-MINIMUM EQUIP REQUIRED SALE	**
13AAC06.020(A)	SUBMIT VEH INSPCTN	**
13AAC06.020(B-C)	VEHICLE REPAIR AND EQUIPMENT OPERATIONS LIMIT	**
13AAC06.030(A)	ROSIDE VEH INSPCTN MECH AND EQUIP	**
13AAC06.030(B)	ROSIDE VEH INSPCTN REPAIR REQ	**
13AAC06.040(B-C)	VEHICLE INSPECTION STICKER, LIMITATIONS	**
13AAC06.060(C)	REPAIR EQUIP VIO DISMISSAL UTC	**
13AAC08.030	SCH BUS OR PERMIT/OL REQ IN POS AND DISPLAYED	**
14AAC10.030(A-2)	RECKLESS DRIV ST AIRPORTS	***
14AAC10.030(A-2,C-3)	SPEED 20MPH OR MORE OVER SPEED LIMIT	***
14AAC10.030(C-2)	VEHICLE MUST BE SAFE CONDITION OPERATE AIRPRT	**
AS05.30.080	SNOWMACHINE EQUIPMENT REQUIRED HEADLAMPS	**
AS05.30.080(1)	BRAKES ON SNOWMACHINES	**
AS05.30.080(3-4)	MUFFLER AND THROTTLE FOR SNOWMACHINE	**
AS11.20.590	LITTERING/DEPOSITING MATERIAL ON HIGHWAY	***
AS28.10.110(B)	CERTIFICATE OF REGISTRATION CARRIED IN VEH	**
AS28.15.010	OPERATOR MUST BE LICENSED ///	**
AS28.15.090	LICENSE TO BE CARRIED AND DISPLAYED	**
	ALL JUVENILE CITATIONS	
	/// IF VALID LICENSE DATED AFTER CITATN DATE	5

(Ord. 347 §5(part), 1976: prior code §63.90.020 (Appx. B)).

blank on the citation and paying the fine specified on the citation, either in person or by mail within five days from the date of arrest, to the clerk of the district court having jurisdiction over the place where the offense occurred. Acceptance and payment of the prescribed fine is a complete satisfaction for the offense, and the offender shall be given a receipt which so states.]

[D. A motor vehicle and traffic offense citation shall also contain a blank for a cited person to sign acknowledging receipt of the citation and promising to appear in the court and at the time specified on the citation. However, the person need not appear in court if he pleads guilty and pays the fine as provided in subsection C of this section.]

[E. If the offender refuses to accept the citation or refuses to sign the acknowledgement of receipt and promise to appear, the arresting peace officer shall proceed with the arrest in the manner otherwise provided by law. If the offender accepts the notice, but fails to pay the fine or appear in court as required, the citation shall be considered a summons as for a charge of a misdemeanor and the offender shall be proceeded against in the manner prescribed by law. However, the maximum penalty which may be imposed for the original offense may not exceed the penalty set out in the schedule of fines as determined by the Supreme Court under subsection B of this section.]

[11.16.050 Mandatory appearance. Commission of offenses listed in Appendix B annexed to this chapter shall require mandatory court appearance.]

[11.16.060 Mail-in bail. A. Commission of the offenses listed in Appendix C annexed to this chapter may be satisfied by payment of the prescribed fine without a court appearance. The person to whom such citation is issued may plead guilty to the offense by signing the appropriate blank and paying the fine specified on the citation, either in person or by mail within five days from the date of arrest, to the Clerk of the District Court having jurisdiction over the place where the offense occurred. Acceptance and payment of the prescribed fine is a complete satisfaction for the offense, and the offender shall be given a receipt which so states.]

[B. Commission of Wrangell traffic code violations listed in Appendix D annexed to this chapter may be satisfied in the same manner as subsection A of this section.]

[11.16.070 Penalties for city violations. A. Violations of the Wrangell traffic code shall constitute lesser offenses deemed regulatory in nature and for which a maximum fine of one hundred fifty dollars shall be imposed upon conviction.]

[B. Violations for driving while under the influence (AS 28.35.030), reckless driving (AS 28.35.040), and negligent driving (AS 28.35.045), all as adopted by reference under Section 11.36.010 of this code, constitute serious misdemeanors which shall, upon conviction, be punishable by a fine not exceeding three hundred dollars or imprisonment not more than thirty days, or both.]

[APPENDIX A
(Section 11.16.040)

UNIFORM SUMMONS AND COMPLAINT
WRANGELL POLICE DEPARTMENT]

[APPENDIX "B"
(Section 11.16.050)

UNIFORM BAIL SCHEDULE]

[APPENDIX "B" (Continued)

UNIFORM BAIL SCHEDULE]

APPENDIX "C"
(Section 11.16.030)

MAIL-IN BAIL (Optional Amenable) VIOLATIONS

UNIFORM BAIL SCHEDULE

STATUTE	OFFENSE	BAIL
A. AMENABLE OPTIONAL/MAIL-IN		
3AAC62.100	HOURS OF SERVICE OF DRIVERS	100
3AAC64.050	COMM APPRVL REQ CARRIER LEASED VEH	100
3AAC64.300	INS AND BOND REQ COMMON/CONTR CARRIERS	100
3AAC64.500(1-6)	IDEN PERM MTR VEH CARRIER/LEASEE	100
3AAC66.010	CERTIFIC BUSES REQ	100
3AAC66.200(1-3)	IDEN BUS REQ AND LIMIT	100
11AAC12.020	OBED TO TR CONTRL DEV POSTED ST PARKS	15
11AAC12.020	EXCEEDING MAXIMUM SPEED LIMIT	2MI
11AAC12.100	DRIVING IN A CLOSED AREA	15
13AAC02.005(A-D)	OBEDIENCE TO TRAFFIC CONTROL DEVICE	15
13AAC02.010(A-3A)	OBEDIENCE TO TRAFFIC CONTROL DEVICE	25
13AAC02.010(A-1-2,8)	OBEDIENCE TO TRAFFIC CONTROL DEVICE	15
13AAC02.015(1-2)	PEDESTRIAN CONTROL SIGNALS	10
13AAC02.020(A-1)	FLASHING SIGNALS	25
13AAC02.020(A-2,8)	FLASHING SIGNALS	15
13AAC02.025	LANE DIRECT CONTROL SIGN	15
13AAC02.030(A-B)	UNAUTH TR SIGN, SIGNAL, MRKG/ADV	10
13AAC02.050(1,3-5)	FAILURE TO DRIVE ON RIGHT SIDE	15
13AAC02.050(2)	FAILURE TO DRIVE ON RIGHT SIDE	25
13AAC02.055(A-B)	OVERTAKING ON RIGHT SIDE	15
13AAC02.060(A-B)	ILLEGAL DRIVING ON LEFT SIDE	15
13AAC02.065(A1,8)	ILLEGAL OVERTAKING ON LEFT SIDE	15
13AAC02.065(A1)	WHEN CUT IN BEFORE SAFE	15
13AAC02.065(A2)	ILLEGAL OVERTAKING ON LEFT SIDE	25
13AAC02.070	ILLEGAL PASSING OF ONCOMING VEHICLE	15
13AAC02.075(A-C)	PASSING IN NO PASSING ZONE	15
13AAC02.080(B-C)	WRONG WAY ON ONE WAY STREET	15
13AAC02.085(1-4)	ILLEGAL CHANGING OF LANES	15
13AAC02.090(A-C)	FOLLOWING TOO CLOSE	25
13AAC02.095	CROSS MERIDIAN	15
13AAC02.095	OTHERWISE-STAY RIGHT SIDE DIVIDED HWY	15
13AAC02.100	ILLEGAL ENTRY ONTO RESTRICTED ACCESS HI-WAY	15
13AAC02.105	VIO RESTRICTN USE CONTRLD XCESS HI-WAY	15
13AAC02.120(A-B)	YIELD AT INTERSECTION VEHICLE ON RIGHT	25
13AAC02.125	YIELD AT INTERSECTION WHEN TURNING LEFT	25
13AAC02.130(B)	WHEN NO STOP IS CITED	25
13AAC02.130(B-C)	OTHERWISE-YIELD	25
13AAC02.135(A)	STOP BEFORE ENTER ROWAY W/IN BUSINESS DIST	25
13AAC02.135(B)	YIELD 8-4 ENTER HI-WAY NON BUS DIST	25
13AAC02.150	PEDESTRIAN-SUBJ TO TRAFFIC REGULATIONS	10
13AAC02.155(A)	YIELD TO PEDESTRIAN IN CROSSWALKS	25
13AAC02.155(B)	EXERCS DUE CAUTION	10
13AAC02.155(C)	VEH NOT PASS VEH STP FOR PED	25
13AAC02.160(A-E)	CROSSING AT OTHER THAN CROSSWALKS	10
13AAC02.165	EXERCISE DUE CAUTION WITH REGARD TO PEDESTRIANS	15
13AAC02.170(A-B)	USE OF CROSSWALKS	10
13AAC02.180	DISTRACT DRIVRS SOLICIT RIDE	10
13AAC02.195	DRIVING THROUGH OR IN SAFETY ZONE PROHIBITED	15
13AAC02.190	NOT USE DEVICE INTENDED FOR THE BLIND	10
13AAC02.200(A-B)	INCORR POSIT TURN AT INTER	15
13AAC02.205	TURN AROUND CURV OR CRST OF HILL	15
13AAC02.210(A)	INCORRECT STARTING PARKED VEHICLE	15

APPENDIX "C" (Continued)

UNIFORM BAIL SCHEDULE

STATUTE	OFFENSE	BAIL
13AAC02.210(B)	IN CORR ACCELERATION PKD VEH	15
13AAC02.215(A)	WHEN IMPROPER TURN	15
13AAC02.215(A-D)	SIGN REQ TURN STP AND LINE CHG	15
13AAC02.215(E)	CANC SIGN AFTER EXECUT TURN	15
13AAC02.220(A)	REQ USF SIGNAL LGTS OR HANO/ARM	15
13AAC02.220(B)	REQ INSTL SIGNAL LIGHTS & USE - USEAGE	15
13AAC02.225(A-B)	METHOD SIGN BY ARM OR LGTS	15
13AAC04.230(A-C)	TIRES, RESTRICTIONS AND PERMITS	10
13AAC02.240(A-B)	TRAIN SIGNAL AND BARRIERS	25
13AAC02.245	STOP SIGN ERECTED RAILROAD CROSSING	25
13AAC02.250(A-B)	CERTAIN VEHICLE AT RAILROAD CROSSING	25
13AAC02.255(A)	HEAVY EQUIPMENT AT RAILROAD CROSSING	25
13AAC02.255(C)	HEAVY EQUIPMENT AT RAILROAD CROSSING	25
13AAC02.255(B-D)	HEAVY EQUIPMENT AT RAILROAD CROSSING	10
13AAC02.260(B)	SLOW DOWN FOR AMBER SIGNALS	25
13AAC02.275(A)	BASIC SPEED, REASONABLE AND PRUDENT	15
13AAC02.275(B)	EXCEEDING MAXIMUM SPEED LIMIT	10
13AAC02.275(C)	REDUCE SPD HI-WAY HZRS	15
13AAC02.275(D)	EXCEED RATE SPD AND DISTN NECSRY PASS VEH	15
13AAC02.280	EXCEEDING SPEED LIMIT LOWERED BY STATE	2MI
13AAC02.285(A-C)	EXCEEDING SPEED LIMIT LOWERD BY LOCAL AUTHRTY	2MI
13AAC02.295(A-B)	IMPD TR TRVLG SLOW/ DR SLWR MINM SPD	15
13AAC02.315	VIOL MAX SIZE BRIDGE/ELEVD STRUCT, ETC-LENGTH	10FT
13AAC02.315	VIOL MAX SIZE BRIDGE/ELEVD STRUCT, ETC-WIDTH	25FT
13AAC02.315	VIOL MAX WGT BRDG/ELEVD STRUCT/UNDRPASS,ETC	.05LB
13AAC02.315	SPEEDING VIOL OVERWEIGHT/OVERSIZE	2MI
13AAC02.320	LIMITATION MOTOR SCOOTERS AT NIGHT	15
13AAC02.325(A-D)	SPECIAC LIMITATION ON BUSES, TRAILERS	2MI
13AAC02.330(B)	PROM NON-SANCT RACE BETWN VEH	10
13AAC02.340(A-B)	DISABLD VEH INTERF W/TRFLD	10
13AAC02.360(A-B)	ILLEGL MOVNG VEH PROM AREA	10
13AAC02.365(A-C)	POSITION VEHICLE STOPPED OR PARKED ALONG RDWY	10
13AAC02.370(A-C)	ABANDONMENT, IMPOUNDING VEHICLE	10
13AAC02.380	PARENTAL RESPNSBLTY REGARD BICYCLE REGS	10
13AAC02.395(A-B)	TWO ON BIKE	10
13AAC02.400(A)	FAILED TO KEEP RIGHT	10
13AAC02.400(B)	RIDING MORE THAN 2 ABREAST	10
13AAC02.400(C)	FAILED TO USE BIKE PATH	10
13AAC02.405	CARRYING ARTICLES TO INTERFERE WITH OPERATE	10
13AAC02.410(A)	LIGHTS OR REFLECTOR	10
13AAC02.430	PARENTAL RESPONSIBILITY-SNOW VEHICLE REGS	10
13AAC02.445(A-B)	RIDE UPON/OTHER RIDERS	10
13AAC02.450	TOWING ANOTHER PERSON ON A ROADWAY	10
13AAC02.455(A-F)	OPERAT UPON AND XING STS AND RDWY	10
13AAC02.465	SNOW MACHINE OBEY SPEED LAWS/REG MOTOR VEH	2MI
13AAC02.480	REQUIREMENTS UNATTENDED MOTOR VEHICLE	10
13AAC02.485(A-B)	LIMIT BACKING VEHICLE	15
13AAC02.490(A-C)	RIDG, RDRS MTRCYCLE, SCOOTER	15
13AAC02.495(A-B)	OBSTRUCTIONS DRIVERS CONTRL/VIEW OF VEHICLE	15
13AAC02.500	OPENING/CLOSING OF VEHICLE DOOR	10
13AAC02.510	RIDER IN A TRAILER-PROHIBITIONS	10
13AAC02.515	VEHICLE COASTING IN NEUTRAL GEAR	15
13AAC02.520	FOLLOW EMERGENCY VEH CLOSER THAN 500 FT	25

APPENDIX "C" (Continued)

UNIFORM BAIL SCHEDULE

STATUTE	OFFENSE	BAIL
13AAC02.525	DRIVING OVER FIRE HOSE	15
13AAC02.535(A-B)	CARRYING/TOWING PERSON ON OUTSIDE OF VEHICLE	15
13AAC02.540	EMBRACING ANOTHER DRIVING CREATES HAZARD	15
13AAC02.545	DRINKING WHILE DRIVING	15
13AAC02.550	CHILD UNATTEND VEH MTR RUN	10
13AAC02.565	QBD AUTH OFFCL EMER SCENE	15
13AAC02.570	REQ GIVE INFO POLICE OFFICER	15
13AAC02.575	PRSN DRIV ANIMAL VEH SUBJ PROVSNS DRIVR VEH	15
13AAC04.280(B)	FIREMAN RESPNOG PRIVT VEH XERCS SAFETY	15
13AAC02.585(B-E)	DRIV EMER VEH AUDBL/VISUL SIGNS/RE SAFTY PRSN	15
13AAC04.010	USE LIGHTS ON VEHICLE DURING HOURS DARKNESS	15
13AAC04.065	LIGHTS OR FLAG ON PROJECTING LOAD	10
13AAC04.120(1-2)	USE OF MULTIPLE BEAM ROADLIGHTING EQUIPMENT	15
13AAC04.210(A)	VEHICLE EQUIPPED WITH HORN	10
13AAC04.210(B)	HORNS AND OTHER AUDIBLE DEV	10
13AAC04.210(C-D)	HORNS AND OTHER AUDIBLE DEV	10
13AAC04.240(A-B)	FLARES CARRIED CERTAIN VEHICLES	10
13AAC04.275	SAFETY CHAIN REQUIRED TOWING VEHICLE	10
13AAC04.285(A-B)	MOTORCYCLE-HELMET REQUIRED WHEN RENTING	10
13AAC04.300(A-C)	PROTECTIVE HOGEAR/HELMET STANDARDS	10
13AAC04.310	MOTOR VEHICLE-MINIMUM EQUIP REQUIRED RENT	10
14AAC10.030(A-1)	OBED TR CONTRL DEV AS POSTED AIRPORTS	15
14AAC10.030(A-1)	CONFIRM RULES AIRPORT	10
14AAC10.030(A-2,C-3)	EXCEEDING MAXIMUM SPEED LIMIT	02MI
14AAC10.030(B)	PERMIT FOR ALL FOR HIRE VEHICLE	10
14AAC10.030(B-5)	NOT SOLICIT BUSINESS FOR HIRE VEHICLE	10
14AAC10.030(C-1)	ILLEGAL OPERATION ON RUNWAYS, TAXIWAYS, ETC	15
14AAC10.030(C-4)	OBTN RAMP OPER PERM MTR VEH	10
14AAC10.030(D-1,D-3)	ILLEGL PKG ABANDMT VEH	5
14AAC10.030(D-2)	EXPIRED METER	2
14AAC10.030(E)	ILLEGL OPERAT VEH IN BLDG	15
17AAC25.020(A-B)	XCEED MAX VEH WIDTH 8FT 0 INCHES	25/F
17AAC25.030(A)	XCEED MAX VEH HGT 13FT 6 INCHES	50
17AAC25.030(B-D)	XCEED MAX VEH LNGTH TYPE VEH	50
17AAC25.030(E)	LOAD EXT LIMIT FRNT AND REAR	10/F
17AAC25.040(A-B)	SHIFTING OF LOAD, COVERING OF LOAD	50
17AAC25.050	TOWBAR REQUIREMENTS FOR TOWING VEHICLES	50
17AAC25.060(1-3)	XCEED MAX GROSS WGT	05/L
17AAC25.070(C-D)	ENFORCE PROCORS/REQ DRIVR STP ENFORCE OFFCER	50
17AAC25.080(A-J)	PERM XCESS SZ AND WGT	50
17AAC25.090(A-G)	SIGNS PILOT CARS REQ XCESS LOADS	50
17AAC25.100(A-C)	RD CLOSURES AND RESTRICTNS	50
AS05.30.010	SNOW MACHINE OPERAT W/O BEING REGISTERED	10
AS05.30.040(B)	DISPLAY REGISTRATION CERTIFICATE/AND DECALS	10
AS05.30.080	BRAKES, THROTTLE, MUFFLER-REQUIRED	10
AS05.30.100	ACCTOENT REPORTING IF DAMAGE IS \$100	10
AS05.35.020	VIOLATION SPECIAL RACE PERMIT	10
AS19.25.030	DAMAGES TO OBSTRUCTIONS, SIGNS & CONSTRUCTN	10
AS29.05.020(3)	STUDED TIRES	10
AS29.10.030	OPERATE UNREGISTERED VEHICLE	15
AS29.10.030	PERMIT OPERATION OF UNREGISTERED VEHICLE	20
AS24.10.120	LICENSE PLATES BE USED FOR VEHICLE ISSUED	15
AS23.10.140	LICENSE PLATES MUST BE DISPLAYED-VEH	15

APPENDIX "C" (Continued)

UNIFORM BAIL SCHEDULE

STATUTE	OFFENSE	BAIL
AS28.10.170	REGISTRATION MUST BE CURRENT	15
AS28.10.360	NEW OWNR OBTN TITLE/REG 20 DAYS	25
AS29.10.540	NON-RES OWNRS OBTN AK PLATES	15
AS29.10.590	OPERT OR PERM OPERTN UNREG VEH OR UNTITLD VEH	15
AS28.15.010	DRIV W/EXPRD DL	15
AS28.15.110	RESTRICTED LICENSE VIO	15
AS29.15.320	PERM UNAUTH PER TO DR	10
AS28.25.020	FAIL TO YIELD TO BLIND PERSON	25
AS28.35.140	OBSTRUCTING OR BLOCKING TRAFFIC	10
AS28.35.150	CAUSING INJURY TO ROAD, BRIDGE, OR FERRY	10
AS28.35.160	CAUSING INJURY TO TRAFFIC REG/GUID DEVICE	10
AS28.35.170	OPERAT VEH MORE 3 PEOPLE FRNT SEAT	15
AS28.35.180	OBEY SIGN POLICE OFFICER	15
AS42.10.113	VEHICLE IDENTIFICATION REQUIREMENTS	100
AS42.10.130	OPERATING WITHOUT A PERMIT	100
AS42.10.240	WEIGHT FEES	100
	EXTENTION OF COURT DATE ON DISMISS CITATIONS	10
	PARKING	5

(Ord. 347 §5(part), 1976: prior code §63.90.030(a) (Appx. C)).

[APPENDIX "C"
(Section 11.16.030)]

MAIL-IN BAIL (Optional Amenable) VIOLATIONS

UNIFORM BAIL SCHEDULE]

[APPENDIX "C" (Continued)

UNIFORM BAIL SCHEDULE]

[APPENDIX "C" (Continued)

UNIFORM BAIL SCHEDULE]

[APPENDIX "C" (Continued)

UNIFORM BAIL SCHEDULE]

[APPENDIX D
(Section 11.16.060)]

[Wrangell Traffic]

[Code Section

Offense

Bail

[All of Chapter 11.28
All of Chapter 11.32
All of Chapter 11.56
11.36.030

Parking violations \$20
Licensed vehicle stands 15
"U-drive" business 15
Interference at scene of
accident prohibited 25

11.36.060

Stop when traffic obstructed 25

11.36.070

Driving on sidewalks 25

11.36.080

U-turns prohibited 25

11.36.090

Projections on wheels or
tracks prohibited 20

11.36.100

Dragging objects prohibited 20

11.36.110

Projecting loads on passenger
vehicles 20

11.36.120, 11.36.130

Driving through funeral or
other processions 20

11.36.140

Carrying animals on outside of
vehicles 20

11.36.150

Injurious materials on highway
prohibited 50

11.36.160

Use of coaster, rollerskates,
sleds and skis 20

11.36.170

Excessive acceleration 30

[Chapter 11.20][TRAFFIC-CONTROL DEVICES][Sections:

- 11.20.010 Traffic-control devices--Specifications.
- 11.20.020 Stop signs--Specifications.
- 11.20.030 Stops at arterial streets or highways.
- 11.20.040 Stop intersections.
- 11.20.050 Authority to install devices--Right turns after stops.
- 11.20.060 Authority to place signs restricting turns.
- 11.20.070 Authority to place traffic markers.
- 11.20.080 Authority to restrict pedestrians and operation of certain vehicles.
- 11.20.090 Crosswalks and safety zones.
- 11.20.100 Traffic lanes.
- 11.20.110 Authority to designate and sign one-way streets.]

[11.20.010 Traffic-control devices--Specifications. All traffic-control signs, signals, and devices shall so far as practicable conform to the Manual of Uniform Traffic Control Devices for Street and Highways. All signs and signals required under this title for a particular purpose shall so far as practicable be uniform as to type and location throughout the city. All traffic-control devices so erected and not inconsistent with the provisions of state law or this chapter shall be official traffic-control devices.]

[11.20.020 Stop signs--Specifications. Every stop sign erected pursuant to this title shall be of hexagonal design and in conformance with the National Safety Council Standards and shall bear the word "stop" in letters not less than eight inches in height and such sign shall at nighttime be rendered luminous by efficient reflecting elements on the face of the sign. Every stop sign shall be located as near as practicable at the nearest line of the crosswalk on the near side of the intersection or, if none, at the nearest line of the roadway and shall be placed on the right side of such street.]

[11.20.030 Stops at arterial streets or highways. The manager or his designee may designate and describe arterial streets or highways and, when so designated, it shall be the duty of the engineer to place and maintain a stop sign on each and every street or highway intersecting such arterial street or highway or intersecting that portion thereof described and designated as such unless traffic at any such intersection is controlled at all times by traffic-control signals; provided, however, that at the intersection of two such arterial streets or highways or at the intersection of an arterial street and a heavy traffic street not so designated, stop signs shall be erected at the approaches of either of said streets as may be determined by the manager or his designee on the basis of a traffic study.]

[11.20.040 Stop intersections. The manager or his designee is authorized to determine and designate intersections where particular hazard exists upon other than arterial streets or highways and to determine whether vehicles shall stop at one or more entrances to any such intersection, and shall erect a stop sign at every such place where a stop is required.]

[11.20.050 Authority to install devices--Right turns after stops. A. The engineer shall place and maintain traffic-control signs, signals and devices when required under the traffic laws of the city to make effective the provisions of the laws, and may place and maintain such additional traffic-control devices as the manager or his designee may deem necessary to regulate traffic under the traffic laws of the city or under state law, or to guide and warn traffic.]

[B. The manager or his designee may determine those intersections at which it would facilitate the orderly movement of traffic and would be reasonable and safe to permit vehicles to turn right after stopping and shall place proper signs at such intersections. Vehicular traffic facing the red signal and sign permitting a right turn shall stop before entering the crosswalk on the near side of the intersection or, if

none, then before entering the intersection, and after stopping, may proceed with caution to make a right turn but shall yield the right-of-way to pedestrians lawfully within a crosswalk or to other traffic lawfully using the intersection.]

[11.20.060 Authority to place signs restricting turns. A. The manager or his designee is authorized to determine those intersections at which drivers of vehicles shall not make a right or left turn and shall place proper signs at such intersections. The making of such turns may be prohibited between certain hours of any day and permitted at other hours, in which event the same shall be plainly indicated on the signs or they may be removed when such turns are permitted.]

[B. Whenever authorized signs are erected indicating that no right or left turn is permitted, no driver of a vehicle shall disobey the directions of any such sign.]

[11.20.070 Authority to place traffic markers. The engineer is authorized to place markers, buttons or signs within or adjacent to intersections indicating the course to be traveled by vehicles turning at such intersections, and such course to be traveled so as indicated may conform to or be other than as prescribed by law.]

[11.20.080 Authority to restrict pedestrians and operation of certain vehicles. The manager or his designee is authorized to post signs where necessary:]

[A. To prohibit the operation of commercial vehicles on certain residential streets or highways where such operation would create exceptional hazardous conditions or cause undue public inconvenience; when signs are erected giving notice thereof, no person shall operate any commercial vehicle at any time upon any of the streets or highways or parts of streets or highways so designated, except that such vehicles may be operated thereon for the purpose of delivering or picking up materials or merchandise and then only by entering such street or highway at the intersection nearest the designation of the vehicle and proceeding thereon no further than the nearest intersection thereafter;]

[B. To prohibit pedestrians and nonmotorized vehicles on certain heavily traveled streets or highways. No person shall do any act in violation of such sign.]

[11.20.090 Crosswalks and safety zones. The manager or his designee may be empowered:]

[A. To designate and maintain, by appropriate devices, marks, or lines upon the surface of the roadway, crosswalks at intersections where in his opinion there is particular danger to pedestrians crossing the roadways, and at such other places as he may deem necessary;]

[B. To establish safety zones of such kind and character and at such places as he may deem necessary for the protection of pedestrians.]

[11.20.100 Traffic lanes. The engineer may mark traffic lanes upon the roadway of any street or highway where a regular alignment of traffic is necessary.]

[11.20.110 Authority to designate and sign one-way streets.]

[A. The manager or his designee may designate any one-way street or alley and, when so designated, the engineer shall place and maintain signs giving notice thereof, and no such regulations shall be effective unless such signs are in place. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited.]

[B. Upon those streets and parts of streets and in those alleys designated as one-way, vehicular traffic shall move only in the indicated direction when signs or other markings indicating the direction of traffic are erected and maintained at every intersection where movement in the opposite direction is prohibited.]

[C. The manager or his designee is authorized to determine and designate streets, parts of streets, or specific lanes thereon upon which vehicular traffic shall proceed in one direction during one period and the opposite direction during another period of the day and shall place and maintain appropriate markings, signs, barriers or other devices to give notice thereof. The engineer may erect signs temporarily designating lanes to be used by traffic moving in a particular direction, regardless of the centerline of the roadway.]

[Chapter 11.24]

[RULES OF THE ROAD]

[Sections:

11.24.101 State provisions adopted by reference.

11.24.010 State provisions adopted by reference.

Obedience to Traffic Control Device. AK: 13 AAC 02.005.

Traffic Control Signal Legend. AK: 13 AAC 02.010.

Pedestrian Control Signals. AK: 13 AAC 02.015.

Flashing Signal. AK: 13 AAC 02.020.

Lane Direction Control Signal> AK: 13 AAC 02.025.

Display of Unauthorized Sign, Signal or Marking. AK: 13 AAC 02.030.

Traffic Control Device Upon City Street Forming Part of State Highway. AK: 13 AAC 02.035.

Driving on Right Side of Roadway. AK: 13 AAC 02.050.

Overtaking on Right. AK:13 AAC 02.055.

Driving on Left Side of Roadway. AK: 13 AAC 02.060.

Overtaking on Left. AK: 13 AAC 02.065.

Passing Vehicle Proceeding in Opposite Direction. AK: 13 AAC 02.070.

No Passing Zone. AK: 13 AAC 02.075.

One-Way Roadway and Rotary Traffic Island. AK: 13 AAC 02.080.

Driving on Roadway Laned for Traffic. AK: 13 AAC 02.085.

Following Too Close. AK:13 AAC 02.090.

Driving on Divided Highway. AK:13 AAC 02.095.

Restricted Access. AK: 13 AAC 02.100.

Restriction on Use of Controlled Access Highway. AK: 13 AAC 02.105.

Vehicle Approaching or Entering Intersection. AK: 13 AAC 02.120.

Vehicle Turning Left. AK: 13 AAC 02.125.

Vehicle Entering Stop or Yield Intersection. AK: 13 AAC 02.130.

Approaching Authorized Emergency Vehicle or Vehicle Using Blue Light. AK: 13 AAC 02.140.

Pedestrian Subject to Traffic Regulations. AK: 13 AAC 02.150.

Pedestrian Right-of-Way in Crosswalk. AK: 13 AAC 02.1

Pedestrian Right-of-Way in Crosswalk. AK: 13 AAC 02.155.

Crossing at Other Than Crosswalk. AK: 13 AAC 02.160.

Driver to Exercise Due Care. AK: 13 AAC 02.165.

Pedestrian to Use Crosswalk. AK: 13 AAC 02.170.

Pedestrian on Roadway. AK: 13 AAC 02.175.

Pedestrian Soliciting Ride or Business. AK: 13 AAC 02.180.

Driving Through Safety Zone Prohibited. AK: 13 AAC 02.185.

Use of Device for Blind by Others Prohibited. AK: 13 AAC 02.190.

Required Position and Method of Turning at Intersection. AK: 13 AAC 02.200.

Turning on Curve or Crest of Grade. AK: 13 AAC 02.205.

Starting Parked Vehicle. AK: 13 AAC 02.210.

Turning Movement and Required Signal. AK: 13 AAC 02.215.

Signal by Hand and Arm or Signal Lamps. AK: 13 AAC 02.220.

Method of Giving Signal. AK: 13 AAC 02.225.

Overtaking and Passing School Bus. AK: 13 AAC 02.260.

Basic Rule and Maximum Speed Limit. AK: 13 AAC 02.275.

Exceeding Speed Limit Lowered by State. AK: 13 AAC 02.280.

Alteration of Maximum Limit. AK: 13 AAC 02.285.

Minimum Speed Regulation. AK: 13 AAC 02.295.

"Stop" Sign at Intersection With Increased Speed Highway. AK: 13 AAC 02.305.

Maximum Speed Limit When Passing School or Playground Crosswalk. AK: 13 AAC 02.310.

Maximum Speed, Weight or Size - Bridge, Elevated Structure, Tunnel and Underpass. AK: 13 AAC 02.315.

Special Speed Limitation on Motor Scooter. AK: 13 AAC 02.320.

Special Limit on Buses and Trailers. AK: 13 AAC 02.325.

Racing Vehicle on Highway. AK: 13 AAC 02.330.

Stopping, Standing or Parking on Highway. AK: 13 AAC 02.340.

Officer Authorized to Remove Illegally Stopped Vehicle. AK: 13 AAC 02.345.

Custody of Vehicle When Operator Arrested. AK: 13 AAC 02.350.

Other Removal of Vehicles. AK: 13 AAC 02.355.

Stopping, Standing or Parking in Specified Place. AK: 13 AAC 02.360.

Additional Parking Regulations. AK: 13 AAC 02.365.

Abandoned Vehicle. AK: 13 AAC 02.370.

Inventory of Impounded Vehicle. AK: 13 AAC 02.375.

Bicycles--Parental Responsibility. AK: 13 AAC 02.380.

Bicycles--Application of Provisions. AK: 13 AAC 02.385.

Bicycles--Traffic Laws and Regulations Apply to Person Riding. AK: 13 AAC 02.390.

Bicycles--Riding On. AK: 13 AAC 02.395.

Bicycles--Riding on Roadway, Trail and Path. AK: 13 AAC 02.400.

Bicycles--Carrying Article. AK: 13 AAC 02.405.

Bicycles--Lamps and Other Equipment. AK: 13 AAC 02.410.

Snow Vehicles--Parental Responsibility. AK: 13 AAC 02.430.

Snow Vehicles--Application of Provisions. AK: 13 AAC 02.435.

Traffic Laws and Regulations Apply to Operation. AK: 13 AAC 02.440.

Snow Vehicles--Riding On. AK: 13 AAC 02.445.

Snow Vehicles--Towing Other Persons. AK: 13 AAC 02.450.

Snow Vehicles--Operation on Highway or City Street. AK: 13 AAC 02.455.

Snow Vehicles--Lamps and Other Equipment. AK: 13 AAC 02.460.

Snow Vehicles--Speed Restrictions. AK: 13 AAC 02.465.

Unattended Motor Vehicle. AK: 13 AAC 02.480.

Limitation on Backing. AK: 13 AAC 02.485.

Riding on Motorcycle or Motor Scooter. AK: 13 AAC 02.490.

Obstruction to Driver's View or Driving Mechanism. AK: 13 AAC 495.

Opening and Closing Vehicle Door. AK: 13 AAC 02.500.

Livestock on Roadway. AK: 13 AAC 02.505.

Riding in Trailer. AK: 13 AAC 02.510.
Coasting Prohibited. AK: 13 AAC 02.515.
Following Authorized Emergency Vehicle. AK: 13 AAC 02.520.
Crossing Fire Hose. AK: 13 AAC 02.525.
Littering or Depositing Material on Highway or Elsewhere. AK: 13 AAC 02.535.
Carrying or Towing Person on Outside Part of Vehicle. AK: 13 AAC 02.535.
Embracing Another While Driving. AK: 13 AAC 02.540.
Drinking While Driving. AK: 13 AAC 02.545.
Leaving Child Unattended in Standing Vehicle With Motor Running. AK: 13 AAC 02.550.
Application of Traffic Regulations. AK: 13 AAC 02.560.
Obedience to Police Officer, Flagman and Fireman. AK: 13 AAC 02.565.
Required to Give Information and Cooperate with Police Officer. AK: 13 AAC 02.570.
Person Riding Animal or Driving Animal Drawn Vehicle. AK: 13 AAC 02.575.
Fireman's Private Vehicle. AK: 13 AAC 02.580.
Authorized Emergency Vehicle. AK: 13 AAC 02.585.
Vehicle Rules at Airport. AK: 14 AAC 10.030.]

[Chapter 11.40]

[SIZE AND WEIGHT LIMITS]

[Sections:

11.40.010 State provisions adopted by reference.
11.40.010 State provisions adopted by reference. Size and weight restrictions.
Penalty and Exclusions. AK: 17 AAC 25.010.
Width of Vehicle and Load. AK: 17 AAC 25.020.
Height and Length of Vehicles and Loads. AK: 17 AAC 25.030.
Confinement of Loads. AK: 17 AAC 25.040.
Towed Vehicle. AK: 17 AAC 25.050.
Gross Weight Limits of Vehicle and Load. AK: 17 AAC 25.060.
Enforcement. AK: 17 AAC 25.070.

Permit for Excess Size and Weight. AK: 17 AAC 25.080.

Requirements for Permits. AK: 17 AAC 25.090.

Road Closures and Restrictions. AK: 17 AAC 25.100.

Definitions. AK: 17 AAC 25.110.]

[Chapter 11.44]

[EQUIPMENT]

[Sections:

11.44.010 State provisions adopted by reference.

11.44.010 State provisions adopted by reference.

Scope and Effect of Regulations. AK: 13 AAC 04.005.

When Lighted Lamps Required. AK: 13 AAC 04.010.

Visibility Distance and Mounted Height of Lamps and Reflectors. AK: 13 AAC 04.015.

Headlamps on Motor Vehicle. AK: 13 AAC 04.020.

Tail Lamps. AK: 13 AAC 04.025.

Reflectors. AK: 13 AAC 04.035.

Stop Light and Turn Signals on Vehicles and Trailers. AK: 13 AAC 04.035.

Additional Lighting Equipment Required on Certain Vehicles. AK: 13 AAC 04.040.

Color of Clearance, Identification, Side Marker and Back-up Lamp and Reflector. AK: 13 AAC 04.045.

Mounting of Reflector, Clearance, and Side Marker Lamp. AK: 13 AAC 04.050.

Visibility Requirement for Reflector, Clearance, identification and Marker Lamp. AK: 13 AAC 04.055.

Obstructed Light Not Required. AK: 13 AAC 04.060.

Lamp or Flag on Projecting Load. AK: 13 AAC 04.065.

Lamps on Parked Vehicle. AK: 13 AAC 04.070.

Lamps on Farm Tractor, Road Tractor, Farm Equipment and Implement of Husbandry. AK: 13 AAC 04.075.

Lamps on Other Vehicles and Equipment. AK: 13 AAC 04.080.

Spotlamp and Auxiliary Lamp. AK: 13 AAC 04.085.

Flashing Amber Warning Light on Vehicle. AK: 13 AAC 04.095.

Flashing Blue Light on Fireman's Private Vehicle. AK: 13 AAC 04.100.

Stoplamp and Electric Turn Signals. AK: 13 AAC 04.105.

Additional Lighting Equipment. AK: 13 AAC 04.110.

Multiple Beam Road-Lighting Equipment. AK: 13 AAC 04.115.

Use of Multiple Beam Road-Lighting Equipment. AK: 13 AAC 04.120.

Single Beam Road-Lighting Equipment. AK: 13 AAC 04.125.

Lighting Equipment on Motor Scooter. AK: 13 AAC 04.130.

Alternate Road-Lighting Equipment. AK: 13 AAC 04.135.

Number of Driving Lamps Required or Permitted. AK: 13 AAC 04.140.

Special Restrictions on Lamps. AK: 13 AAC 04.145.

Special Equipment on School Bus. AK: 13 AAC 04.150.

Selling or Using Lamps or Equipment. AK: 13 AAC 04.160.

Brake Equipment Required. AK: 13 AAC 04.180.

Performance Ability of Brakes. AK: 13 AAC 04.185.

Brakes on Other Vehicles and Equipment. ak: 13 aac 04.190

Maintenance of Brakes. ak: 13 aac 04.195.

Hydraulic Brake Fluid. AK: 13 aac 04.200.

Horn and Audible Warning Devices. AK: 13 AAC 04.210.

Muffler-Prevention of Noise. AK: 13 AAC 04.215.

Mirrors. AK: 13 AAC 04.220.

Windshield Required Must Be Unobstructed and Equipped With Wipers and Defrosters. AK: 13 AAC 04.225.

Restrictions as to Tire Equipment. AK: 13 AAC 04.230.

Safety Glazing Material in Motor Vehicle. AK: 13 AAC 04.235.

Certain Vehicle to Carry Flares or Other Warning Devices. AK: 13 AAC 04.240.

Display of Warning Devices When Vehicle Disabled. AK: 13 AAC 04.245.

Vehicle Transporting Explosives and Flammables. AK: 13 AAC 04.250.

Air-Conditioning Equipment. AK: 13 AAC 04.255.

Flashing Amber Warning Light on Vehicle. AK: 13 AAC 04.095.

Flashing Blue Light on Fireman's Private Vehicle. AK: 13 AAC 04.100.

Stoplamp and Electric Turn Signals. AK: 13 AAC 04.105.

Additional Lighting Equipment. AK: 13 AAC 04.110.

Multiple Beam Road-Lighting Equipment. AK: 13 AAC 04.115.

Use of Multiple Beam Road-Lighting Equipment. AK: 13 AAC 04.120.

Single Beam Road-Lighting Equipment. AK: 13 AAC 04.125.

Lighting Equipment on Motor Scooter. AK: 13 AAC 04.130.

Alternate Road-Lighting Equipment. AK: 13 AAC 04.135.

Number of Driving Lamps Required or Permitted. AK: 13 AAC 04.140.

Special Restrictions on Lamps. AK: 13 AAC 04.145.

Special Equipment on School Bus. AK: 13 AAC 04.150.

Selling or Using Lamps or Equipment. AK: 13 AAC 04.160.

Brake Equipment Required. AK: 13 AAC 04.180.

Performance Ability of Brakes. AK: 13 AAC 04.185.

Brakes on Other Vehicles and Equipment. ak: 13 aac 04.190

Maintenance of Brakes. ak: 13 aac 04.195.

Hydraulic Brake Fluid. AK: 13 aac 04.200.

Horn and Audible Warning Devices. AK: 13 AAC 04.210.

Muffler-Prevention of Noise. AK: 13 AAC 04.215.

Mirrors. AK: 13 AAC 04.220.

Windshield Required Must Be Unobstructed and Equipped With Wipers and Defrosters. AK: 13 AAC 04.225.

Restrictions as to Tire Equipment. AK: 13 AAC 04.230.

Safety Glazing Material in Motor Vehicle. AK: 13 AAC 04.235.

Certain Vehicle to Carry Flares or Other Warning Devices. AK: 13 AAC 04.240.

Display of Warning Devices When Vehicle Disabled. AK: 13 AAC 04.245.

Vehicle Transporting Explosives and Flammables. AK: 13 AAC 04.250.

Air-Conditioning Equipment. AK: 13 AAC 04.255.

Television Viewer. AK: 13 AAC 04.260.

Anti-Spray Device. AK: 13 AAC 04.265.

Seatbelts Required. AK: 13 AAC 94.270.

Safety Chain on Towed Vehicle. AK: 13 AAC 04.275.

Motorcycle, Motor Scooter - Mirrors, Goggles, Face Shield and Helmet. AK: 13 AAC 04.280.

Helmet Required When Motorcycle or Motor Scooter Rented. AK: 13 AAC 04.285.

Maximum Height For Handlebars. AK: 13 AAC 04.290.

Motorcycle and Motor Scooter Windshield. AK: 13 AAC 04.295.

Helmet, Goggles and Face Shield Standards. AK: 13 AAC 04.300.

Minimum Equipment Required on Vehicle - Sale. AK: 13 AAC 04.305.

Minimum Equipment Required on Rent or Lease Vehicle. AK: 13 AAC 04.310.]

[Chapter 11.48]

[VEHICLE INSPECTION]

[Sections:]

[11.48.010 Annual inspections and spot checks.]

[11.48.020 State provisions adopted by reference.]

[11.48.010 Annual inspections and spot checks. Once each year the chief of police may conduct a general inspection of all motor vehicles using the streets of the city. The chief will provide the manner and place in which these inspections shall be conducted. A decal or sticker shall be affixed to the inspected vehicle's windshield, in the lower right-hand corner of the passenger side of same. The decal or sticker shall be placed only on those vehicles meeting all requirements for safe equipment as prescribed in this title. The drivers of all motor vehicles using the city streets shall submit the vehicle they are driving to inspection when required to do so. A reasonable fee, set by resolution of the council, may be charged by the chief of police to cover the costs of general inspection. The chief of police may, from time to time, conduct spot checks of one or more components of vehicles using the streets of the city. No fee may be charged for any such spot checks.]

[11.48.020 State provisions adopted by reference.
Inspection By Officer. AK: 13 AAC 06.010.

Owner or Driver to comply with Inspection Requirements. AK: 13 AAC 06.020.

Roadside Inspection. AK: 13 AAC 06.030.

Inspection Sticker. AK: 13 AAC 06.040.

Prohibited Practices. AK: 13 AAC 06.050.

Notice and Approval of Repair or Adjustment. AK: 13 AAC 06.060.]

[Chapter 11.52]

[PERMITS AND LICENSES]

[Sections:

11.52.010 State provisions adopted by reference.

11.52.010 State provisions adopted by reference.
Operator Must Be Licensed. AK: AS 28.15.011.

License Must Be Carried When Driving. AK: AS 28.15.131.

Out-of-State License Use During Revocation or Suspension. AK: AS 28.15.280.

Permitting Unauthorized Minor to Drive. AK: AS 28.,15.310.

School Bus Driver Permit; Display. AK: 13 AAC 08.030.

Snowmachine Registration. AK: AS 05.30.010.

Snowmachines; Certificate and Decals. AK: AS 05.30.040.

Snowmachines; Accident Report Required. AK: AS 05.30.100.

Snowmachines; Permits for Racing. AK: AS 05.35.020.

Unregistered Vehicle - Parked. AK: AS 28.10.011.

Unregistered Vehicle - Moving. AK: AS 28.10.461.

Registration Certificate to be in Vehicle. AK: AS 28.10.081.

Operating Vehicle with Expired Permit. AK: AS 28.10.031.

License Plates for Vehicle Issued. AK: AS 28.10.481.

License Plates Must Be Displayed. AK: AS 28.10.171

New Owner to Obtain Title & Registration. AK: AS 28.10.321.

Resident with Out of State Plates. AK: AS 28.10.121.

Operating Unregistered or Untitled Vehicle. AK: AS 28.10.590.

Driving with Expired Operator's License. AK: AS 28.15.010.

Restricted License Violation. AK: AS 28.15.121.

Permitting Unauthorized Person to Drive. AK: AS 28.15.281.]

[Chapter 11.60]

[COMMON CARRIERS]

[Sections:

11.60.010 State provisions adopted by reference.

11.60.010 State provisions adopted by reference.
Insurance and Bond Requirements. AK: 3 AAC 64.300.

Identification and Permit Display. AK: 3 AAC 64.500.

Bus Certificates Required. AK: 3 AAC 66.010.

Bus Identification and Limit. AK: 3 AAC 66.200.

Vehicle Identification Requirements. AK: AS 42.10.113.

Operating Carrier Without Permit. AK: AS 42.10.130.

Weight Fees. AK: AS 42.10.240.]

PASSED IN FIRST READING February 15, 2000

PASSED IN SECOND READING March 14, 2000


Fern D. Neimeyer, Mayor

ATTEST: 
Christie L. Jamieson, City Clerk



CITY OF WRANGELL, ALASKA

ORDINANCE NO. 672

AN ORDINANCE OF THE COUNCIL OF
THE CITY OF WRANGELL, ALASKA,
AMENDING CHAPTER 19.30, FLAG LOT
SUBDIVISIONS, SPECIFICALLY SECTION
19.30.020 STANDARDS

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 30 days after final passage.

SEC. 4. Wrangell Municipal Code, Title 19, Chapter 19.30, hereby amended as follows:

Chapter 19.30

FLAG LOT SUBDIVISIONS

Sections:

19.30.010 Purpose.
19.30.020 Standards.

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 square feet, or fifteen thousand 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 square feet, or fifteen thousand 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. The easement shall be a minimum improved, **well drained**, constructed roadway surface width of twenty feet, with a thirty-foot minimum road easement width. **[The**

improved surface of the easement shall be durable, well-trained, and dust-free. The easement area shall provide for proper drainage from the roadway surface.]

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

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

G. A maximum of two rear lots or parcels may be assigned to the easement, **or three lots in areas where city water and sewer are available.** A maximum number of three lots can be created under a flag lot subdivision, **or four lots in areas where city water and sewer are available.**

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 five-foot high, seventy-five percent site obscuring fence or wall;
- or
2. Landscaping that will be five-feet high and seventy-five percent site obscuring within five years.]


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

PASSED IN FIRST READING February 22, 2000

PASSED IN SECOND READING March 14, 2000



Fern D. Neimeyer, Mayor

ATTEST: 
Christie L. Jamieson, City Clerk



CITY OF WRANGELL, ALASKA

ORDINANCE NO. 671

AN ORDINANCE OF THE COUNCIL OF THE
CITY OF WRANGELL, ALASKA,
AUTHORIZING THE ANNEXATION OF
TERRITORY TO THE CITY OF WRANGELL

WHEREAS, the territory proposed for annexation exhibits a reasonable need for city government as required by 3 AAC 110.090 (a); and

WHEREAS, the City is capable of providing “essential city services” (as defined by 3 AAC 110.990 (8)) more efficiently and more effectively to the territory proposed for annexation than another existing city or organized borough as required by 3 AAC 110.090 (b); and

WHEREAS, the territory proposed for annexation is compatible in character with the area inside the current boundaries of the City as required by 3 AAC 110.100; and

WHEREAS, the area within the proposed post-annexation boundaries of the City (i.e., the territory proposed for annexation and the area within the existing boundaries of the City) includes the human and financial resources needed to provide essential city services on an efficient, cost-effective level as required by 3AAC 110.110; and

WHEREAS, the population within the proposed post-annexation boundaries of the City is sufficiently large and stable to support the extension of city government as required by 3 AAC 110.120; and

WHEREAS, the proposed post-annexation boundaries of the City encompass all land and water necessary to provide the full development of essential city services on an efficient, cost-effective level as required by 3 AAC 110.130 (a); and

WHEREAS, the territory proposed for annexation is contiguous to the City’s present corporate boundaries as presumed by 3 AAC 110.130 (b). Alternatively, there is a specific and persuasive basis for annexation of non-contiguous territory; and

WHEREAS, the proposed post-annexation boundaries of the City include only that area comprising the local community plus reasonably predictable growth, development, and public safety needs during the 10 years following the effective date of annexation as required by 3 AAC 110.130 (c); and

WHEREAS, the proposed post-annexation boundaries of the City exclude entire geographic at regions or large unpopulated areas, except where justified by the application of the city annexation standards in 3 AAC 110.090 – 3 AAC 110.130; and

WHEREAS, the territory proposed for annexation does not overlap the boundaries of an existing organized borough or City; and

WHEREAS, the City has prepared a transition plan concerning annexation in accordance with 3 AAC 110.900; and

WHEREAS, the proposed annexation to the City will not deny any person the enjoyment of any civil or political right, including voting rights, because of race, color, creed, sex, or national origin in accordance with 3 AAC 110.910; and

WHEREAS, annexation will serve the balanced best interests of the state, the territory proposed for annexation, and affected political subdivisions are required by 3 AAC 110.140.

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

SEC. 1. Classification. This is a non-code ordinance.

SEC. 2. Authorization. That the City Manager is authorized to file a petition for annexation by legislative review with the Alaska Local Boundary Commission. The petition shall propose the annexation of the area generally described as General Description:

Such real property as is situated south of the City Limits, located in the unorganized borough, First Judicial District, State of Alaska, generally consisting of a portion of the US Forest Service right-of-way FH16; Portions of Block 2 and Block 7, Alaska State Land Survey 83-7 Wrangell Island West; all of Block 1, Block 3, Block 4, Block 5, and Block 6, Alaska State Land Survey 83-7 Wrangell Island West; Unsubdivided state lands east of Blocks 3, 5, 6 and 7 within Section 17, T.64S., R.84E; Tongass National Forest Lands within Section 17, T.64S., R.84E.; and unsubdivided tidelands in Zimovia Strait west of Section 17 and northern half of Section 20.

The legal boundary description of the area proposed to be annexed is attached hereto as Exhibit "A" and shown on the map attached hereto as Exhibit "B", all of which exhibits are incorporated herein by this reference.

SEC. 3. Petitioner's Representative. That the City Manager is designated as the representative of the City for all matters relating to the annexation proceedings.

SEC. 4. Terms and Conditions. That the annexation will be on the following terms and conditions:

The City of Wrangell will provide the same services to all lands in the area proposed for annexation north of McCormack's Creek the same services other Wrangell residents in Wrangell West currently receive which includes, Hospital, Emergency Medical Services, Emergency Dispatch Services, Ports and Harbors, Library Services, Fire Response, Police Protection, Solid Waste Disposal, Education, School Bus Transportation, Economic Development Planning, Electricity, Museum, Parks and Recreation, Cemetery, Taxation and Planning and Platting. For the land area south of McCormack's Creek with no road access, services will be provided equivalent to those received by residents on the Eastern Passage which include all the above except for Electricity and Fire Response. Services will be available beginning July 1 2001, and taxes levied on real property owned as of January 1, 2001.

SEC. 5. Effective Date. That this ordinance shall become effective 30 days after the final passage.

PASSED IN FIRST READING February 22, 2000

PASSED IN SECOND READING March 14, 2000


Fern D. Neimeyer, Mayor

ATTEST: 
Christie L. Jamieson, City Clerk

EXHIBIT A

**Legal Description of Territory Proposed
For Annexation**

Beginning at the corner of sections 8, 9, 16 and 17, T.64S., R.84E.;
thence, southerly, between section 16 and 17 and continuing between section 20 and 21, approximately 120
chains, to the quarter corner between said section 20 and 21;

thence westerly, approximately 110 chains to the center line of Zimovia Straits;

thence northerly, approximately 120 chains along the centerline of Zimovia Straits to the intersection of the
Zimovia Strait centerline and the northern boundary line of Section 17, T.64S., R.84E.;

thence easterly along the boundary line between Section 17 and 8 to the point of origin at the corner of
sections 8, 9, 16 and 17, T.64S., R.84E.

CITY OF WRANGELL, ALASKA

ORDINANCE NO. 670

AN ORDINANCE OF THE COUNCIL OF THE
CITY OF WRANGELL, ALASKA, AMENDING
CHAPTER 10.28 CURFEW FOR MINORS,
SPECIFICALLY SECTION 10.28.010 HOURS
AND CONDITIONS

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 30 days after final passage.

SEC. 4. Public Hearing. There shall be a public hearing prior to the approval of the second and final reading.

SEC. 5. Wrangell Municipal Code, Title 10, Chapter 10.28.010, is hereby amended as follows:

Chapter 10.28

CURFEW FOR MINORS

Sections:

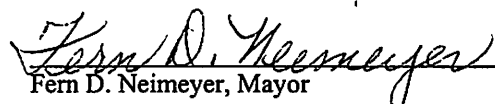
10.28.010 Hours and conditions.

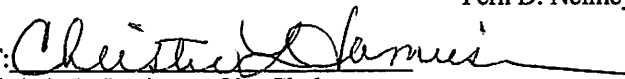
10.28.020 Persons responsible--Prima facie evidence.

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. to five a.m. Sunday through Thursday and twelve [p] a.m. to five a.m. Friday and Saturday during the school term and twelve [p] a.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] their parents, guardian or with the express permission of a parent or guardian and accompanied by a person who is at least twenty-one years old and has authority for the control and custody of the minor under the age of eighteen years old 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. The ordinance codified in this section does not prohibit parental consent for or attendance at associational activities, such as religious or school meetings, organized dances, theater 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 January 25, 2000

PASSED IN SECOND READING February 15, 2000


Fern D. Neimeyer, Mayor

ATTEST: 
Christie L. Jamieson, City Clerk

