

CITY AND BOROUGH OF WRANGELL, ALASKA

ORDINANCE NO. 913

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING CHAPTER 14.09, PROHIBITED PRACTICES, AND CHAPTER 14.11, FEES AND PENALTIES, OF TITLE 14, HARBOR AND PORT FACILITIES, OF THE WRANGELL MUNICIPAL CODE, TO ADD A NEW SECTION 14.09.120 ON PENALTY FOR VIOLATION AND REFERENCE THE FINE SCHEDULE IN WMC 1.20.050, AND REPEAL SECTION 14.11.015 ON PENALTIES

[The changes to the existing code are shown as follows: the words that are underlined are to be added and the words that are **bolded and in brackets** are to be deleted.]

SEC. 1. Action. The purpose of this ordinance is to amend Title 14, Harbor and Port Facilities, of the Wrangell Municipal Code, specifically Chapter 14.09, Prohibited Practices, to add a new Section 14.09.120 on Penalty for Violation, and Chapter 14.11, Fees and Penalties, to repeal Section 14.11.015, Penalties.

SEC. 2. Amendment. The list of sections in Chapter 14.09, Prohibited Practices, of the Wrangell Municipal Code is amended to read:

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 launch ramp.
- 14.09.105 Tampering with impounded vessels.
- 14.09.110 Idle vessel removal.
- 14.09.120 Penalty for violation.

SEC. 3. New Section. Chapter 14.09 of the Wrangell Municipal Code is amended by the addition of a new Section 14.09.120 to read:

14.09.120 Penalty for violation.

Any person violating any provision of this chapter is guilty of an infraction and shall be punished by the fine established in the WMC 1.20.050 fine schedule if the offense is listed in that fine schedule or by a fine of up to \$500.00 if the offense is not listed in the WMC 1.20.050 fine schedule.

SEC. 4. Amendment. The list of sections in Chapter 14.11, Fees and Penalties, of the Wrangell Municipal Code is amended to read:

Chapter 14.11
FEES [AND PENALTIES]

Sections:

- 14.11.005 Fee schedule.
- 14.11.010 Fee collection and lien.
- 14.11.015 **[Penalties] Repealed.**
- 14.11.020 Public hearing.

SEC. 5. Repeal. Section 14.11.015 of the Wrangell Municipal Code is repealed in its entirety.

14.11.015 [Penalties] Repealed.

[A. Nonmandatory Appearance Fine Schedule. The following penalties shall be imposed for the violation indicated:]

[Section	Violation	Fine
<u>14.09.015</u>	Hazard to navigation	\$100.00
<u>14.09.020</u>	Failure to register	\$25.00
<u>14.09.025</u>	Improper mooring	\$25.00
<u>14.09.030</u>	Inadequate equipment	\$50.00
<u>14.09.035</u>	Improper use of facilities	\$50.00
<u>14.09.040</u>	Improper waste disposal	\$50.00
<u>14.09.045</u>	Improper petroleum product disposal	\$100.00
<u>14.09.050</u>	Improper care and control of animals	\$25.00
<u>14.09.055</u>	Water sports	\$25.00
<u>14.09.065</u>	Improper use of seaplane float	\$50.00
<u>14.09.070</u>	Improper use of a loading zone per hour	\$2.00
<u>14.09.075</u>	Improper use of fire equipment	\$100.00
<u>14.09.080</u>	Improper use of utilities	\$50.00
<u>14.09.085</u>	Tampering and defacing signs	\$25.00
<u>14.09.090</u>	Nuisance	\$100.00
<u>14.09.100</u>	Obstruct or impede use of any boat launch ramp	\$50.00
<u>14.09.105</u>	Tampering with impounded vessels	\$100.00]

[B. Mandatory Appearance Fine Schedule. The following penalties shall be determined by the court pursuant to this schedule:]

<u>14.09.005</u>	Speeding	Up to \$300.00
<u>14.09.010</u>	Operating under the influence	Up to \$500.00
<u>14.09.060</u>	Negligent operation	Up to \$300.00
<u>14.09.095</u>	Failure to comply with rules, regulations and procedures	Up to \$300.00]

[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 days of the date of citation, to the borough 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 acknowledgement 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.]

SEC. 6. Classification. This ordinance is of a permanent nature and shall be codified in the Wrangell Municipal Code.

SEC. 7. 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. 8. Effective Date. This ordinance shall be effective upon adoption.

PASSED IN FIRST READING: December 17, 2015.

PASSED IN SECOND READING: January 12, 2016.



David L. Jack, Mayor

ATTEST:

Kim Lane

Kim Lane, Borough Clerk



CITY AND BOROUGH OF WRANGELL, ALASKA

ORDINANCE NO. 914

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING THE MINOR OFFENSE FINE SCHEDULE IN CHAPTER 1.20, GENERAL PENALTY, OF THE WRANGELL MUNICIPAL CODE

BE IT ORDAINED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA:

[The changes to the existing code are shown as follows: the words that are underlined are to be added and the words that are **[bolded and in brackets are to be deleted]**.]

SEC. 1. Action. The purpose of this ordinance is to amend the Minor Offense Fine Schedule in Section 1.20.050 of Chapter 1.20, General Penalty, of the Wrangell Municipal Code to add to the fine schedule offenses relating to Chapter 14.09, Prohibited Practices, of Title 14, Harbor and Port Facilities.

SEC. 2. Amendment. Section 1.20.050 of the Wrangell Municipal Code is amended to read:

1.20.050 Minor Offense Fine Schedule.

In accordance with AS 29.25.070(a), citations for the following offenses may be disposed of as provided in AS 12.25.195-.230, without a court appearance, upon payment of the fine amounts listed below plus the state surcharge required by AS 12.55.039 and AS 29.25.074. Fines must be paid to the police department. If an offense is not listed on a fine schedule, the defendant must appear in court to answer the charges. The Alaska Court System's Rules of Minor Offense Procedure apply to all offenses listed below. Citations charging these offenses must meet the requirements of Minor Offense Rule 3. If a person charged with one of these offenses appears in court and is found guilty, the penalty imposed for the offense may not exceed the fine amount for that offense listed below.

The fine amounts listed below are doubled for motor vehicle or traffic offenses committed in a highway work zone or traffic safety corridor, as those terms are defined in AS 28.90.990 and 13 AAC 40.010(b).

An offense listed in this schedule may not be disposed of without court appearance if the offense is in connection with a motor vehicle accident that results in the death of a person.

Section	Offense	Penalty/Fine
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7.04.010	Cruelty – Abandonment	\$200
7.04.020	Animals at large prohibited	First offense - \$15, second offense - \$50, third offense - \$100. Fourth and subsequent offenses are mandatory court appearance offenses with a minimum fine of \$200 and a maximum fine of \$500.00.
7.08.010	Licensing	\$25.00 fine for each offense.
7.08.020	Dog Vaccination required	\$50.00 fine for each offense.
7.08.030	At large – Prohibited – Nuisance declared	First offense - \$15, second offense - \$50, third offense - \$100. Fourth and subsequent offenses are mandatory court appearance offenses with a minimum fine of \$200 and a maximum fine of \$500.00.
7.08.035	Objectionable animals	First offense - \$15, second offense - \$50, third offense - \$100. Fourth and subsequent offenses are mandatory court appearance offenses with a minimum fine of \$200 and a maximum fine of \$500.00.
7.08.040	Restraint requirements	First offense - \$15, second offense - \$50, third offense - \$100. Fourth and subsequent offenses are mandatory court appearance offenses with a minimum fine of \$200 and a maximum fine of \$500.00.
7.08.045 & 7.08.050	Off-leash areas & Off-leash area rules	First offense - \$15, second offense - \$50, third offense - \$100. Fourth and subsequent offenses are mandatory court appearance offenses with a minimum fine of \$200 and a maximum fine of \$500.00.
7.08.115	Potentially dangerous and dangerous dogs: violation of restrictions, confinement requirements, and sign requirements	First offense - \$200. Second and subsequent offenses are mandatory court appearance offenses with a minimum fine of \$300 and a maximum fine of \$500.00.
7.08.120	Biting dog – Confinement	First offense - \$200. Second and subsequent offenses are mandatory court appearance offenses with a minimum fine of \$300 and a maximum fine of \$500.00.
7.08.140	Proclamation to confine all dogs during epidemic	First offense - \$200 Second and subsequent offenses are mandatory court appearance offenses with a minimum fine of \$300 and a maximum fine of \$500.00.

7.08.150	Interference with animal enforcement agents	First offense - \$200 Second and subsequent offenses are mandatory court appearance offenses with a minimum fine of \$300 and a maximum fine of \$500.00.
9.08.080	Accumulations of rubbish & materials prohibited	\$100.00 fine for each offense.
9.12.020, 9.12.030, & 9.12.040	Fireworks where prohibited; sale where prohibited; display violations	First offense - \$200. Second and subsequent offenses are mandatory court appearance offenses with a minimum fine of \$300 and a maximum fine of \$500.00.
9.16.020	Deposit in public places	0-1 pound = \$50.00 fine, 1-5 pounds = \$150.00 fine, 6-10 pounds = \$250.00, 11-15 pounds = \$350.00 fine, 15 + pounds = \$500.00 fine.
9.16.030	Maintaining sidewalks free of litter.	\$75.00 fine for each offense.
9.16.040	Deposit from vehicles prohibited	\$75.00 fine for each offense.
9.16.050	Operating litter-generating vehicles prohibited	0-1 pound = \$50.00 fine, 1-5 pounds = \$150.00 fine, 6-10 pounds = \$250.00, 11-15 pounds = \$350.00 fine, 15 + pounds = \$500.00 fine.
9.16.060	Deposit on private property prohibited	0-1 pound = \$50.00 fine, 1-5 pounds = \$150.00 fine, 6-10 pounds = \$250.00, 11-15 pounds = \$350.00 fine, 15 + pounds = \$500.00 fine.
9.16.070	Property owner's responsibility to maintain premises	\$75.00 fine for each offense.
9.16.080	Handbills – Restrictions generally	\$75.00 fine for each offense.
9.16.090	Handbills – Distribution on private property	\$75.00 fine for each offense.
9.16.100	Posting notices prohibited	\$50.00 fine for each offense.
10.18.010	Abuse of 911 system	First offense - \$200. Second and subsequent offenses are mandatory court appearance offenses with a minimum fine of \$300 and a maximum fine of \$500.00.
10.36.010	Discharge of firearms and other weapons prohibited within certain areas	First offense - \$200. Second and subsequent offenses are mandatory court appearance offenses with a minimum fine of \$300 and a maximum fine of \$500.00.
10.46.010(A)(1)	Consumption of marijuana in a public place prohibited	\$100.00 fine for each offense.

10.46.010(A)(2)	Consume marijuana outdoors adjacent public place without consent of property owner	\$100.00 fine for each offense.
11.28.020	Prohibited parking places	\$50.00 fine for each offense.
11.28.030	Red-painted curbs and signs – No parking	\$50.00 fine for each offense.
11.28.040	Time-limit parking	\$50.00 fine for each offense.
11.28.080	Blocking roadway prohibited	\$50.00 fine for each offense.
11.28.090	Bus stop and passenger zone – Parking prohibited	\$50.00 fine for each offense.
11.28.100	Loading and unloading materials	\$50.00 fine for each offense.
11.28.130	Method of parking – Loading permits	\$50.00 fine for each offense.
11.30.030	Parking in excess of posted time limit – Parking lots	\$50.00 fine for each offense.
11.30.040	Proper parking required – Parking lots	\$50.00 fine for each offense.
11.30.050	Vehicles and objects prohibited – Parking lots	\$75.00 fine for each offense.
11.36.060	Stop when traffic obstructed	\$75.00 fine for each offense.
11.36.070	Bicycle restrictions on sidewalks	\$50.00 fine for each offense.
11.36.080	U-turns prohibited	\$50.00 fine for each offense.
11.36.100	Dragging objects prohibited	\$50.00 fine for each offense.
11.36.110	Projecting loads on passenger vehicles	\$50.00 fine for each offense.
11.36.160	Use of coaster, rollerskates, skateboards, sleds and skis	\$50.00 fine for each offense.
11.36.170	Excessive acceleration	\$50.00 fine for each offense.
11.64.010	Sound trucks – permit required	\$100.00 fine for each offense.
11.68.020	Registration required	\$50.00 fine for each offense.
11.68.030	Required equipment	\$50.00 fine for each offense.
11.68.040	Snowmobile operation restricted	\$50.00 fine for each offense.
11.68.050	Designated right-of-way	\$50.00 fine for each offense.
11.76.020	Junk vehicles unlawful	\$50.00 fine for each offense. Each 10 days shall constitute a separate violation.
<u>14.09.005</u>	<u>Speeding</u>	<u>\$150.00 fine for each offense.</u>
<u>14.09.015</u>	<u>Hazard to navigation</u>	<u>\$100.00 fine for each offense.</u>
<u>14.09.020</u>	<u>Failure to register</u>	<u>\$25.00 fine for each offense.</u>
<u>14.09.025</u>	<u>Improper mooring</u>	<u>\$25.00 fine for each offense.</u>
<u>14.09.030</u>	<u>Inadequate equipment</u>	<u>\$50.00 fine for each offense.</u>
<u>14.09.035</u>	<u>Improper use of facilities</u>	<u>\$50.00 fine for each offense.</u>
<u>14.09.040</u>	<u>Improper waste disposal</u>	<u>\$50.00 fine for each offense.</u>
<u>14.09.045</u>	<u>Improper petroleum product disposal</u>	<u>\$100.00 fine for each offense.</u>
<u>14.09.050</u>	<u>Improper care and control of</u>	<u>\$25.00 fine for each offense.</u>

	<u>animals</u>	
<u>14.09.055</u>	<u>Water sports</u>	<u>\$25.00 fine for each offense.</u>
<u>14.09.065</u>	<u>Improper use of seaplane float</u>	<u>\$50.00 fine for each offense.</u>
<u>14.09.070</u>	<u>Improper use of a loading zone</u>	<u>\$25.00 fine for each offense.</u>
<u>14.09.075</u>	<u>Improper use of fire equipment</u>	<u>\$100.00 fine for each offense.</u>
<u>14.09.080</u>	<u>Improper use of utilities</u>	<u>\$50.00 fine for each offense.</u>
<u>14.09.085</u>	<u>Tampering and defacing signs</u>	<u>\$25.00 fine for each offense.</u>
<u>14.09.090</u>	<u>Nuisance</u>	<u>\$100.00 fine for each offense.</u>
<u>14.09.095</u>	<u>Failure to comply with rules, regulations or procedures.</u>	<u>\$100.00 fine for each offense.</u>
<u>14.09.100</u>	<u>Obstruct or impede use of any launch ramp</u>	<u>\$50.00 fine for each offense.</u>
<u>15.18.030</u>	<u>Refuse containers – Required</u>	<u>\$150.00 fine for each offense.</u>
<u>15.18.032</u>	<u>Refuse containers – Maintained</u>	<u>\$150.00 fine for each offense.</u>
<u>15.18.050</u>	<u>Disposal of offensive refuse prohibited</u>	<u>\$150.00 fine for each offense.</u>
<u>15.18.052</u>	<u>Burning of certain materials prohibited</u>	<u>\$150.00 fine for each offense.</u>
<u>15.18.075</u>	<u>Monofill disposal permit and fees</u>	<u>\$150.00 fine for each offense.</u>

SEC. 3. Classification. This ordinance is of a permanent nature and shall be codified in the Wrangell Municipal Code.

SEC. 4. 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. 5. Effective Date. This ordinance shall be effective upon adoption.

PASSED IN SECOND READING: December 17, 2015

PASSED IN SECOND READING: January 12, 2016.

David L. Jack, Mayor

ATTEST:

Kim Lane, Borough Clerk



CITY AND BOROUGH OF WRANGELL, ALASKA

ORDINANCE NO. 915

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING SECTION 3.04.035, ABSENCE FROM MEETINGS, AND SECTION 3.05.050, TELECONFERENCING, OF THE WRANGELL MUNICIPAL CODE

[The changes to the existing code are shown as follows: the words that are underlined are to be added and the words that are **[bolded and in brackets are to be deleted]**.]

SEC. 1. Action. The purpose of this ordinance is to amend Section 3.04.035, Absence from meetings, and section 3.05.050, Teleconferencing, of the Wrangell Municipal Code.

SEC. 2. Amendment. Section 3.04.035 of the Wrangell Municipal Code is amended to read:

3.04.035 Absence from meetings.

A. If an elected or appointed assembly member or the mayor is absent and not excused from more than one-half of all regular meetings of the assembly held within any period of four consecutive calendar months, the member shall cease to hold office and the assembly shall declare the office vacant.

B. An elected or appointed assembly member or the mayor participating in a regular meeting of the assembly by teleconference in accordance with Section 3.05.050 is deemed present at that meeting and such participation not an unexcused absence.

~~[B]~~C. If an elected or appointed assembly member or the mayor is absent from a regular meeting of the assembly on borough business, the absence shall be deemed to be excused.

SEC. 3. Amendment. Section 3.05.050 of the Wrangell Municipal Code is amended to read:

3.05.050 Teleconferencing.

A. ~~[An]~~The mayor or an assembly member who will be absent from a meeting, including public hearings and work sessions of the assembly, may participate in the meeting by

telephone or other electronic means [under the following]as provided in this section and provided the following circumstances are met:

1. The meeting is held with a quorum of members physically present;
2. Reasonable technical capabilities are available at the meeting location to allow the member to participate by teleconference, including being able to hear and engage in discussion, and being audible to all persons participating in the meeting;
3. Prior to the meeting reasonable efforts will be made to ensure that the member participating by teleconference is provided with the meeting agenda and other pertinent documents to be discussed and acted upon; access to the agenda and documents from the borough's website will be considered sufficient access.

B. Participation of Mayor and Assembly Members by Teleconference.

1. An assembly member may request to participate in any meeting of the assembly by notifying the clerk to arrange for teleconference participation by four p.m. on the Friday before the Tuesday regular assembly meeting, and at least twelve hours before any special assembly meeting.
2. The mayor, or the presiding officer in the absence of the mayor, may request to participate in any meeting of the assembly by notifying the clerk to arrange for teleconference participation by four p.m. on the Friday before the Tuesday regular assembly meeting, and at least twelve hours before any special assembly meeting.
3. The mayor and any assembly member participating by teleconference shall be deemed to be present at the assembly meeting for all purposes, including for quorum and voting, provided that:
 - a. The mayor, or the presiding officer in the absence of the mayor, shall not preside over the assembly meeting when participating by teleconference;
 - b. Participation by teleconference shall not be allowed for any executive session by the mayor or any assembly member.
4. The mayor and any assembly member participating by teleconference shall have the same right to participate in any matter, other than an executive session, as if physically present at the assembly meeting, including debate under Section 3.05.060, adjudicatory matters, and presentations. Reasonable efforts shall be made to make available to the mayor and any assembly member participating by teleconference any pertinent documents that are to be discussed and/or acted upon, including the assembly packet.
5. The mayor and any assembly member participating by teleconference shall have the same right to vote on any matter as if physically present at the assembly

meeting. All voting at the meeting shall be by roll call vote. The assembly member who is participating by teleconference, or the mayor when participating by teleconference, determines whether the member or the mayor has had the opportunity to evaluate all pertinent information, including any testimony and/or evidence, and is prepared to vote.

6. Teleconference participation at any assembly meeting by each assembly member or by the mayor is limited to four times during the twelve month period commencing January 1 each year. However, teleconference participation by a member or the mayor will not be allowed consecutively for more than two regular meetings. Participation in a meeting by teleconference while out of town on municipal business does not count toward the four times for which teleconference participation is permitted or toward the two consecutive regular meetings limit on participation by teleconference.
- B. [Assembly members may not use teleconferencing as a regular form of participating in meetings of the assembly. Participation in a regular assembly meeting by teleconference will be considered an unexcused absence for purposes of WMC 3.04.035 unless the member is absent from the meeting as a result of attending to official business on behalf of the borough.]**
- C. All votes taken at the meeting are by roll call of the members physically present at the meeting and the members participating by teleconference [at the meeting; members participating in the meeting by teleconference may not vote].**
- D. [Assembly members shall provide the clerk's office with at least twenty-four (24) hours' notice of their intent to participate in a meeting by teleconference and provide sufficient contact information for purposes of setting up the teleconference.]**
- E. [Assembly members are responsible for any telephone long distance charges incurred due to their participation in a meeting by teleconference unless they are absent from the meeting on borough business. An assembly member is not considered to be on official borough business merely by attendance at an assembly meeting by teleconference.]**
- F. [The mayor may participate in assembly meetings as set forth in subsections (A) through (E) of this section, and may participate in debate, but may not act as presiding officer of the meeting.]**

SEC. 4. Classification. This ordinance is of a permanent nature and shall be codified in the Wrangell Municipal Code.

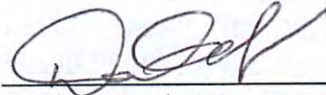
SEC. 5. Severability. If any portion of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to

other persons or circumstances shall not be affected thereby.

SEC. 6. Effective Date. This ordinance shall be effective upon adoption.


PASSED IN FIRST READING: March 8, 2016.

PASSED IN SECOND READING: March 22, 2016.



David L. Jack, Mayor

ATTEST:



Kim Lane, Borough Clerk



CITY AND BOROUGH OF WRANGELL, ALASKA

ORDINANCE NO. 916

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING CHAPTER 3.32, MEDICAL CENTER AND LONG-TERM CARE FACILITY BOARD AND ADMINISTRATION, OF THE WRANGELL MUNICIPAL CODE, TO REDUCE THE NUMBER OF BOARD MEMBERS FROM NINE TO SEVEN AND PROVIDE FOR A TRANSITION PROVISION TO IMPLEMENT THIS ORDINANCE

WHEREAS, at their regular board meeting held on March 16, 2016, the Wrangell Medical Center Board voted unanimously to approve a recommendation to the Assembly that the number of members on the Wrangell Medical Center Board be reduced from nine to seven, and

WHEREAS, the Wrangell Medical Center Board requested that this change be implemented by reducing from three to one the number of seats whose terms expire October 2016, thereby reducing the number of such seats available to be filled at the October 2016 regular election from three to one; and

WHEREAS, this ordinance will not impact the terms of the Board seats that expire in 2017 (two seats), 2018 (two seats) and 2019 (two seats); and

WHEREAS, the Borough Assembly approved moving forward with this ordinance to reduce the membership of the Wrangell Medical Center Board from nine to seven , and to include a Transition Provision to implement this change; and

WHEREAS, upon implementation of this ordinance, the staggered 4-year terms on the Board will rotate annually as follows: 1-2-2-2, instead of the current 3-2-2-2 rotation.

NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA:

[The changes to the existing code are shown as follows: the words that are underlined are to be added and the words that are **[bolded and in brackets are to be deleted]**.]

SEC. 1. Action. The purpose of this ordinance is to amend Sections 3.32.005, Established – Composition, and 3.32.007, Membership – Appointment - Terms, of the Wrangell Municipal Code, to reduce number of members on the Wrangell Medical Center Board from nine to seven and provide for a Transition Provision to implement this ordinance.

SEC. 2. Amendment. Section 3.32.005 of the Wrangell Municipal Code is amended to read:

3.32.005 Established – Composition.

There is established a board, subject to the ordinances set out and adopted in this chapter, to be known as the “Wrangell Medical Center and Long-Term Care Facility board,” designated in this chapter as “board” or “hospital board[.]” [**presently composed of nine members.**] Board members shall be qualified electors of the borough.

SEC. 3. Amendment. Section 3.32.007 of the Wrangell Municipal Code is amended to read:

3.32.007 Membership – Appointment – Terms.

The Wrangell Medical Center and Long-Term Care Facility board shall consist of [**nine**] seven members. No member of the board shall be an employee of the Wrangell Medical Center and Long-Term Care Facility, a tenant of that facility, a contractor that provides medical or health care services to that facility, or an employee of any such tenant or contractor. Members shall be elected by the voters to serve four-year terms. The term of each board member shall continue until his or her successor is elected and has qualified by taking the oath of office. The board shall be reduced from nine to seven members effective upon certification of the October 2016 regular election, this change to be implemented in accordance with the Transition Provision adopted in Section 4 of Ordinance No. 916.

SEC. 4. Transition Provision. The transition from nine to seven Board members, as provided in Section 2 of this ordinance, shall be implemented as follows:

1. The three members holding the three Board seats with terms expiring October 2016 shall continue to serve and fulfill their terms on the Board; and
2. The Borough Clerk shall advertise for one seat with a 4-year term on the Board during the declaration for candidacy period for the upcoming October 4, 2016 regular election;
3. Upon certification of the October 4, 2016 regular election, there shall be one successful candidate declared who will fill the one seat with a 4-year term expiring October 2020, and two of the seats that expire October 2016 shall be eliminated; and
4. The terms of the Board seats that expire October 2017 (two seats), October 2018 (two seats), and October 2019 (two seats), and the election of candidates to fill those seats, shall not be affected by this ordinance.

SEC. 5. Classification. Sections 2 and 3 of this ordinance is of a permanent nature and shall be codified in the Wrangell Municipal Code. Section 4 of this ordinance is a Transition Provision and shall not be codified in the Wrangell Municipal Code.

SEC. 6. 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. 7. Effective Date. This ordinance shall be effective upon adoption.

PASSED IN FIRST READING: April 12, 2016.

PASSED IN SECOND READING: April 26, 2016.



David L. Jack, Mayor

ATTEST:



Kim Lane, Borough Clerk



CITY AND BOROUGH OF WRANGELL, ALASKA

ORDINANCE NO. 916

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING CHAPTER 3.32, MEDICAL CENTER AND LONG-TERM CARE FACILITY BOARD AND ADMINISTRATION, OF THE WRANGELL MUNICIPAL CODE, TO REDUCE THE NUMBER OF BOARD MEMBERS FROM NINE TO SEVEN AND PROVIDE FOR A TRANSITION PROVISION TO IMPLEMENT THIS ORDINANCE

WHEREAS, at their regular board meeting held on March 16, 2016, the Wrangell Medical Center Board voted unanimously to approve a recommendation to the Assembly that the number of members on the Wrangell Medical Center Board be reduced from nine to seven, and

WHEREAS, the Wrangell Medical Center Board requested that this change be implemented by reducing from three to one the number of seats whose terms expire October 2016, thereby reducing the number of such seats available to be filled at the October 2016 regular election from three to one; and

WHEREAS, this ordinance will not impact the terms of the Board seats that expire in 2017 (two seats), 2018 (two seats) and 2019 (two seats); and

WHEREAS, the Borough Assembly approved moving forward with this ordinance to reduce the membership of the Wrangell Medical Center Board from nine to seven , and to include a Transition Provision to implement this change; and

WHEREAS, upon implementation of this ordinance, the staggered 4-year terms on the Board will rotate annually as follows: 1-2-2-2, instead of the current 3-2-2-2 rotation.

NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA:

[The changes to the existing code are shown as follows: the words that are underlined are to be added and the words that are **[bolded and in brackets are to be deleted]**.]

SEC. 1. Action. The purpose of this ordinance is to amend Sections 3.32.005, Established – Composition, and 3.32.007, Membership – Appointment - Terms, of the Wrangell Municipal Code, to reduce number of members on the Wrangell Medical Center Board from nine to seven and provide for a Transition Provision to implement this ordinance.

SEC. 2. Amendment. Section 3.32.005 of the Wrangell Municipal Code is amended to read:

3.32.005 Established – Composition.

There is established a board, subject to the ordinances set out and adopted in this chapter, to be known as the “Wrangell Medical Center and Long-Term Care Facility board,” designated in this chapter as “board” or “hospital board[,].” [**presently composed of nine members.**] Board members shall be qualified electors of the borough.

SEC. 3. Amendment. Section 3.32.007 of the Wrangell Municipal Code is amended to read:

3.32.007 Membership – Appointment – Terms.

The Wrangell Medical Center and Long-Term Care Facility board shall consist of [**nine**] seven members. No member of the board shall be an employee of the Wrangell Medical Center and Long-Term Care Facility, a tenant of that facility, a contractor that provides medical or health care services to that facility, or an employee of any such tenant or contractor. Members shall be elected by the voters to serve four-year terms. The term of each board member shall continue until his or her successor is elected and has qualified by taking the oath of office. The board shall be reduced from nine to seven members effective upon certification of the October 2016 regular election, this change to be implemented in accordance with the Transition Provision adopted in Section 4 of Ordinance No. 916.

SEC. 4. Transition Provision. The transition from nine to seven Board members, as provided in Section 2 of this ordinance, shall be implemented as follows:

1. The three members holding the three Board seats with terms expiring October 2016 shall continue to serve and fulfill their terms on the Board; and
2. The Borough Clerk shall advertise for one seat with a 4-year term on the Board during the declaration for candidacy period for the upcoming October 4, 2016 regular election;
3. Upon certification of the October 4, 2016 regular election, there shall be one successful candidate declared who will fill the one seat with a 4-year term expiring October 2020, and two of the seats that expire October 2016 shall be eliminated; and
4. The terms of the Board seats that expire October 2017 (two seats), October 2018 (two seats), and October 2019 (two seats), and the election of candidates to fill those seats, shall not be affected by this ordinance.

SEC. 5. Classification. Sections 2 and 3 of this ordinance is of a permanent nature and shall be codified in the Wrangell Municipal Code. Section 4 of this ordinance is a Transition Provision and shall not be codified in the Wrangell Municipal Code.

SEC. 6. 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. 7. Effective Date. This ordinance shall be effective upon adoption.

PASSED IN FIRST READING: _____, 2016.

PASSED IN SECOND READING: _____, 2016.

David L. Jack, Mayor

ATTEST:

Kim Lane, Borough Clerk

CITY AND BOROUGH OF WRANGELL, ALASKA

ORDINANCE NO. 917

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING SECTION 14.11.005, FEE SCHEDULE, OF THE WRANGELL MUNICIPAL CODE RELATING TO FEES FOR USE OF HARBORS AND PORT FACILITIES

BE IT ORDAINED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA:

[The changes to the existing code are shown as follows: the words that are underlined are to be added and the words that are **[bolded and in brackets are to be deleted]**.]

SEC. 1. Action. The purpose of this ordinance is to amend Section 14.11.005 of the Wrangell Municipal Code relating to fees for use of harbor and port facilities.

SEC. 2. Amendment of Section. Section 14.11.005 of the Wrangell Municipal Code is amended to read:

Section 14.11.005 Fee schedule.

The following fees shall be charged for the uses indicated:

Fee shall increase 2% each year through FY 2021

		<u>FY 2017</u>	<u>FY 2018</u>	<u>FY 2019</u>	<u>FY 2020</u>	<u>FY 2021</u>
A. Transient Moorage – WMC 14.05.010.						
Daily – Prepaid	[\$0.40/foot] <u>0-30 feet</u>	<u>\$0.45/foot</u>	<u>\$0.46/foot</u>	<u>\$0.47/foot</u>	<u>\$0.48/foot</u>	<u>\$0.49/foot</u>
	<u>31-55 feet</u>	<u>\$0.55/foot</u>	<u>\$0.56/foot</u>	<u>\$0.57/foot</u>	<u>\$0.58/foot</u>	<u>\$0.59/foot</u>
	<u>56-100 feet</u>	<u>\$0.65/foot</u>	<u>\$0.66/foot</u>	<u>\$0.67/foot</u>	<u>\$0.68/foot</u>	<u>\$0.69/foot</u>
	<u>101 feet & up</u>	<u>\$1.00/foot</u>	<u>\$1.02/foot</u>	<u>\$1.04/foot</u>	<u>\$1.06/foot</u>	<u>\$1.08/foot</u>
Daily – Invoiced	Two times the daily prepaid					
Monthly	[\$3.50/foot] <u>0-30 feet</u>	<u>\$4.00/foot</u>	<u>\$4.08/foot</u>	<u>\$4.16/foot</u>	<u>\$4.24/foot</u>	<u>\$4.32/foot</u>
	<u>31-55 feet</u>	<u>\$4.50/foot</u>	<u>\$4.59/foot</u>	<u>\$4.68/foot</u>	<u>\$4.77/foot</u>	<u>\$4.87/foot</u>
	<u>56-100 feet</u>	<u>\$5.00/foot</u>	<u>\$5.10/foot</u>	<u>\$5.20/foot</u>	<u>\$5.30/foot</u>	<u>\$5.40/foot</u>

	<u>101 feet & up</u>	<u>\$6.00/foot</u>	<u>\$6.12/foot</u>	<u>\$6.24/foot</u>	<u>\$6.36/foot</u>	<u>\$6.49/foot</u>
Annual	Same as reserved moorage					

B. Reserved Moorage – WMC
14.05.015.

Wait list \$50.00 each deposit

Fee shall increase 2% each year through FY 2021

Annual		<u>FY 2017</u>	<u>FY 2018</u>	<u>FY 2019</u>	<u>FY 2020</u>	<u>FY 2021</u>
[Effective 07-01-08	\$18.00/foot]					
[Effective 07-01-11	\$22.00/foot]					
[Effective 07-01-12	\$25.00/foot]					
	<u>0-30 feet</u>	<u>\$28.00/foot</u>	<u>\$28.56/foot</u>	<u>\$29.13/foot</u>	<u>\$29.71/foot</u>	<u>\$30.30/foot</u>
	<u>31-55 feet</u>	<u>\$33.00/foot</u>	<u>\$33.66/foot</u>	<u>\$34.33/foot</u>	<u>\$35.02/foot</u>	<u>\$35.72/foot</u>
	<u>56 feet & up</u>	<u>\$38.00/foot</u>	<u>\$38.76/foot</u>	<u>\$39.54/foot</u>	<u>\$40.33/foot</u>	<u>\$41.14/foot</u>

...

Fee shall increase 2% each year through FY 2021

E. Outside Dock Face Moorage – WMC 14.07.005 (C).	<u>FY 2017</u>	<u>FY 2018</u>	<u>FY 2019</u>	<u>FY 2020</u>	<u>FY 2021</u>
1. 00 – 99 feet	\$0. <u>[90]99/foot</u>	\$1.01/foot	\$1.03/foot	\$1.05/foot	\$1.07/foot
2. 100 – 199 feet	\$1. <u>[15]27/foot</u>	\$1.30/foot	\$1.33/foot	\$1.36/foot	\$1.39/foot
3. 200 – 299 feet	\$1. <u>[30]43/foot</u>	\$1.46/foot	\$1.49/foot	\$1.52/foot	\$1.55/foot
4. 300 – 499 feet	\$1. <u>[50]65/foot</u>	\$1.68/foot	\$1.71/foot	\$1.74/foot	\$1.77/foot
5. 500 – 599 feet	\$1. <u>[75]93/foot</u>	\$1.97/foot	\$2.01/foot	\$2.05/foot	\$2.09/foot
6. 600 feet and up	\$2. <u>[00]20/foot</u>	\$2.24/foot	\$2.28/foot	\$2.33/foot	\$2.38/foot

Fee shall increase 2% each year through FY 2021

F. Inside Dock Face Moorage – WMC 14.07.005 (C).	<u>FY 2017</u>	<u>FY 2018</u>	<u>FY 2019</u>	<u>FY 2020</u>	<u>FY 2021</u>
1. 00 – 99 feet	\$0. <u>[90]99/foot</u>	\$1.01/foot	\$1.03/foot	\$1.05/foot	\$1.07/foot

2. 100 – 199 feet	\$1. [15] <u>27</u> /foot	<u>\$1.30/foot</u>	<u>\$1.33/foot</u>	<u>\$1.36/foot</u>	<u>\$1.39/foot</u>
3. 200 – 299 feet	\$1. [30] <u>43</u> /foot	<u>\$1.46/foot</u>	<u>\$1.49/foot</u>	<u>\$1.52/foot</u>	<u>\$1.55/foot</u>
4. 300 – 499 feet	\$1. [50] <u>65</u> /foot	<u>\$1.68/foot</u>	<u>\$1.71/foot</u>	<u>\$1.74/foot</u>	<u>\$1.77/foot</u>
5. 500 – 599 feet	\$1. [75] <u>93</u> /foot	<u>\$1.97/foot</u>	<u>\$2.01/foot</u>	<u>\$2.05/foot</u>	<u>\$2.09/foot</u>
6. 600 feet and up	\$2. [00] <u>20</u> /foot	<u>\$2.24/foot</u>	<u>\$2.28/foot</u>	<u>\$2.33/foot</u>	<u>\$2.38/foot</u>

...

J. Storage – WMC 14.07.020 (B).

Outside storage (\$6.25 minimum)	\$0. [30] <u>.33</u> /square foot monthly
Inside storage	\$0. [50] <u>.55</u> /square foot monthly
Floating log storage	\$0.10/thousand milled board feet monthly
Vending storage	50% of covered vendor storage rate

...

N. Services of the Harbormaster –
WMC 14.07.040

Replace mooring lines	\$10.00 + cost of line
[Moving boat (minimum \$20.00)]	[\$1.00/foot]
<u>Skiff rental with personnel</u>	<u>\$150.00 per hour (1 hour minimum)</u>
Pumping	\$25.00 + labor
Labor	Labor costs will be the actual costs of the employee. They will include wages and employee costs. Overtime and callout rules will also apply.
Raising of boats	\$150.00 + cost of materials and professional services

...

Fee shall increase 2% each year through FY 2021

Z. Port Development Fees.	<u>FY 2017</u>	<u>FY 2018</u>	<u>FY 2019</u>	<u>FY 2020</u>	<u>FY 2021</u>
120 – 499	\$ [1.25] <u>1.38</u> /foot	<u>\$1.41/foot</u>	<u>\$1.44/foot</u>	<u>\$1.47/foot</u>	<u>\$1.50/foot</u>
500 and up	\$ [2.00] <u>2.20</u> /foot	<u>\$2.24/foot</u>	<u>\$2.28/foot</u>	<u>\$2.33/foot</u>	<u>\$2.38/foot</u>

Fee shall increase 2% each year through FY 2021

AA. Marine Service Center Fees.	<u>FY 2017</u>	<u>FY 2018</u>	<u>FY 2019</u>	<u>FY 2020</u>	<u>FY 2021</u>
Round trip lift fees					
0 – 40 feet	11.00 12.00	<u>\$12.34/foot</u>	<u>\$12.59/foot</u>	<u>\$12.84/foot</u>	<u>\$13.10/foot</u>
		10/foot			
41 – 58 feet	12.00 13.00	<u>\$13.46/foot</u>	<u>\$13.73/foot</u>	<u>\$14.00/foot</u>	<u>\$14.28/foot</u>
		20/foot			
59 – 75 feet	13.00 14.00	<u>\$14.59/foot</u>	<u>\$14.88/foot</u>	<u>\$15.18/foot</u>	<u>\$15.48/foot</u>
		30/foot			
76 – 90 feet	15.00 16.00	<u>\$16.83/foot</u>	<u>\$17.17/foot</u>	<u>\$17.51/foot</u>	<u>\$17.86/foot</u>
		50/foot			
91 – 120 feet	17.00 18.00	<u>\$19.07/foot</u>	<u>\$19.45/foot</u>	<u>\$19.84/foot</u>	<u>\$20.24/foot</u>
		70/foot			
121 – 140 feet	19.00 20.00	<u>\$21.32/foot</u>	<u>\$21.75/foot</u>	<u>\$22.19/foot</u>	<u>\$22.63/foot</u>
		90/foot			
141 feet and up	21.00 23.00	<u>\$23.56/foot</u>	<u>\$24.03/foot</u>	<u>\$24.51/foot</u>	<u>\$25.00/foot</u>
		10/foot			

Fee shall increase 2% each year through FY 2021

	<u>FY 2017</u>	<u>FY 2018</u>	<u>FY 2019</u>	<u>FY 2020</u>	<u>FY 2021</u>
Boat lift minimum					
150-ton	300.00 330.00	<u>\$336.60/</u>	<u>\$343.33/</u>	<u>\$350.20/</u>	<u>\$357.20/</u>
		hour	hour	hour	hour
300-ton	500.00 550.00	<u>\$561.00/</u>	<u>\$572.22/hour</u>	<u>\$583.66/</u>	<u>\$595.33/</u>
		hour		hour	hour

Fee shall increase 2% each year through FY 2021

	<u>FY 2017</u>	<u>FY 2018</u>	<u>FY 2019</u>	<u>FY 2020</u>	<u>FY 2021</u>
Work area storage	50 55	<u>\$.56/sq.ft/</u>	<u>\$.57/sq.ft/</u>	<u>\$.58/sq.ft/</u>	<u>\$.59/sq.ft/</u>
	ft./month	month	month	month	month

Fee shall increase 2% each year through FY 2021

	<u>FY 2017</u>	<u>FY 2018</u>	<u>FY 2019</u>	<u>FY 2020</u>	<u>FY 2021</u>
Long-term storage	30 33	<u>\$0.34/sq.</u>	<u>\$0.35/sq.</u>	<u>\$0.36/sq.</u>	<u>\$0.37/sq.</u>
	ft./month	ft./month	ft./month	ft./month	ft./month

After 12 consecutive months, long-term storage rate doubles

Cancellation \$[300.00]330.00

Inspection hoist

Up to 2 hours of hoist time

60% of round trip

After first 2 hours of hoist time	150-ton \$ 75.00 82.50/15 minutes
	300-ton \$ 125.00 137.50/15 minutes
Pressure washer	\$ 1.00 2.00/foot
Electrical	Refer to subsection (D) of this section.
Environmental fee	\$15.00 per haulout or per month
Hydraulic trailer fees	
Round trip	\$ 8.25 10.46 per foot
One-way	Half of round trip
Minimum fee	\$ 225.00 247.50
Off-site transport fee	Round trip or one-way fee plus travel time at \$ 235.00 350.00 per hour with a one-hour minimum
Long-term storage reservation fee	\$100.00

...


SEC. 4. Classification. This ordinance is of a permanent nature and shall be codified in the Wrangell Municipal Code.

SEC. 5. 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. 6. Effective Date. This ordinance shall be effective upon adoption.

PASSED IN FIRST READING: May 24, 2016.

PASSED IN SECOND READING: June 14, 2016.


David L. Jack, Mayor

ATTEST:


Lavonne Klinke, Deputy Borough Clerk



CITY AND BOROUGH OF WRANGELL, ALASKA

ORDINANCE NO. 918

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING SECTION 13.05.010, PERMITTED ENCROACHMENTS, OF THE WRANGELL MUNICIPAL CODE

BE IT ORDAINED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA:

[The changes to the existing code are shown as follows: the words that are underlined are to be added and the words that are **[bolded and in brackets are to be deleted]**.]

SEC. 1. Action. The purpose of this ordinance is to amend Section 13.05.010 of the Wrangell Municipal Code relating to Permitted Encroachments.

SEC. 2. Amendment of Section. Section 13.05.010 of the Wrangell Municipal Code is amended to read:

Section 13.05.010 Permitted encroachments.

A. **[It shall be unlawful for any]** No person, other than an officer or employee of the City and Borough of Wrangell in the course of his or her employment, **[to]** shall make, cause or permit any construction in, on, under or within a borough right-of-way except as provided for in this chapter.

B. Removable, nonpermanent encroachments attached to permanent structures, beautification activity, and aerial encroachments that are not for the purpose of advertising, may be permitted **[only in that portion of the borough right-of-way located on Front Street, specifically, at its origination where it intersects with Stikine Avenue and Federal Way and extending through the downtown commercial district ending at the intersection of Case Avenue and Shakes Street,]** upon approval by the city and borough planning commission. Except as provided for in WMC 13.05.040, persons who currently own, maintain, or wish to modify, alter, or change an existing encroachment located in the borough right-of-way described above, and persons desiring to construct, place, or erect an encroachment in the borough right-of-way, shall apply for an encroachment permit on a form designated by the commission and, except as provided for in WMC 13.05.040, pay an application fee of \$50.00 to the City and Borough of Wrangell.

C. The commission may provide for any such terms and conditions as the commission deems appropriate prior to approving an encroachment permit. In determining to issue or deny a permit, the commission may consider, at a minimum, the following:

1. The collateral impact of the requested encroachment upon other individuals, the city and borough maintenance efforts, and public safety;

2. The overall beneficial or negative impacts on the use of the right-of-way by individuals or the public at large;

3. The need for the land for public construction projects in the foreseeable future;

4. Whether the encroachment can be considered an advertisement, which is specifically not permissible in the right-of-way;

5. The commission may require the applicant to obtain reviews and/or approvals of construction designs or materials from other state or local government agencies.

...

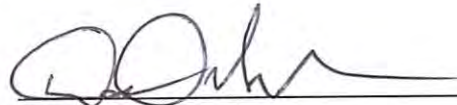
SEC. 3. Classification. This ordinance is of a permanent nature and shall be codified in the Wrangell Municipal Code.

SEC. 4. 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. 5. Effective Date. This ordinance shall be effective upon adoption.


PASSED IN FIRST READING: June 14, 2016.

PASSED IN SECOND READING: June 28, 2016.



David L. Jack, Mayor

ATTEST:


Kim Lane, Borough Clerk

CITY AND BOROUGH OF WRANGELL, ALASKA

ORDINANCE NO. 919

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, PROPOSING AN AMENDMENT TO THE HOME RULE CHARTER, REPEALING SECTION 3-10, NOLAN MUSEUM AND CIVIC CENTER

WHEREAS, Section 3-10 of the Home Rule Charter of the City and Borough of Wrangell provides that the Nolan Museum and Civic Center shall be operated by a board established by ordinance and appointed by the Assembly; and

WHEREAS, Chapter 3.54 of the Wrangell Municipal Code established the James and Elsie Nolan Museum and Civic Center Board (Nolan Board) to advise the Assembly and Borough staff on the use and development of the museum and civic center; and

WHEREAS, in 2009 the Assembly adopted Ordinance No. 840 to reduce the membership of the Nolan Board from eleven to seven in order to make establishing a quorum easier; and

WHEREAS, the Nolan Board is an advisory board that provides the same functions for the Nolan Center as the Friends of the Wrangell Museum, Inc., a charitable and educational nonprofit corporation formed under the laws of the State of Alaska and operated by a seven member board of directors; and

WHEREAS, the Nolan Center staff has the ability to ask the Friends of the Wrangell Museum to form a special committee to consider and advise on particular issues concerning operation and use of the Nolan Center, if necessary; and

WHEREAS, there have been three vacant seats on the Nolan Board since October 2015; and

WHEREAS, the expense to the Borough of scheduling the meetings and paying for a secretary for the Nolan Board is not cost effective; and

WHEREAS, after reviewing this matter, the Assembly voted on June 14, 2016, to repeal Chapter 3.54 of the Wrangell Municipal Code, James and Elsie Nolan Museum and Civic Center Board; and

WHEREAS, in order to implement that action, the Assembly is proposing this amendment to the Charter repealing Section 3-10;

NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE CITY AND

BOROUGH OF WRANGELL, ALASKA:

[The changes to the existing Home Rule Charter are shown as follows: the words that are underlined are to be added and the words that are **[bolded and in brackets are to be deleted]**.]

SEC. 1. Classification. This ordinance is of a permanent nature and, if approved by a majority of the qualified voters voting on the proposition set forth in Section 4, shall become a part of the Home Rule Charter of the City and Borough of Wrangell, Alaska.

SEC. 2. Charter Amendment. The purpose of this ordinance is to repeal Section 3-10, Nolan Museum and Civic Center, of the Wrangell Home Rule Charter, as follows:

Section 3-10 Repealed [Nolan Museum and Civic Center.]

[The borough-operated James and Elsie Nolan Museum and Civic Center shall be operated by a board established by ordinance and appointed by the assembly.]

SEC. 3. Submission of Question to the Voters. An amendment to repeal Section 3-10 of the Home Rule Charter of the City and Borough of Wrangell, Alaska, shall be submitted to the voters of the City and Borough of Wrangell at the next regular borough election. The Borough Clerk shall prepare the proposition and perform all necessary steps in accordance with law to submit this proposition to the qualified voters of the Borough for approval or rejection at the next regular borough election, to be held October 4, 2016.

SEC. 4. Proposition. The proposition shall read substantially as follows:

PROPOSITION 1

Explanation

Section 3-10 of the Home Rule Charter provides that the Nolan Museum and Civic Center shall be operated by a board established by ordinance and appointed by the Assembly. The Assembly has determined that the Nolan Board, established by ordinance as an advisory board, is no longer necessary or cost effective as its function is provided by the Friends of the Wrangell Museum. The Assembly therefore adopted Ordinance No. 919 proposing an amendment to the Charter to repeal Section 3-10.

CHARTER AMENDMENT

Shall the Home Rule Charter of the City and Borough of Wrangell be amended to repeal Section 3-10, Nolan Museum and Civic Center, as set forth in Ordinance No. 919?

YES (oval)
NO (oval)

SEC. 5. Effective Date. (a) The Charter amendment proposed in Section 2 of this ordinance shall become effective on the day following the date the election results are certified for the regular municipal election held on October 4, 2016, if approved by a majority of the qualified voters voting on the proposition set forth in Section 4.

(b) Sections 3 and 4 of this ordinance authorizing the submission of the proposition to the qualified voters of the City and Borough shall become effective upon adoption.

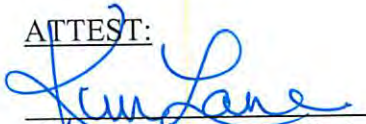
PASSED IN FIRST READING: June 28, 2016.

PASSED IN SECOND READING: July 26, 2016.



David L. Jack, Mayor

ATTEST:



Kim Lane, Borough Clerk



CITY AND BOROUGH OF WRANGELL, ALASKA

ORDINANCE NO. 920

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING SECTION 18.04.080, SECTION 107.2 AMENDED – PERMIT FEES, OF THE WRANGELL MUNICIPAL CODE RELATING TO BUILDING PERMIT FEES

BE IT ORDAINED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA:

[The changes to the existing code are shown as follows: the words that are underlined are to be added and the words that are **[bolded and in brackets are to be deleted]**.]

SEC. 1. Action. The purpose of this ordinance is to amend Section 18.04.080, Section 107.2 amended – Permit Fees, of the Wrangell Municipal Code relating to building permit fees.

SEC. 2. Amendment of Section. Section 18.04.080 of the Wrangell Municipal Code is amended to read:

Section 18.04.080 Section 107.2 amended – Permit fees.

Section 107.2 of the Uniform Building Code is amended to read as follows:

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]** one hundred dollars;
2. Commercial construction, **[fifteen]** one hundred-fifty dollars;
3. Remodeling and miscellaneous construction, **[five]** fifty dollars.

SEC. 3. Classification. This ordinance is of a permanent nature and shall be codified in the Wrangell Municipal Code.

SEC. 4. 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. 5. Effective Date. This ordinance shall be effective upon adoption.

PASSED IN FIRST READING: July 26, 2016.

PASSED IN SECOND READING: August 23, 2016.



David L. Jack, Mayor

ATTEST:

Kim Lane, Borough Clerk



CITY AND BOROUGH OF WRANGELL, ALASKA

ORDINANCE NO. 921

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING SECTION 5.08.060, TAX-FREE DAYS, OF THE WRANGELL MUNICIPAL CODE, TO PROVIDE THAT THE ASSEMBLY MAY APPROVE ONE SALES TAX-FREE DAY EACH FISCAL YEAR

BE IT ORDAINED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA:

[The changes to the existing code are shown as follows: the words that are underlined are to be added and the words that are **[bolded and in brackets are to be deleted]**.]

SEC. 1. Action. The purpose of this ordinance is to amend Section 5.08.060 of the Wrangell Municipal Code relating to sales tax-free days.

SEC. 2. Amendment. The list of sections in Chapter 5.08, Sales Tax, of the Wrangell Municipal Code is amended to read:

**Chapter 5.08
SALES TAX**

Sections:

- 5.08.005 Definitions.
- 5.08.010 Levy of tax.
- 5.08.020 Rate of tax.
- 5.08.040 Tax levy on aggregate sales amount.
- 5.08.050 Exemptions from tax.
- 5.08.060 Tax-free day[s].
- 5.08.070 Limitations of use of tax proceeds.
- 5.08.080 Duty to collect and make return.
- 5.08.090 Quarterly returns.
- 5.08.095 Confidential information.
- 5.08.100 Penalty and interest.
- 5.08.105 Collection procedures.
- 5.08.110 Lien for unpaid taxes.
- 5.08.120 Payment to director of finance.

- 5.08.130 Sales tax inspector – Duties.
- 5.08.140 Discrepancies in returns – Investigation – Collection procedure.
- 5.08.160 Severability.
- 5.08.170 Ratification.

SEC. 3. Amendment of Section. Section 5.08.060 of the Wrangell Municipal Code is amended to read:

Section 5.08.060 Tax-free day[s].

A. Declaration of One Tax-Free Day[s]. One tax-free day each fiscal year may be requested by the Wrangell Chamber of Commerce to the Borough Assembly. If the Assembly adopts a motion approving the request, the day selected shall [in June and one day in September for each year are hereby] be declared “Tax-Free Day[s].”

B. **[In June for] One Day [and September for One Day] Each Fiscal Year Sales Tax Exemptions.**

1. Subject to the other provisions of this section and at the option of the seller, retail sales of goods and services for goods or services purchased and received by the buyer on one day each fiscal year as requested by the Wrangell Chamber of Commerce and approved by the Borough Assembly, [for one day in June and for one day in September each year] are exempt from the borough’s retail sales tax imposed by this chapter.

2. The exemption set forth in subsection (B)(1) of this section does not apply to rentals for any period greater than one day. Sales tax on rents for any period greater than one day shall not be prorated or adjusted in any manner to include a sales tax exemption for one day each fiscal year as requested by the Wrangell Chamber of Commerce and approved by the Borough Assembly. [in June and for one day in September of each year].

3. The exemption provided for in subsection (B)(1) of this section shall not apply to taxable sales made by the borough.

4. All sales made under the exemption provided for in subsection (B)(1) of this section shall be reported to the borough as exempt sales using “TFD” as the exemption code for the sale.

SEC. 4. Classification. This ordinance is of a permanent nature and shall be codified in the Wrangell Municipal Code.

SEC. 5. 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. 6. Effective Date. This ordinance shall be effective upon adoption.

PASSED IN FIRST READING: July 26, 2016.

PASSED IN SECOND READING: August 23, 2016.

David L. Jack, Mayor

ATTEST:

Kim Lane, Borough Clerk

FAILED

CITY AND BOROUGH OF WRANGELL, ALASKA

ORDINANCE NO. 922 (am)

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING CERTAIN SECTIONS OF CHAPTER 15.16, CEMETERY, OF THE WRANGELL MUNICIPAL CODE, RELATING TO CEMETERY FEES

BE IT ORDAINED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA:

[The changes to the existing code are shown as follows: the words that are underlined are to be added and the words that are [**bolded and in brackets** are to be deleted].]

SEC. 1. Action. The purpose of this ordinance is to amend certain sections of Chapter 15.16, Cemetery, of the Wrangell Municipal Code relating to cemetery fees.

SEC. 2. Amendment of Section. Section 15.16.055 of the Wrangell Municipal Code is amended to read:

15.16.055 Columbarium.

...

B. Fee. The fee per niche shall be \$~~235~~330.00. The fee per opening and closing for each niche shall be \$~~50~~120.00. If the opening and closing of the niche is done on a holiday, Saturday or Sunday, the charge shall be \$330.00.

C. The fee for installing a niche name plaque shall be \$120.00.

D. The fee for installing a memorial name plaque shall be \$30.00.

SEC. 3. Amendment of Section. Section 15.16.070 of the Wrangell Municipal Code is amended to read:

15.16.070 Opening and closing graves.

A. No person shall be permitted to open and close graves within a borough cemetery, except upon application to the borough clerk. Permission may be given for a person to bury cremated remains under supervision of the borough. Except for disinterment, the borough 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 borough 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 borough.

B. The fee for each opening and closing of a burial grave shall be \$~~650~~900.00, **[except the fee for the burial of a child six years of age or younger shall be \$300.00]** If the opening and closing of a burial grave is done on a holiday, Saturday or Sunday, the charge shall be \$~~775~~1085.00**[or \$400.00 for the grave of a child six years of age or younger]**. The same fees shall apply for a child or infant. Cremated remains will be buried by the borough for a charge of \$~~30~~180.00. If the burial of cremated remains to a grave is done on a holiday, Saturday or Sunday, the charge shall be \$360.00.

...

SEC. 4. Amendment of Section. Section 15.16.080 of the Wrangell Municipal Code is amended to read:

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 borough reserves the right to standardize the design and material used for markers, to prohibit the planting of trees and shrubs, and to prohibit the erection of fences or other structures of any kind to carry out such uniformity. Maximum size for the base of markers shall be 36 inches by 20 inches and 18 inches high. The maximum weight of markers shall be 250 pounds. Crosses or any other religious symbol shall not exceed three feet in height and width.

B. No temporary decoration, marker or monument may be placed upon or near a grave which extends above the surface of the ground except on the day of burial, on Memorial Day, Fourth of July and Veterans' Day, and these shall be removed within seven days thereafter. All permanent markers shall be set on foundations constructed and installed to the specifications of the borough except those markers that have built-in foundations. No marker shall extend beyond border of grave (three and one-half feet by nine feet). Upon request, the borough will install **[the]** a brass plaque marker[s] or a stone plate marker or headstone for a fee of \$~~50~~120.00.

...

SEC. 5. Amendment of Section. Section 15.16.090 of the Wrangell Municipal

Code is amended to read:

15.16.090 Price of graves – Perpetual care required.

A. The sale price of graves, including the perpetual care of same, shall be \$~~[200]~~330.00 for a single grave. There may be reserved certain areas, or fractional graves, for the burial of ~~[infants]~~ children under six years of age at a cost of \$~~[100]~~150.00 per grave, including perpetual care. Cremains plots in Block 28 shall be \$75.00. Effective October 1, 1988, where physically possible, and notification is given to the borough 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.

...

SEC. 6. Classification. This ordinance is of a permanent nature and shall be codified in the Wrangell Municipal Code.

SEC. 7. 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. 8. Effective Date. This ordinance shall be effective upon adoption.

PASSED IN FIRST READING: July 26, 2016.

REINTRODUCED & PASSED IN FIRST READING: August 23, 2016.

PASSED IN SECOND READING: September 13, 2016.



David L. Jack, Mayor

ATTEST:


Kim Lane, Borough Clerk



CITY AND BOROUGH OF WRANGELL, ALASKA

ORDINANCE NO. 923

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING SECTION 2.24.040, ABSENTEE VOTING BY MAIL, OF THE WRANGELL MUNICIPAL CODE, RELATING TO THE PROCEDURES FOR ABSENTEE VOTING BY MAIL

BE IT ORDAINED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA:

[The changes to the existing code are shown as follows: the words that are underlined are to be added and the words that are **[bolded and in brackets are to be deleted]**.]

SEC. 1. Action. The purpose of this ordinance is to amend section 2.24.040, Absentee voting by mail, of the Wrangell Municipal Code, relating to the procedures for absentee voting by mail.

SEC. 2. Amendment of Section. Section 2.24.040 of the Wrangell Municipal Code is amended to read:

2.24.040 Absentee voting by mail.

A. **[A request to receive a ballot by mail must be received by the borough clerk not less than ten days before the election for which the absentee ballot is sought. The borough clerk shall mail to the qualified voter an official ballot, an application for an absentee ballot which shall also serve as the oath and affidavit, instructions how to vote by absentee ballot, a secrecy sleeve in which the voted ballot is to be placed and an envelope in which the voter may return their voted ballot and completed affidavit.]**A qualified voter may apply in person, by mail, by facsimile, or by electronic transmission to the office of the borough clerk for an absentee ballot by mail. A qualified voter may submit an application to the borough clerk no earlier than the first day of the calendar year in which the election for which the ballot is sought is to be held, and the application must be received by the borough clerk at least ten (10) days before the election for which the absentee ballot is sought.

B. All applications for an absentee ballot by mail shall be either on a form provided by the borough clerk's office or made by a written request to the borough clerk containing all of the following information:

1. The applicant's full name and Alaska residence address; and

2. The address to which the applicant desires the absentee ballot to be mailed; and
3. The applicant's signature; and
4. The applicant's State of Alaska voter identification number, or the last four (4) digits of the applicant's social security number, or the applicant's Alaska driver's license number or Alaska state identification number, or the applicant's date of birth.

[B. The return envelope containing the voted ballot and completed application shall be postmarked on or before the day of the election.]

C. After receipt of an application for an absentee ballot by mail, the borough clerk shall send the absentee ballot and other absentee voting materials to the applicant by first-class mail. The materials shall be sent as soon as they are ready for distribution. The return envelope sent with the materials shall be addressed to the borough clerk.

D. Upon receipt of an absentee ballot by mail, the voter, in the presence of a notary public, commissioned officer of the armed forces including the National Guard, district judge or magistrate, United States postal official, or other person qualified to administer oaths, may proceed to mark the ballot in secret, to place the ballot in the secrecy sleeve, place the secrecy sleeve in the larger envelope provided, and sign the voter's certificate on the back of the larger envelope in the presence of an official listed in this subsection who shall sign as attesting official and shall date the signature. If none of the officials listed in this subsection are reasonably accessible, an absentee voter shall sign the voter's certificate in the presence of an individual who is eighteen (18) years of age or older, who shall sign as a witness and attest to the date on which the voter signed the certificate in the individual's presence.

E. An absentee ballot must be postmarked and attested on or before the date of the election. If the voter returns the ballot by mail, the most expeditious mail service shall be used and the ballot must be mailed not later than the day of the election to the borough clerk.

F. The borough clerk shall maintain a record of the name of each voter to whom an absentee ballot is sent by mail. The record must list the date on which the ballot is mailed and the date on which the ballot is received by the borough clerk and the dates on which the ballot was executed and postmarked.

[C]G. To be counted, an absentee ballot must be postmarked on or before the day of the election and received by the borough clerk prior to the time the ballots are canvassed by the canvass board. After the day of the election, ballots may not be accepted unless received by mail.


SEC. 3. Classification. This ordinance is of a permanent nature and shall be codified in the Wrangell Municipal Code.

SEC. 4. 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. 5. Effective Date. This ordinance shall be effective upon adoption.

PASSED IN FIRST READING: August 23, 2016.

PASSED IN SECOND READING: September 13, 2016.



David L. Jack, Mayor

ATTEST:



Kim Lane, Borough Clerk



CITY AND BOROUGH OF WRANGELL, ALASKA

SEWER REVENUE BOND, 2016

\$91,000

ORDINANCE NO. 924

AN ORDINANCE of the City and Borough of Wrangell, Alaska, authorizing the issuance of a sewer revenue bond in the principal amount of \$91,000 to finance a portion of the cost of acquiring, constructing and installing certain additions and betterments to and extensions of the Borough's sewer system; fixing the date, form, terms, maturities and covenants of the bond; reserving the right of the Borough to issue future revenue bonds with a lien on revenues on a parity with the bond upon compliance with certain conditions; and providing for the sale of the bond to the United States Department of Agriculture, Rural Development.

Passed September 27, 2016

Prepared by:

STRADLING YOCCA CARLSON & RAUTH, P.C.
Seattle, Washington

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CITY AND BOROUGH OF WRANGELL, ALASKA

ORDINANCE NO. 924

AN ORDINANCE of the City and Borough of Wrangell, Alaska, authorizing the issuance of a sewer revenue bond in the principal amount of \$91,000 to finance a portion of the cost of acquiring, constructing and installing certain additions and betterments to and extensions of the Borough's sewer system; fixing the date, form, terms, maturities and covenants of the bond; reserving the right of the Borough to issue future revenue bonds with a lien on revenues on a parity with the bond upon compliance with certain conditions; and providing for the sale of the bond to the United States Department of Agriculture, Rural Development.

WHEREAS, the City and Borough of Wrangell, Alaska (the "Borough"), a municipal corporation and home rule borough 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 Borough Charter; and

WHEREAS, the Borough has determined that it is in the best interest of the Borough and its residents to construct and equip upgrades to some of the pumping stations in the System (as described more fully herein, the "Project"); and

WHEREAS, the Borough has received state and federal grants for most of the cost of the Project; and

WHEREAS, by a letter of conditions dated August 31, 2015 (the "Letter of Conditions"), the United States of America, acting through the United States Department of Agriculture, Rural Development ("USDA"), has offered to lend the Borough \$91,000 for a portion of the cost of the Project; and

WHEREAS, by resolution of the Borough Assembly, adopted on October 13, 2015 (the "Loan Resolution"), the Borough accepted the terms of the USDA loan; and

WHEREAS, in accordance with the Letter of Conditions and the Loan Resolution, the Borough now wishes to authorize the issuance of a sewer revenue bond of the Borough in the principal amount of \$91,000 (the "Bond") to evidence and secure payment of the USDA loan; and

WHEREAS, the former City of Wrangell (the "City"), by Ordinance No. 636, passed by the City Council on July 8, 1997, issued to USDA the City's Sewer Revenue Bond, 1997, in the initial principal amount of \$250,000 (the "1997 Bond"), approximately \$188,120.68 of which remains outstanding; and

WHEREAS, the incorporation of the Borough as a unified home rule borough was approved by the Local Boundary Commission and by the Borough's voters and became effective on May 30, 2008; and

WHEREAS, as a result of the incorporation of the Borough, the City was dissolved and the Borough succeeded to all rights, powers, duties, assets and liabilities of the City, including the System and the 1997 Bond; and

WHEREAS, as required by the Letter of Conditions, the Bond will be issued with a first lien position on revenue of the System, so USDA as holder of the 1997 Bond is deemed to have waived the parity conditions set forth in Ordinance No. 636 and consented to the issuance of the Bond on a parity of lien with the 1997 Bond, as provided herein;

NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, as follows:

Section 1. Definitions. As used in this ordinance the following terms have the following meanings:

“Assembly” means the Borough Assembly as the general legislative authority of the Borough as the same shall be duly and regularly constituted from time to time.

“Assessments” means the assessments (including interest and penalties) levied in any utility local improvement district of the Borough created for the acquisition or construction of additions and betterments to, or extensions of the System, if the 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 the 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 the bonds will be outstanding.

“Bond” means the \$91,000 par value sewer revenue bond of the Borough authorized to be issued by this ordinance.

“Bond Fund” means the “City and Borough of Wrangell Sewer Revenue Bond Redemption Fund” renamed and continued by Section 5 of this ordinance to pay and secure the payment of all Parity Bonds.

“Borough” means the City and Borough of Wrangell, a municipal corporation and home rule borough duly organized and existing under and by virtue of the laws of the State of Alaska and the Borough’s Charter.

“Borough Clerk” means the Borough Clerk, or the successor to the duties of that office.

“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 Borough or payments in lieu of such taxes.

“Finance Director” means the Finance Director of the Borough or the successor to the duties of that office.

“Future Parity Bonds” means any and all sewer revenue bonds of the Borough issued after the date of the issuance of the Bond and having a lien on 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 Borough 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.

“Letter of Conditions” means the letter from USDA to the Borough dated August 31, 2015, establishing conditions for the USDA loan, together with any amendments or supplements to that letter.

“Loan Resolution” means the resolution adopted by the Assembly on October 13, 2015, in the form set forth in RUS Bulletin 1780-27, accepting the USDA loan and prescribing certain terms to be included in this ordinance.

“Net Revenue” means Gross Revenue less the Costs of Maintenance and Operation.

“Parity Bonds” means the 1997 Bond, the Bond, and any Future Parity Bonds.

“Principal and Interest Account” means the special account of that name heretofore created in the Bond Fund and continued pursuant to Section 5 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 Borough 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 constructing and equipping upgrades to pumping stations in the System.

“Reserve Account” means the special account of that name heretofore created in the Bond Fund and continued pursuant to Section 5B for the purpose of securing the payment of all Parity Bonds.

“Sewer Fund” means the heretofore established Sewer Fund of the Borough.

“Short-Lived Asset Reserve Fund” means the fund of that name established pursuant to Section 6 of this ordinance.

“System” means the existing sewage collection and treatment system of the Borough and such improvements or additions as may be made to such system for as long as any Parity Bonds are outstanding and may include the water supply and distribution system of the Borough and the storm drainage system of the Borough if either is or both are ever combined with the 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.

“USDA” means the United States, acting by and through the Department of Agriculture, Rural Development.

“1997 Bond” means the City of Wrangell, Alaska, Sewer Revenue Bond, 1997, issued pursuant to Ordinance No. 636 passed by the Wrangell City Council on July 8, 1997, and now an obligation of the Borough.

Section 2. Authorization of Bond. To provide financing for a portion of the cost of the Project, the Borough shall issue and sell its sewer revenue bond in the aggregate principal amount of \$91,000 (the “Bond”). The Bond shall be designated “City and Borough of Wrangell, Alaska, Sewer Revenue Bond, 2016,” shall be dated as of the date of its delivery to USDA as the initial purchaser, shall be numbered R-1, shall be in the denomination of \$91,000, shall be fully registered, shall bear interest from the date of its issuance on the unpaid principal balance thereof at a per annum interest rate to be established by USDA, as provided in Section 16 of this ordinance (so long as that rate does not exceed 4.0% per annum), shall be amortized over a 40-year period with approximately equal semiannual installments of principal and interest payable on the dates acceptable to USDA and set forth in the Bond, 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 approximately 40 years after the date of the Bond.

Payments will 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 are 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 Borough maintained by the Finance Director; provided, however, that as long as USDA is the owner and holder of the Bond, the Borough will make payments by any electronic funds transfer or similar means established by USDA from time to time.

The Bond is payable solely from the Gross Revenue and is not a general obligation of the Borough.

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 Borough will maintain in the office of the Finance Director books for the registration and transfer of the Bond. No transfer of the Bond so registered will be valid unless made on those registration books upon the written request of the registered owner or its duly authorized agent.

Section 3. Prepayment. The Borough 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 is 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 Borough designated as the “City and Borough of Wrangell Sewer Fund” (the “Sewer Fund”). All of the Gross Revenue must be deposited in the Sewer Fund as collected. The Sewer Fund must be held separate and apart from all other funds and accounts of the Borough, and the Gross Revenue deposited in the Sewer Fund will 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 Borough 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 make all payments required to be made into the Short-Lived Asset Reserve Fund; and

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

Section 5. Bond Fund. To pay and secure payment of all Parity Bonds, Ordinance No. 636 authorized the creation of a special fund designated as the “City of Wrangell 1997 Sewer Revenue Bond Redemption Fund.” That fund is hereby renamed and continued as the “City and Borough of Wrangell Sewer Revenue Bond Redemption Fund” (the “Bond Fund”), which fund contains the Principal and Interest Account and the Reserve Account established by Ordinance No. 636 and is to be drawn upon for the sole purpose of paying the principal of and interest on all Parity Bonds.

A. Principal and Interest Account. As long as the Bond remains outstanding, the Borough 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. These 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 Borough covenants and agrees that if 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.

B. Reserve Account. The Borough covenants and agrees that it will pay into the Reserve Account out of the Gross Revenue (or, at the option of the Borough, out of any other funds on hand legally available for such purposes) annual 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 1/10 of such amount per year.

The Borough further covenants and agrees that if 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 Borough 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 Borough 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.

If there is a deficiency in the Principal and Interest Account to meet maturing installments of either interest on or principal of and interest on Parity Bonds, the 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 invested as permitted under Alaska law. 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 6. Short-Lived Asset Reserve Fund. A special fund designated the "Wrangell Sewer System Short-Lived Asset Reserve Fund" (the "Short-Lived Asset Reserve Fund") is hereby authorized to be established in the office of the Finance Director. Money in the Short-Lived Asset Reserve Fund may be used from time to time to replace short-lived assets of the System. So long as the Bond remains outstanding, subject to the priorities established in Section 5 of this ordinance, the

Borough must deposit \$45,963 annually (or such other amounts as may be required by USDA) into the Short-Lived Asset Reserve Fund.

Section 7. Pledge of Sewer Revenue. The amounts pledged to be paid into the Bond Fund and the accounts 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 the 1997 Bond and 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 Borough 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 Borough 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 Borough hereby covenants and agrees with the owner of the Bond from time to time, as follows:

A. Maintenance and Operations. The Borough 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 Borough 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 Borough; and (iii) that no free service from the System will be permitted.

C. Books and Records. The Borough 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 USDA shall have the right to inspect the System and the records, accounts and data of the Borough relating thereto.

D. Insurance. The Borough 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 Borough 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 may be regarded and paid as a Cost of Maintenance and Operation.

E. Assessments. The Borough 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 Borough 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 Borough 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 that bears 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 Borough 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 Borough will maintain an officer's fidelity bond for its Finance Director for as long as USDA is the registered owner of the Bond. A certified copy of such bond will be delivered to USDA.

Section 10. Tax Covenants; Special Designation.

A. General. The Borough hereby covenants that it will not make any use of the proceeds of sale of the Bond or any other funds of the Borough 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 Borough 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 Borough hereby designates the Bond as a "qualified tax-exempt obligation" within the meaning of Section 265(b)(3) of the Code. The Borough does not anticipate issuing more than \$10,000,000 of qualified tax-exempt obligations during 2016.

Section 11. Future Parity Bonds. The Borough 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 Borough that will have a lien and charge upon Gross Revenue superior to the lien and charge thereon of the Bond. The Borough 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,

upon compliance with the following conditions:

1. So long as USDA holds the 1997 Bond and the Bond, USDA consents to the issuance of such Future Parity Bonds. With such consent, the certificate described in paragraph 6 below is not required, and the Borough will comply with the rest of the conditions set forth in this Section 11.A to the extent required by USDA.

2. 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.

3. Each ordinance authorizing the issuance of such Future Parity Bonds must require that principal and interest on the Future Parity Bonds be payable out of the Bond Fund and further provide (i) for payments into the Bond Fund to satisfy the sinking fund requirement set forth in Section 5.A 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 5.B hereof.

4. Each ordinance authorizing the issuance of such Future Parity Bonds must require that any and all Assessments will be paid directly into the Bond Fund.

5. Each ordinance authorizing the issuance of refunding Future Parity Bonds must 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 be paid directly into the Bond Fund.

6. At the time of the issuance of such Future Parity Bonds, the Borough shall have on file in the office of the Borough 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 Borough 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 certificate described in subsection A.6 of this section is not required.

C. Nothing herein contained shall prevent the Borough 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 Borough.

Section 13. Lost or Destroyed Bond. If the Bond is lost, stolen or destroyed, the Borough 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 Borough in connection therewith.

Section 14. Form of Bond. The Bond shall be in substantially the following form:

UNITED STATES OF AMERICA

NO. R-1

\$91,000

STATE OF ALASKA

CITY AND BOROUGH OF WRANGELL
SEWER REVENUE BOND, 2016

The City and Borough of Wrangell, Alaska, a municipal corporation and home rule borough of the State of Alaska (the "Borough"), 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 (the "Payee"), the principal sum of

NINETY-ONE THOUSAND AND NO/100 DOLLARS (\$91,000)

and to pay interest, from the date hereof, on the balance of said principal from time to time remaining unpaid 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 _____, 2056.

As long as the Payee is the registered owner of this bond, the Borough will make payments of principal and interest by any electronic funds transfer or similar means established by Payee from time to time. Upon final payment of the principal of and interest on this bond, it shall be submitted to the Borough for cancellation and surrender.

Both principal of and interest on this bond are payable solely out of the special fund of the Borough known as the “City and Borough of Wrangell Sewer Revenue Bond Redemption Fund” (the “Bond Fund”).

In addition to the installments of principal required to be paid by the Borough as hereinabove set forth, the Borough, 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 Ordinance No. 924 (the “Bond Ordinance”) for the purpose of financing the completion of certain additions and improvements to the Borough’s sewer system (the “System”). Capitalized terms used in this bond and not otherwise defined herein have the meanings given those terms in the Bond Ordinance.

The Borough 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 the lien thereon of the 1997 Bond and any Future Parity Bonds, and superior to all other charges of any kind or nature. In the Bond Ordinance, the Borough 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 Borough 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 Borough 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 the Charter and ordinances of the Borough, and that all acts, conditions and things required to be done precedent to and in the issuance of this bond have happened, been done and performed.

IN WITNESS WHEREOF, the City and Borough of Wrangell, Alaska, has caused this bond to be signed on behalf of the Borough with the manual or facsimile signature of the Mayor, to be attested by the manual signature of the Borough Clerk, and the seal of the Borough to be impressed hereon, as of this ____ day of _____, 2016.

CITY AND BOROUGH OF WRANGELL,
ALASKA

/s/
Mayor

[SEAL]

ATTEST:

_____/s/
Borough Clerk

REGISTRATION CERTIFICATE

This bond is registered in the name of the owner on the books of the Borough in the office of the Borough 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 Borough.

Date of Registration	Name and Address of Registered Owner	Signature of Registrar
_____, 20__	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 will be executed on behalf of the Borough with the manual or facsimile signatures of the Mayor and the Borough Clerk, and will have the seal of the Borough impressed or imprinted thereon.

If any officer of the Borough who has signed, attested, authenticated, registered or sealed the Bond ceases to hold that office before the Bond so signed, attested, authenticated, registered or sealed has been actually issued and delivered, the Bond will be valid nevertheless and may be issued by the Borough with the same effect as though the person who had signed, attested, authenticated, registered or sealed that Bond had not ceased to hold that office. The Bond may also be signed, attested, authenticated, registered or sealed on behalf of the Borough by a person who, at the actual

date of execution of the Bond is a proper officer of the Borough although at the original date of the Bond that person did not hold that office.

Only a Bond that bears a Registration Certificate in the form set forth in Section 14, manually executed by the Bond Registrar, will be valid or obligatory for any purpose or entitled to the benefits of this ordinance. The executed Registration Certificate will be conclusive evidence that the Bond so authenticated has been duly executed, authenticated and delivered hereunder and is entitled to the benefits of this ordinance.

Section 16. Sale of Bond. The Bond shall be sold to USDA at a price of par on the terms and conditions set forth in the Letter of Conditions and in this ordinance. The Borough Manager is authorized to accept the applicable interest rate provided by USDA, so long as that interest rate does not exceed 4.0%, and that interest rate and the applicable principal and interest payment dates acceptable to USDA shall be set forth in the Bond.

Section 17. Application of Bond Proceeds. The proceeds of the sale of the Bond shall be accounted for in the Sewer Fund and used to pay costs of the Project and costs of issuance of the Bond.

Section 18. Severability. If any covenant or agreement provided in this ordinance to be performed on the part of the Borough is declared by any court of competent jurisdiction to be contrary to law, then that covenant or agreement will be null and void and 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, Borough Manager, Borough Clerk, Finance Director and all other appropriate officers of the Borough 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 is effective upon passage, in accordance with Section 2-10 of the Borough Charter.

PASSED by the Borough Assembly of the City and Borough of Wrangell, Alaska, at a regular meeting thereof held this ____ day of _____, 2016.

CITY AND BOROUGH OF WRANGELL,
ALASKA

Mayor

ATTEST:

Borough Clerk

CERTIFICATE

I, the undersigned, Borough Clerk of the City and Borough of Wrangell, Alaska (the "Borough"), and keeper of the records of the Borough Assembly (the "Assembly"), DO HEREBY CERTIFY:

1. That the attached Ordinance No. _____ (the "Ordinance") is a true and correct copy of an ordinance of the Borough as passed at a regular meeting of the Assembly held on _____, 2016, and duly recorded in my office.

2. That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such meeting was given; that a legal quorum was present throughout the meeting and a legally sufficient number of members of the 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 Borough this _____ day of _____, 2016.

Kim Lane, Borough Clerk

[Borough Seal]

UNITED STATES OF AMERICA

NO. R-1

\$91,000

STATE OF ALASKA

CITY AND BOROUGH OF WRANGELL
SEWER REVENUE BOND, 2016

The City and Borough of Wrangell, Alaska, a municipal corporation and home rule borough of the State of Alaska (the "Borough"), 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 (the "Payee"), the principal sum of

NINETY-ONE THOUSAND AND NO/100 DOLLARS (\$91,000)

and to pay interest, from the date hereof, on the balance of said principal from time to time remaining unpaid at the rate of 1.875% per annum payable in semiannual amortized installments of principal and interest, equal to One thousand six hundred twenty-three and No/100 Dollars (\$1623.00), payable on June 23, 2017, 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 December 23, 2056.

As long as the Payee is the registered owner of this bond, the Borough will make payments of principal and interest by any electronic pre-authorized debit system or other transfer system that may be required by the Payee from time to time. Upon final payment of the principal of and interest on this bond, it shall be submitted to the Borough for cancellation and surrender.

Both principal of and interest on this bond are payable solely out of the special fund of the Borough known as the "City and Borough of Wrangell Sewer Revenue Bond Redemption Fund" (the "Bond Fund"). As described below, the Net Revenue of the System is pledged to payment of this bond.

In addition to the installments of principal required to be paid by the Borough as hereinabove set forth, the Borough, at its option, shall have the right to prepay this bond as provided in the Bond Ordinance. No advance notice need be given of any prepayment hereunder.

This bond is issued pursuant to Ordinance No. 929 (the "Bond Ordinance") for the purpose of financing the completion of certain additions and improvements to the Borough's sewer system (the "System"). Capitalized terms used in this bond and not otherwise defined herein have the meanings given those terms in the Bond Ordinance.

The Borough 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 the lien thereon of the 1997 Bond and any Future Parity Bonds, and superior to all other charges of any kind or nature. In the Bond Ordinance, the Borough has reserved

the right to issue Future Parity Bonds on terms and conditions as set forth therein, which conditions include Payee's consent, 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 Borough 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 Borough 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 the Charter and ordinances of the Borough, and that all acts, conditions and things required to be done precedent to and in the issuance of this bond have happened, been done and performed.

IN WITNESS WHEREOF, the City and Borough of Wrangell, Alaska, has caused this bond to be signed on behalf of the Borough with the manual or facsimile signature of the Mayor, to be attested by the manual signature of the Borough Clerk, and the seal of the Borough to be impressed hereon, as of this 23rd day of December, 2016.



CITY AND BOROUGH OF WRANGELL,
ALASKA

Finance Director

ATTEST:

Borough Clerk

REGISTRATION CERTIFICATE

This bond is registered in the name of the owner on the books of the Borough in the office of the Borough 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 Borough.

Date of Registration	Name and Address of Registered Owner	Signature of Registrar
_____, 20__	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.

CITY AND BOROUGH OF WRANGELL, ALASKA

ORDINANCE NO. 925

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING SECTION 18.04.040, BUILDING PERMITS – COMPLIANCE WITH ORDINANCES, OF THE WRANGELL MUNICIPAL CODE RELATING TO BUILDING PERMITS

BE IT ORDAINED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA:

[The changes to the existing code are shown as follows: the words that are underlined are to be added and the words that are **[bolded and in brackets are to be deleted]**.]

SEC. 1. Action. The purpose of this ordinance is to amend Section 18.04.040, Building Permits – Compliance with ordinances, of the Wrangell Municipal Code relating to building permits.

SEC. 2. Amendment of Section. Section 18.04.040 of the Wrangell Municipal Code is amended to read:

Section 18.04.040 Building permits – Compliance with ordinances.

A. ~~[It is established that no]~~No permit will be issued for the construction of new buildings or building, within the corporate limits of the borough, which is inconsistent with any borough ordinances and regulations, except as provided in subsection B of this section for the Remote Residential Mixed-Use District (RMU).

B. The provisions of WMC Title 18, Buildings and Construction, do not apply to construction standards for the areas within the Remote Residential Mixed-Use District (RMU), unless the intended use of the structure is for commercial purposes. Persons seeking to construct new buildings or building within the RMU district the intended use of which is for noncommercial purposes must complete a Proposed Development application in lieu of the building permit application. Persons seeking to construct new buildings or building within the RMU district the intended use of which is for commercial purposes must complete a building permit application and comply with WMC Title 18.

SEC. 3. Classification. This ordinance is of a permanent nature and shall be codified in the Wrangell Municipal Code.

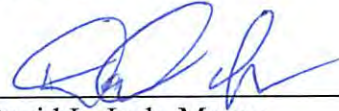
SEC. 4. Severability. If any portion of this ordinance or any application thereof to

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. 5. Effective Date. This ordinance shall be effective upon adoption.

PASSED IN FIRST READING: September 13, 2016.

PASSED IN SECOND READING: September 27, 2016.



David L. Jack, Mayor

ATTEST:



Kim Lane, Borough Clerk



CITY AND BOROUGH OF WRANGELL, ALASKA

ORDINANCE NO. 926

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING CERTAIN SECTIONS OF TITLE 20, ZONING, OF THE WRANGELL MUNICIPAL CODE, TO ADD LICENSED MARIJUANA ESTABLISHMENT FACILITIES AS CONDITIONAL USES IN CERTAIN SPECIFIED ZONING DISTRICTS, AND TO UPDATE THE TEMPORARY AND SPECIAL ZONING ACTS TABLE

BE IT ORDAINED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA:

[The changes to the existing code are shown as follows: the words that are underlined are to be added and the words that are [bolded and in brackets] are to be deleted.]

SEC. 1. Action. The purpose of this ordinance is to amend certain sections of Title 20, Zoning, of the Wrangell Municipal Code to add licensed marijuana establishment facilities as conditional uses in certain specified zoning districts, and to update the temporary and special zoning acts table.

SEC. 2. Amendment of Section. Section 20.12.050 of the Wrangell Municipal Code is amended to read:

20.12.050	Temporary and special zoning acts.
Ord. No.	Description
...	
<u>864</u>	<u>Rezone by Contract Zone from single-family residential to multifamily residential for a three-unit structure; Lot 20A, Oliver Subdivision</u>
<u>867</u>	<u>867 Amending Title 20, including adding Remote Residential Mixed Use District</u>
<u>1/28/14 motion</u>	<u>Rezone of Lot 12 and portion of Lot 5 USS 2589 from Waterfront Development to Rural Residential</u>

<u>2/24/15 motion</u>	<u>Reassignment of Contract Zone Ordinance 609 from Fennimore to Matney</u>
<u>7/28/15 motion</u> <u>Pending signature</u>	<u>Rezone by Contract Zone from Single Family Residential to Light Industrial Lot C Torgramsen- Glasner Subdivision.</u>
<u>3/31/16 motion</u>	<u>Rezone by Contract Zone from Commercial to Single Family Residential Lot 7B, Block 2, USS 1119.</u>
<u>4/26/16 motion</u> <u>Pending signature</u>	<u>Rezone by Contract Zone from Single Family Residential to Light Industrial, Lot A-1A and Lot A, Torgramsen – Prunella Subdivision.</u>

SEC. 3. Amendment of Section. Section 20.28.040 of the Wrangell Municipal Code is amended to read:

Chapter 20.28

RR-1 DISTRICT – RURAL RESIDENTIAL

...

20.28.040 Conditional uses.

The following are the uses which may be permitted in the RR-1 district by action of the commission under the conditions and procedures specified in Chapter 20.68 WMC:

- A. Home occupations;
- B. Public and private elementary and secondary schools and colleges;
- C. Nursery schools, private kindergartens, and child care centers;
- D. Public buildings and structures;
- E. Hospitals, sanitariums, nursing homes and convalescent homes;
- F. Churches and cemeteries;
- G. Radio and television transmitters and towers;
- H. Mobile home parks;
- I. Neighborhood-oriented commercial development (e.g., neighborhood grocery);
- J. Quarrying, material extraction and processing;

- K. Energy-related facilities;
 - L. Commercial animal establishments;
 - M. Fisheries enhancement/aquaculture;
 - N. Recreational vehicle parks;
 - O. Marine ways;
 - P. Storage of equipment for private and/or commercial use only;
 - Q. Cottage industry[.];
 - R. Licensed retail marijuana store facility, provided the facility must be located on one acre or more of land and meet setbacks;
 - S. Licensed marijuana testing facility, provided the facility must be located on one acre or more of land and meet setbacks;
 - T. Licensed marijuana product manufacturing facility, with the exception of solvent based manufacturing processes which are not allowed, and provided the facility must be located on one acre or more of land and meet setbacks;
 - U. Licensed standard cultivation marijuana facility (500 square feet or more under cultivation), provided the facility must be located on two acres or more of land and meet setbacks;
 - V. Licensed limited cultivation marijuana facility (fewer than 500 square feet under cultivation), provided the facility must be located on one acre or more of land and meet setbacks.
- ...

SEC. 4. Amendment of Section. Section 20.28.040 of the Wrangell Municipal Code is amended to read:

Chapter 20.30

RR-2 DISTRICT – RURAL RESIDENTIAL

...

20.30.040 Conditional uses.

The following are uses which may be permitted in the rural residential-2 (RR-2) district by action of the commission under the conditions and procedures specified in Chapter 20.68 WMC:

- A. Home occupations;
- B. Public and private elementary and secondary schools and colleges;
- C. Nursery schools, private kindergartens and child care centers;
- D. Public buildings and structures;
- E. Hospitals, sanitariums, nursing homes and convalescent homes;
- F. Churches and cemeteries;
- G. Radio and television transmitters and towers;
- H. Mobile home parks/subdivision;
- I. Neighborhood-oriented commercial development (e.g., neighborhood grocery);
- J. Quarry, material extraction and processing;
- K. Energy-related facilities;
- L. Commercial animal establishments;
- M. Fisheries enhancement/aquaculture;
- N. Recreational vehicle parks;
- O. Marine ways;
- P. Storage of equipment for private and/or commercial use;
- Q. Cottage industry[.];
- R. Licensed retail marijuana store facility, provided the facility must be located on one acre or more of land and meet setbacks;
- S. Licensed marijuana testing facility, provided the facility must be located on one acre or more of land and meet setbacks;
- T. Licensed Marijuana product manufacturing facility, with the exception of solvent based manufacturing processes which are not allowed, and provided the facility must be located on one acre or more of land and meet setbacks;
- U. Licensed standard cultivation marijuana facility (500 square feet or more under cultivation), provided the facility must be located on two acres or more of land and meet setbacks;

V. Licensed limited cultivation marijuana facility (fewer than 500 square feet under cultivation), provided the facility must be located on one acre or more of land and meet setbacks.

...

SEC. 5. Amendment of Section. Section 20.31.040 of the Wrangell Municipal Code is amended to read:

Chapter 20.31
RMU DISTRICT – REMOTE RESIDENTIAL MIXED-USE

...

20.31.040 Conditional uses.

A. The following licensed marijuana establishment facilities are uses which may be permitted in the remote residential mixed-use (RMU) district, with the exception of the Union Bay RMU subarea zone (RMU-U), by action of the commission under the conditions and procedures specified in Chapter 20.68 WMC: retail store, testing, standard cultivation (500 or more square feet under cultivation), limited cultivation (fewer than 500 square feet under cultivation), and product manufacturing with the exception of solvent based manufacturing processes which are not allowed. Licensed marijuana establishment facilities are not allowed in the Union Bay RMU subarea zone (RMU-U).

[A]B. Other compatible uses which are consistent with the intent of this chapter, as determined by the commission, may be allowed with appropriate conditions in accordance with Chapter 20.68 WMC, if such uses would serve the community's best interest.

...

SEC. 6. Amendment of Section. Section 20.40.040 of the Wrangell Municipal Code is amended to read:

Chapter 20.40

TM DISTRICT – TIMBER MANAGEMENT

...

20.40.040 Conditional uses.

The following uses may be permitted in the timber management district by action of the commission under the conditions and procedures set forth in Chapter 20.68 WMC:

- A. Storage (inside or screened);
- B. Mineral extraction (including quarries) and processing;
- C. Temporary dwellings and facilities associated with permitted or other conditional uses;
- D. Commercial hunting and fishing camps and lodges;
- E. Private roads;
- F. Public utility uses (i.e., power lines and other energy-related facilities);
- G. Mariculture and fisheries enhancement;
- H. Recreational vehicle parks;
- I. Cabins;
- J. Commercial animal establishments; **[and]**
- K. Cottage industry[-.];
- L. Licensed marijuana establishment facilities as follows: retail store, testing, standard cultivation (500 or more square feet under cultivation), limited cultivation (fewer than 500 square feet under cultivation), and product manufacturing with the exception of solvent based manufacturing processes which are not allowed.

...

SEC. 7. Amendment of Section. Section 20.44.040 of the Wrangell Municipal Code is amended to read:

Chapter 20.44

C DISTRICT COMMERCIAL

...

20.44.040 Conditional uses.

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

A. Gasoline/service stations[.];

B. Licensed marijuana retail store facility;

C. Licensed marijuana testing facility;

D. Licensed marijuana product manufacturing facility, with the exception of solvent based manufacturing processes which are not allowed;

E. Licensed standard cultivation marijuana facility (500 or more square feet under cultivation), provided the facility must be located indoors only and must be limited to no more than a 2,000 square foot grow area;

F. Licensed limited cultivation marijuana facility (fewer than 500 square feet under cultivation).

...

SEC. 8. Amendment of Section. Section 20.48.040 of the Wrangell Municipal Code is amended to read:

Chapter 20.48

I DISTRICT – INDUSTRIAL

...

20.48.040 Conditional uses.

The following are permitted conditional uses in this district:

A. Animal establishments; **[and]**

B. Licensed marijuana establishment facilities as follows: retail store, testing, standard cultivation (500 or more feet under cultivation), limited cultivation (fewer than 500 square feet under cultivation), and product manufacturing with the exception of solvent based manufacturing processes which are not allowed.

[B]C. Other compatible uses which are consistent with the intent of this chapter, as determined by the commission, may be allowed with appropriate conditions in accordance with Chapter 20.68 WMC, if such uses would serve the community's best interest.

...

SEC. 9. Amendment of Section. Section 20.50.040 of the Wrangell Municipal Code is amended to read:

Chapter 20.50

WD DISTRICT – WATERFRONT DEVELOPMENT

...

20.50.040 Conditional uses.

The following are uses which may be permitted in the waterfront development district by action of the commission under the conditions and procedures specified in Chapter 20.68 WMC:

A. Water-related uses not mentioned above and their accessory uses;

B. Other uses if there is no suitable upland alternative for a nonwater-related or nonwater-dependent use;

C. Retail and wholesale businesses;

D. Laundries and consumer services; **[and]**;

E. Animal establishments other than establishments for livestock[.];

F. Licensed marijuana establishment facilities as follows: retail store, testing, standard cultivation (500 or more square feet under cultivation), limited cultivation (fewer than 500 square feet under cultivation), and product manufacturing with the exception of solvent based manufacturing processes which are not allowed.

...

SEC. 10. Amendment of Section. Section 20.51.040 of the Wrangell Municipal Code is amended to read:

**Chapter 20.51
IL DISTRICT – LIGHT INDUSTRIAL**

...

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 WMC:

A. Those commercial uses as specified in WMC 20.44.020;

B. Recreational vehicle parks;

C. Multifamily structures, dormitories, roominghouses, bunk houses and boardinghouses;

D. Public parks and playgrounds associated with a high density residential development;

[and]

E. Animal establishments[.];

F. Licensed marijuana retail store facility;

G. Licensed marijuana testing facility;

H. Licensed Marijuana product manufacturing facility, with the exception of solvent

based manufacturing processes which are not allowed;

I. Licensed standard cultivation marijuana facility (500 or more square feet under cultivation).

J. Licensed limited cultivation marijuana facility (fewer than 500 under cultivation).

...

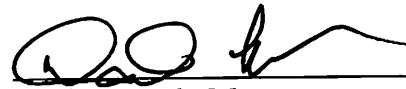
SEC. 11. Classification. This ordinance is of a permanent nature and shall be codified in the Wrangell Municipal Code.

SEC. 12. 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. 13. Effective Date. This ordinance shall be effective upon adoption.

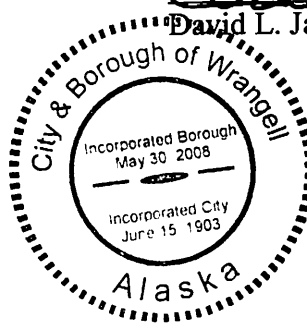
PASSED IN FIRST READING: September 27, 2016.

PASSED IN SECOND READING: October 11, 2016.



David L. Jack, Mayor

ATTEST:


Kim Lane, Borough Clerk

CITY AND BOROUGH OF WRANGELL, ALASKA

ORDINANCE NO. 927

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING THE MINOR OFFENSE FINE SCHEDULE IN CHAPTER 1.20, GENERAL PENALTY, OF THE WRANGELL MUNICIPAL CODE

BE IT ORDAINED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA:

[The changes to the existing code are shown as follows: the words that are underlined are to be added and the words that are **[bolded and in brackets are to be deleted]**.]

SEC. 1. Action. The purpose of this ordinance is to amend the Minor Offense Fine Schedule in Section 1.20.050 of Chapter 1.20, General Penalty, of the Wrangell Municipal Code to add to the fine schedule offenses relating to Chapter 10.44, Possession, Control, or Consumption of Alcoholic Beverages by persons under 21 years of age.

SEC. 2. Amendment. Section 1.20.050 of the Wrangell Municipal Code is amended to read:

1.20.050 Minor Offense Fine Schedule.

In accordance with AS 29.25.070(a), citations for the following offenses may be disposed of as provided in AS 12.25.195-.230, without a court appearance, upon payment of the fine amounts listed below plus the state surcharge required by AS 12.55.039 and AS 29.25.074. Fines must be paid to the police department. If an offense is not listed on a fine schedule, the defendant must appear in court to answer the charges. The Alaska Court System's Rules of Minor Offense Procedure apply to all offenses listed below. Citations charging these offenses must meet the requirements of Minor Offense Rule 3. If a person charged with one of these offenses appears in court and is found guilty, the penalty imposed for the offense may not exceed the fine amount for that offense listed below.

The fine amounts listed below are doubled for motor vehicle or traffic offenses committed in a highway work zone or traffic safety corridor, as those terms are defined in AS 28.90.990 and 13 AAC 40.010(b).

An offense listed in this schedule may not be disposed of without court appearance if the offense is in connection with a motor vehicle accident that results in the death of a person.

Section	Offense	Penalty/Fine
---------	---------	--------------

7.04.010	Cruelty – Abandonment	\$200
7.04.020	Animals at large prohibited	First offense - \$15, second offense - \$50, third offense - \$100. Fourth and subsequent offenses are mandatory court appearance offenses with a minimum fine of \$200 and a maximum fine of \$500.00.
7.08.010	Licensing	\$25.00 fine for each offense.
7.08.020	Dog Vaccination required	\$50.00 fine for each offense.
7.08.030	At large – Prohibited – Nuisance declared	First offense - \$15, second offense - \$50, third offense - \$100. Fourth and subsequent offenses are mandatory court appearance offenses with a minimum fine of \$200 and a maximum fine of \$500.00.
7.08.035	Objectionable animals	First offense - \$15, second offense - \$50, third offense - \$100. Fourth and subsequent offenses are mandatory court appearance offenses with a minimum fine of \$200 and a maximum fine of \$500.00.
7.08.040	Restraint requirements	First offense - \$15, second offense - \$50, third offense - \$100. Fourth and subsequent offenses are mandatory court appearance offenses with a minimum fine of \$200 and a maximum fine of \$500.00.
7.08.045 & 7.08.050	Off-leash areas & Off-leash area rules	First offense - \$15, second offense - \$50, third offense - \$100. Fourth and subsequent offenses are mandatory court appearance offenses with a minimum fine of \$200 and a maximum fine of \$500.00.
7.08.115	Potentially dangerous and dangerous dogs: violation of restrictions, confinement requirements, and sign requirements	First offense - \$200. Second and subsequent offenses are mandatory court appearance offenses with a minimum fine of \$300 and a maximum fine of \$500.00.
7.08.120	Biting dog – Confinement	First offense - \$200. Second and subsequent offenses are mandatory court appearance offenses with a minimum fine of \$300 and a maximum fine of \$500.00.
7.08.140	Proclamation to confine all dogs during epidemic	First offense - \$200 Second and subsequent offenses are mandatory court appearance offenses with a minimum fine of \$300 and a maximum fine of \$500.00.

7.08.150	Interference with animal enforcement agents	First offense - \$200 Second and subsequent offenses are mandatory court appearance offenses with a minimum fine of \$300 and a maximum fine of \$500.00.
9.08.080	Accumulations of rubbish & materials prohibited	\$100.00 fine for each offense.
9.12.020, 9.12.030, & 9.12.040	Fireworks where prohibited; sale where prohibited; display violations	First offense - \$200. Second and subsequent offenses are mandatory court appearance offenses with a minimum fine of \$300 and a maximum fine of \$500.00.
9.16.020	Deposit in public places	0-1 pound = \$50.00 fine, 1-5 pounds = \$150.00 fine, 6-10 pounds = \$250.00, 11-15 pounds = \$350.00 fine, 15 + pounds = \$500.00 fine.
9.16.030	Maintaining sidewalks free of litter.	\$75.00 fine for each offense.
9.16.040	Deposit from vehicles prohibited	\$75.00 fine for each offense.
9.16.050	Operating litter-generating vehicles prohibited	0-1 pound = \$50.00 fine, 1-5 pounds = \$150.00 fine, 6-10 pounds = \$250.00, 11-15 pounds = \$350.00 fine, 15 + pounds = \$500.00 fine.
9.16.060	Deposit on private property prohibited	0-1 pound = \$50.00 fine, 1-5 pounds = \$150.00 fine, 6-10 pounds = \$250.00, 11-15 pounds = \$350.00 fine, 15 + pounds = \$500.00 fine.
9.16.070	Property owner's responsibility to maintain premises	\$75.00 fine for each offense.
9.16.080	Handbills – Restrictions generally	\$75.00 fine for each offense.
9.16.090	Handbills – Distribution on private property	\$75.00 fine for each offense.
9.16.100	Posting notices prohibited	\$50.00 fine for each offense.
10.18.010	Abuse of 911 system	First offense - \$200. Second and subsequent offenses are mandatory court appearance offenses with a minimum fine of \$300 and a maximum fine of \$500.00.
10.36.010	Discharge of firearms and other weapons prohibited within certain areas	First offense - \$200. Second and subsequent offenses are mandatory court appearance offenses with a minimum fine of \$300 and a maximum fine of \$500.00.
<u>10.44.010</u>	<u>Possession, Control, or Consumption of Alcoholic Beverages by persons under 21</u>	<u>\$500.00 fine for each offense.</u>

	<u>years of age</u>	
10.46.010(A)(1)	Consumption of marijuana in a public place prohibited	\$100.00 fine for each offense.
10.46.010(A)(2)	Consume marijuana outdoors adjacent public place without consent of property owner	\$100.00 fine for each offense.
<u>10.48.010</u>	<u>Possession of tobacco by a minor under 19 years of age</u>	<u>\$75.00 fine for each offense.</u>
11.28.020	Prohibited parking places	\$50.00 fine for each offense.
11.28.030	Red-painted curbs and signs – No parking	\$50.00 fine for each offense.
11.28.040	Time-limit parking	\$50.00 fine for each offense.
11.28.080	Blocking roadway prohibited	\$50.00 fine for each offense.
11.28.090	Bus stop and passenger zone – Parking prohibited	\$50.00 fine for each offense.
11.28.100	Loading and unloading materials	\$50.00 fine for each offense.
11.28.130	Method of parking – Loading permits	\$50.00 fine for each offense.
11.30.030	Parking in excess of posted time limit – Parking lots	\$50.00 fine for each offense.
11.30.040	Proper parking required – Parking lots	\$50.00 fine for each offense.
11.30.050	Vehicles and objects prohibited – Parking lots	\$75.00 fine for each offense.
11.36.060	Stop when traffic obstructed	\$75.00 fine for each offense.
11.36.070	Bicycle restrictions on sidewalks	\$50.00 fine for each offense.
11.36.080	U-turns prohibited	\$50.00 fine for each offense.
11.36.100	Dragging objects prohibited	\$50.00 fine for each offense.
11.36.110	Projecting loads on passenger vehicles	\$50.00 fine for each offense.
11.36.160	Use of coaster, rollerskates, skateboards, sleds and skis	\$50.00 fine for each offense.
11.36.170	Excessive acceleration	\$50.00 fine for each offense.
11.64.010	Sound trucks – permit required	\$100.00 fine for each offense.
11.68.020	Registration required	\$50.00 fine for each offense.
11.68.030	Required equipment	\$50.00 fine for each offense.
11.68.040	Snowmobile operation restricted	\$50.00 fine for each offense.
11.68.050	Designated right-of-way	\$50.00 fine for each offense.
11.76.020	Junk vehicles unlawful	\$50.00 fine for each offense. Each 10 days shall constitute a separate violation.
14.09.005	Speeding	\$150.00 fine for each offense.
14.09.015	Hazard to navigation	\$100.00 fine for each offense.
14.09.020	Failure to register	\$25.00 fine for each offense.

14.09.025	Improper mooring	\$25.00 fine for each offense.
14.09.030	Inadequate equipment	\$50.00 fine for each offense.
14.09.035	Improper use of facilities	\$50.00 fine for each offense.
14.09.040	Improper waste disposal	\$50.00 fine for each offense.
14.09.045	Improper petroleum product disposal	\$100.00 fine for each offense.
14.09.050	Improper care and control of animals	\$25.00 fine for each offense.
14.09.055	Water sports	\$25.00 fine for each offense.
14.09.065	Improper use of seaplane float	\$50.00 fine for each offense.
14.09.070	Improper use of a loading zone	\$25.00 fine for each offense.
14.09.075	Improper use of fire equipment	\$100.00 fine for each offense.
14.09.080	Improper use of utilities	\$50.00 fine for each offense.
14.09.085	Tampering and defacing signs	\$25.00 fine for each offense.
14.09.090	Nuisance	\$100.00 fine for each offense.
14.09.095	Failure to comply with rules, regulations or procedures.	\$100.00 fine for each offense.
14.09.100	Obstruct or impede use of any launch ramp	\$50.00 fine for each offense.
15.18.030	Refuse containers – Required	\$150.00 fine for each offense.
15.18.032	Refuse containers – Maintained	\$150.00 fine for each offense.
15.18.050	Disposal of offensive refuse prohibited	\$150.00 fine for each offense.
15.18.052	Burning of certain materials prohibited	\$150.00 fine for each offense.
15.18.075	Monofill disposal permit and fees	\$150.00 fine for each offense.

SEC. 3. Classification. This ordinance is of a permanent nature and shall be codified in the Wrangell Municipal Code.

SEC. 4. 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. 5. Effective Date. This ordinance shall be effective upon adoption.

PASSED IN SECOND READING: October 11, 2016

PASSED IN SECOND READING: November 8, 2016

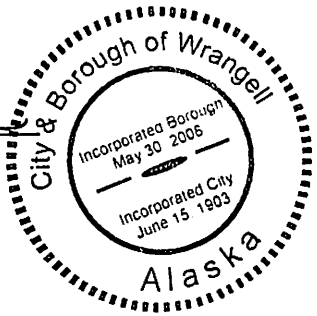


 David L. Jack, Mayor

ATTEST:

Kim Lane

Kim Lane, Borough Clerk



CITY AND BOROUGH OF WRANGELL, ALASKA

ORDINANCE NO. 928

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING CHAPTER 11.76, JUNK VEHICLES, OF THE WRANGELL MUNICIPAL CODE, RELATING TO THE PROCEDURES FOR THE DISPOSITION AND DISPOSAL OF JUNK VEHICLES

BE IT ORDAINED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA:

[The changes to the existing code are shown as follows: the words that are underlined are to be added and the words that are **[bolded and in brackets are to be deleted]**.]

SEC. 1. Action. The purpose of this ordinance is to amend Chapter 11.76, Junk Vehicles, of the Wrangell Municipal Code, relating to the procedures for disposition and disposal of junk vehicles.

SEC. 2. Amendment of Section. Section 11.76.010 of the Wrangell Municipal Code is amended to read:

11.76.010. Definition.

“Junk vehicle” means a motor vehicle that **[is:**

A. Stripped, wrecked or otherwise inoperable due to mechanical failure, and

B. 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 vehicles.]

A. is not currently registered under AS 28.10, except for a vehicle not currently registered under AS 28.10 and used exclusively for competitive racing;

B. is stripped, wrecked, or otherwise inoperable due to mechanical failure;

C. 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; or

D. is in a condition that exhibits more than one of the following elements:

1. broken glass;

2. missing wheels or tires;
3. missing body panels or parts; or
4. missing drive train parts.

SEC. 3. Amendment of Section. Section 11.76.020 of the Wrangell Municipal Code is amended to read:

11.76.020 Junk vehicles unlawful.

- A. It is unlawful for the **[registered]** owner of record 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 borough for more than 10 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 10 days.
- B. Notwithstanding the provisions of subsection (A) of this section, if the borough manager has reasonable grounds to believe that repairs can be made to render a junk vehicle operable, that the **[registered]** owner of record 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 borough manager may authorize a period of no more than 30 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.
- C. Any person violating any provision of this chapter is guilty of an infraction and shall be punished by the fine established in the WMC 1.20.050 fine schedule if the offense is listed in that fine schedule or by a fine of up to \$500.00 if the offense is not listed in the WMC 1.20.050 fine schedule.

SEC. 4. Repeal and Reenactment of Section. Section 11.76.030 of the Wrangell Municipal Code is repealed and reenacted to read:

[11.76.030 Disposition of junk vehicles.

- A. Upon observation of what appears to be a junk vehicle, the Wrangell police department shall give written notice by personal service or certified mail to:

1. Any or all offenders described in WMC 11.76.020(A); and

2. 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 WMC 11.76.020(A) can be located and served within the 10-day period. This 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 10 days from issuance of the notice, the borough 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 10 days have expired for a 30-day waiver to make the necessary repairs.

B. Upon expiration of the 10-day, or 30-day period where relevant, the borough manager may impound a junk vehicle and sell it at public auction pursuant to the notice provisions of WMC 11.76.040 or may have the vehicle privately sold, crushed or otherwise destroyed without further notice. If a vehicle is destroyed, the borough manager will notify the Alaska Department of Public Safety.]

11.76.30 Disposition of junk vehicles.

A. Upon observation of what appears to be a junk vehicle, the Wrangell police department shall give written notice by personal delivery or by registered or certified mail, return receipt requested, to the owner of record and any and all offenders described in WMC 11.76.020(A) and any and all lienholders of record. In addition, the police department shall affix a notice to the vehicle.

B. The written notice required to be personally delivered or mailed shall contain the following:

1. The street address and other information sufficient to identify the location of the vehicle;
2. A statement as to the condition of the vehicle identifying defects which render it a junked vehicle;
3. A statement that the vehicle constitutes a public nuisance, and a copy or summary of relevant code sections;
4. A statement that if the vehicle is not removed from public view within 10 days from receipt of the written notice, the borough may impound and sell or destroy the vehicle at the offender's expense;
5. A statement that if the offender can show ability and willingness to make the repairs necessary to convert the junk vehicle to an operable vehicle, application may be made to the borough manager at any time before the 10 days from receipt of the notice have expired for a 30-day waiver to make the necessary repairs; and
6. A statement that the owner of record or lienholder of record and persons known to be lawfully entitled to possession of the vehicle have a right to request an administrative hearing to contest the validity of the borough's action to be held in accordance with WMC 11.76.060 provided a request for a hearing is made in writing, signed by the requestor, and received by the borough manager before the expiration of 10 days after receipt of the notice.

C. If the name and address of the owner of record or a lienholder of record cannot be ascertained, the written notice shall be given by publication in the local newspaper, to be published once a week for two consecutive weeks.

D. Written notice by mail is complete upon the return of the receipt or upon return of the notice as undeliverable, refused, or unclaimed. Proof of giving the notice by personal delivery or by mail may be made by the affidavit of the person giving notice naming the person to whom notice was given and specifying the time, place, and manner of giving the notice.

SEC. 5. Repeal and Reenactment of Section. Section 11.76.040 of the Wrangell Municipal Code is repealed and reenacted to read:

[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 20 days after notice of the auction is published in a newspaper of general circulation in the borough. 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.]

11.76.040 Disposal of junk vehicles.

- A. Upon expiration of 10 days after receipt of the written notice by mail or personal delivery, or upon completion of notice by publication, or upon expiration of the 30-day period for repairs if granted, the borough manager may impound a junk vehicle and take steps as provided in this section to sell it at public auction, or have the vehicle destroyed.
- B. Upon impoundment of a junk vehicle, the borough manager shall, within 30 days, give written notice to the owner of record and to lienholders of record, stating the grounds for removal and the location of the place of impoundment of the vehicle. The notice shall include a statement that the owner of record or lienholder of record and persons known to be lawfully entitled to possession of the vehicle have a right to request an administrative hearing to contest the validity of the borough's action to be held in accordance with WMC 11.76.060 provided a request for a hearing is made in writing, signed by the requestor, and received by the borough manager before the expiration of 10 days after receipt of the notice.
- C. The written notice shall be given by personal delivery to the person to be notified or by registered or certified mail, return receipt requested, addressed to the person to be notified. If the name and address of the owner of record or a lienholder of record cannot be ascertained, notice shall be given by publication in the local newspaper, to be published once a week for two consecutive weeks.
- D. Written notice by mail is complete upon the return of the receipt or upon return of the notice as undeliverable, refused, or unclaimed. Proof of giving the notice by personal delivery or by mail may be made by the affidavit of the person giving notice naming the person to whom notice was given and specifying the time, place, and manner of giving the notice.
- E. Upon satisfaction of the notice requirements of this section, an impounded junk vehicle may be disposed of as follows:

1. By removal to a scrap processing center, by crushing, or by being otherwise destroyed, without further notice; or
2. By public auction to be held at least 20 days after notice of the auction is published in the local newspaper. The notice of auction must 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 Alaska Department of Public Safety.

SEC. 6. Amendment of Section. Section 11.76.050 of the Wrangell Municipal Code is amended to read:

11.76.050 Recovery of costs.

The costs of impounding, storing, notice, selling, and destroying of a junk vehicle may be charged or assessed by the borough against the vehicle, the **[registered]** owner of record of the vehicle, any person who has acquired legal title to the vehicle from or through the **[registered]** owner of record, and any person who has violated WMC 11.76.020(A).

SEC. 7. Repeal and Reenactment of Section. Section 11.76.060 of the Wrangell Municipal Code is repealed and reenacted to read:

[11.76.060 Opportunity for hearing.

A person subject to liability under this chapter including any person described in WMC 11.76.020(A) 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 borough manager in a timely fashion at least 48 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 borough manager may appoint a hearing officer. Proceedings of the hearing shall be recorded. The borough manager/hearing officer shall state on the record the reasons for the decision and indicate the evidence relied on.]

11.76.060 Opportunity for hearing.

The owner of record or lienholder of record of the vehicle and persons known to be lawfully entitled to possession of the vehicle have a right to request an administrative hearing to

contest the validity of the borough's action with regard to the vehicle under WMC Chapter 11.76, before or after impoundment, provided the request for a hearing is made by such person in writing received by the borough manager within the time period for making such request as set out in the written notice of the action at issue. Hearings shall be informal and technical rules of evidence do not apply. The borough manager may appoint a hearing officer. Proceedings of the hearing shall be recorded. The borough manager or hearing officer, as applicable, shall state on the record the reasons for the decision and indicate the evidence relied on.

SEC. 8. Classification. This ordinance is of a permanent nature and shall be codified in the Wrangell Municipal Code.

SEC. 9. 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. 10. Effective Date. This ordinance shall be effective upon adoption.

PASSED IN FIRST READING: November 29, 2016

PASSED IN SECOND READING: December 13 , 2016



David L. Jack, Mayor

ATTEST:



Kim Lane, Borough Clerk

CITY AND BOROUGH OF WRANGELL, ALASKA

SEWER REVENUE BOND, 2016

\$91,000

ORDINANCE NO. 929

AN ORDINANCE of the City and Borough of Wrangell, Alaska, authorizing the issuance of a sewer revenue bond in the principal amount of \$91,000 to finance a portion of the cost of acquiring, constructing and installing certain additions and betterments to and extensions of the Borough's sewer system; fixing the date, form, terms, maturities and covenants of the bond; reserving the right of the Borough to issue future revenue bonds with a lien on revenues on a parity with the bond upon compliance with certain conditions; and providing for the sale of the bond to the United States Department of Agriculture, Rural Development.

Passed December 13, 2016

Prepared by:

STRADLING YOCCA CARLSON & RAUTH, P.C.
Seattle, Washington

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CITY AND BOROUGH OF WRANGELL, ALASKA

ORDINANCE NO. 929

AN ORDINANCE of the City and Borough of Wrangell, Alaska, authorizing the issuance of a sewer revenue bond in the principal amount of \$91,000 to finance a portion of the cost of acquiring, constructing and installing certain additions and betterments to and extensions of the Borough's sewer system; fixing the date, form, terms, maturities and covenants of the bond; reserving the right of the Borough to issue future revenue bonds with a lien on revenues on a parity with the bond upon compliance with certain conditions; and providing for the sale of the bond to the United States Department of Agriculture, Rural Development.

WHEREAS, the City and Borough of Wrangell, Alaska (the "Borough"), a municipal corporation and home rule borough 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 Borough Charter; and

WHEREAS, the Borough has determined that it is in the best interest of the Borough and its residents to construct and equip upgrades to some of the pumping stations in the System (as described more fully herein, the "Project"); and

WHEREAS, the Borough has received state and federal grants for most of the cost of the Project; and

WHEREAS, by a letter of conditions dated August 31, 2015 (the "Letter of Conditions"), the United States of America, acting through the United States Department of Agriculture, Rural Development ("USDA"), has offered to lend the Borough \$91,000 for a portion of the cost of the Project; and

WHEREAS, by resolution of the Borough Assembly, adopted on October 13, 2015 (the "Loan Resolution"), the Borough accepted the terms of the USDA loan; and

WHEREAS, in accordance with the Letter of Conditions and the Loan Resolution, the Borough now wishes to authorize the issuance of a sewer revenue bond of the Borough in the principal amount of \$91,000 (the "Bond") to evidence and secure payment of the USDA loan; and

WHEREAS, the former City of Wrangell (the "City"), by Ordinance No. 636, passed by the City Council on July 8, 1997, issued to USDA the City's Sewer Revenue Bond, 1997, in the initial principal amount of \$250,000 (the "1997 Bond"), approximately \$188,120.68 of which remains outstanding; and

WHEREAS, the incorporation of the Borough as a unified home rule borough was approved by the Local Boundary Commission and by the Borough's voters and became effective on May 30, 2008; and

WHEREAS, as a result of the incorporation of the Borough, the City was dissolved and the Borough succeeded to all rights, powers, duties, assets and liabilities of the City, including the System and the 1997 Bond; and

WHEREAS, as required by the Letter of Conditions, the Bond will be issued with a first lien position on revenue of the System, so USDA as holder of the 1997 Bond is deemed to have waived the parity conditions set forth in Ordinance No. 636 and consented to the issuance of the Bond on a parity of lien with the 1997 Bond, as provided herein;

NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, as follows:

Section 1. Definitions. As used in this ordinance the following terms have the following meanings:

“Assembly” means the Borough Assembly as the general legislative authority of the Borough as the same shall be duly and regularly constituted from time to time.

“Assessments” means the assessments (including interest and penalties) levied in any utility local improvement district of the Borough created for the acquisition or construction of additions and betterments to, or extensions of the System, if the 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 the 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 the bonds will be outstanding.

“Bond” means the \$91,000 par value sewer revenue bond of the Borough authorized to be issued by this ordinance.

“Bond Fund” means the “City and Borough of Wrangell Sewer Revenue Bond Redemption Fund” renamed and continued by Section 5 of this ordinance to pay and secure the payment of all Parity Bonds.

“Borough” means the City and Borough of Wrangell, a municipal corporation and home rule borough duly organized and existing under and by virtue of the laws of the State of Alaska and the Borough’s Charter.

“Borough Clerk” means the Borough Clerk, or the successor to the duties of that office.

“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 Borough or payments in lieu of such taxes.

“Finance Director” means the Finance Director of the Borough or the successor to the duties of that office.

“Future Parity Bonds” means any and all sewer revenue bonds of the Borough issued after the date of the issuance of the Bond and having a lien on 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 Borough 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.

“Letter of Conditions” means the letter from USDA to the Borough dated August 31, 2015, establishing conditions for the USDA loan, together with any amendments or supplements to that letter.

“Loan Resolution” means the resolution adopted by the Assembly on October 13, 2015, in the form set forth in RUS Bulletin 1780-27, accepting the USDA loan and prescribing certain terms to be included in this ordinance.

“Net Revenue” means Gross Revenue less the Costs of Maintenance and Operation.

“Parity Bonds” means the 1997 Bond, the Bond, and any Future Parity Bonds.

“Principal and Interest Account” means the special account of that name heretofore created in the Bond Fund and continued pursuant to Section 5 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 Borough 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 constructing and equipping upgrades to pumping stations in the System.

“Reserve Account” means the special account of that name heretofore created in the Bond Fund and continued pursuant to Section 5B for the purpose of securing the payment of all Parity Bonds.

“Sewer Fund” means the heretofore established Sewer Fund of the Borough.

“Short-Lived Asset Reserve Fund” means the fund of that name established pursuant to Section 6 of this ordinance.

“System” means the existing sewage collection and treatment system of the Borough and such improvements or additions as may be made to such system for as long as any Parity Bonds are outstanding and may include the water supply and distribution system of the Borough and the storm drainage system of the Borough if either is or both are ever combined with the 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.

“USDA” means the United States, acting by and through the Department of Agriculture, Rural Development.

“1997 Bond” means the City of Wrangell, Alaska, Sewer Revenue Bond, 1997, issued pursuant to Ordinance No. 636 passed by the Wrangell City Council on July 8, 1997, and now an obligation of the Borough.

Section 2. Authorization of Bond. To provide financing for a portion of the cost of the Project, the Borough shall issue and sell its sewer revenue bond in the aggregate principal amount of \$91,000 (the “Bond”). The Bond shall be designated “City and Borough of Wrangell, Alaska, Sewer Revenue Bond, 2016,” shall be dated as of the date of its delivery to USDA as the initial purchaser, shall be numbered R-1, shall be in the denomination of \$91,000, shall be fully registered, shall bear interest from the date of its issuance on the unpaid principal balance thereof at a per annum interest rate to be established by USDA, as provided in Section 16 of this ordinance (so long as that rate does not exceed 4.0% per annum), shall be amortized over a 40-year period with approximately equal semiannual installments of principal and interest payable on the dates acceptable to USDA and set forth in the Bond, 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 approximately 40 years after the date of the Bond, and provided, further, however, that so long as the Bond is held by USDA, the Borough may not defease all or any portion of the Bond.

Payments will 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 are 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 Borough maintained by the Finance Director; provided, however, that as long as USDA is the owner and holder of the Bond, the Borough will make payments by any electronic pre-authorized debit system or other transfer system that may be required by USDA from time to time.

The Bond is payable solely from the Gross Revenue and is not a general obligation of the Borough.

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 Borough will maintain in the office of the Finance Director books for the registration and transfer of the Bond. No transfer of the Bond so registered will be valid unless made on those registration books upon the written request of the registered owner or its duly authorized agent.

Section 3. Prepayment. The Borough hereby reserves the right to prepay some or all of the Bond at any time, with any such prepayment applied first to interest accrued to the date of receipt

of the prepayment and second to principal. No advance notice of intended prepayment or redemption is 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 Borough designated as the "City and Borough of Wrangell Sewer Fund" (the "Sewer Fund"). All of the Gross Revenue must be deposited in the Sewer Fund as collected. The Sewer Fund must be held separate and apart from all other funds and accounts of the Borough, and the Gross Revenue deposited in the Sewer Fund will 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 Borough 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 make all payments required to be made into the Short-Lived Asset Reserve Fund; and

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

Section 5. Bond Fund. To pay and secure payment of all Parity Bonds, Ordinance No. 636 authorized the creation of a special fund designated as the "City of Wrangell 1997 Sewer Revenue Bond Redemption Fund." That fund is hereby renamed and continued as the "City and Borough of Wrangell Sewer Revenue Bond Redemption Fund" (the "Bond Fund"), which fund contains the Principal and Interest Account and the Reserve Account established by Ordinance No. 636 and is to be drawn upon for the sole purpose of paying the principal of and interest on all Parity Bonds.

A. Principal and Interest Account. As long as the Bond remains outstanding, the Borough 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. These 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 Borough covenants and agrees that if 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.

B. Reserve Account. The Borough covenants and agrees that it will pay into the Reserve Account out of the Gross Revenue (or, at the option of the Borough, out of any other funds on hand legally available for such purposes) annual 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 1/10 of such amount per year.

The Borough further covenants and agrees that if 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 Borough 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 Borough 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.

If there is a deficiency in the Principal and Interest Account to meet maturing installments of either interest on or principal of and interest on Parity Bonds, the 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 invested as permitted under Alaska law. 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 6. Short-Lived Asset Reserve Fund. A special fund designated the "Wrangell Sewer System Short-Lived Asset Reserve Fund" (the "Short-Lived Asset Reserve Fund") is hereby

authorized to be established in the office of the Finance Director. Money in the Short-Lived Asset Reserve Fund may be used from time to time to replace short-lived assets of the System. So long as the Bond remains outstanding, subject to the priorities established in Section 5 of this ordinance, the Borough must deposit \$45,963 annually (or such other amounts as may be required by USDA) into the Short-Lived Asset Reserve Fund.

Section 7. Pledge of Sewer Revenue. The amounts pledged to be paid into the Bond Fund and the accounts 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 the 1997 Bond and 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 Borough 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 Borough 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 Borough hereby covenants and agrees with the owner of the Bond from time to time, as follows:

A. Maintenance and Operations. The Borough 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 Borough 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 Borough; and (iii) that no free service from the System will be permitted.

C. Books and Records. The Borough 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 USDA shall have the right to inspect the System and the records, accounts and data of the Borough relating thereto.

D. Insurance. The Borough 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 Borough 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 may be regarded and paid as a Cost of Maintenance and Operation.

E. Assessments. The Borough 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 Borough 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 Borough 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 that bears 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 Borough 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 Borough will maintain an officer's fidelity bond for its Finance Director for as long as USDA is the registered owner of the Bond. A certified copy of such bond will be delivered to USDA.

Section 10. Tax Covenants; Special Designation.

A. General. The Borough hereby covenants that it will not make any use of the proceeds of sale of the Bond or any other funds of the Borough 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 Borough 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 Borough hereby designates the Bond as a “qualified tax-exempt obligation” within the meaning of Section 265(b)(3) of the Code. The Borough does not anticipate issuing more than \$10,000,000 of qualified tax-exempt obligations during 2016.

Section 11. Future Parity Bonds. The Borough 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 Borough that will have a lien and charge upon Gross Revenue superior to the lien and charge thereon of the Bond. The Borough 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,

upon compliance with the following conditions:

1. So long as USDA holds the 1997 Bond and the Bond, USDA consents to the issuance of such Future Parity Bonds. With such consent, the certificate described in paragraph 6 below is not required, and the Borough will comply with the rest of the conditions set forth in this Section 11.A to the extent required by USDA.

2. 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.

3. Each ordinance authorizing the issuance of such Future Parity Bonds must require that principal and interest on the Future Parity Bonds be payable out of the Bond Fund and further provide (i) for payments into the Bond Fund to satisfy the sinking fund requirement set forth in Section 5.A 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 5.B hereof.

4. Each ordinance authorizing the issuance of such Future Parity Bonds must require that any and all Assessments will be paid directly into the Bond Fund.

5. Each ordinance authorizing the issuance of refunding Future Parity Bonds must 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 be paid directly into the Bond Fund.

6. At the time of the issuance of such Future Parity Bonds, the Borough shall have on file in the office of the Borough 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 Borough 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 certificate described in subsection A.6 of this section is not required.

C. Nothing herein contained shall prevent the Borough 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; provided, however, that in accordance with the Loan Resolution, so long as the Bond is held by USDA, the prior written consent of USDA must be obtained before the Borough issues any such junior lien revenue bond, warrant, or other obligation of the Sewer Fund.

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 Borough.

Section 13. Lost or Destroyed Bond. If the Bond is lost, stolen or destroyed, the Borough 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 Borough in connection therewith.

Section 14. Form of Bond. The Bond shall be in substantially the following form:

UNITED STATES OF AMERICA

NO. R-1 \$91,000

STATE OF ALASKA

CITY AND BOROUGH OF WRANGELL
SEWER REVENUE BOND, 2016

The City and Borough of Wrangell, Alaska, a municipal corporation and home rule borough of the State of Alaska (the “Borough”), 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 (the “Payee”), the principal sum of

NINETY-ONE THOUSAND AND NO/100 DOLLARS (\$91,000)

and to pay interest, from the date hereof, on the balance of said principal from time to time remaining unpaid at the rate of 1.875% per annum payable in semiannual amortized installments of principal and interest, equal to One thousand six hundred twenty-three and No/100 Dollars (\$1623.00), payable on June 23, 2017, 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 December 23, 2056.

As long as the Payee is the registered owner of this bond, the Borough will make payments of principal and interest by any electronic pre-authorized debit system or other transfer system that may be required by the Payee from time to time. Upon final payment of the principal of and interest on this bond, it shall be submitted to the Borough for cancellation and surrender.

Both principal of and interest on this bond are payable solely out of the special fund of the Borough known as the "City and Borough of Wrangell Sewer Revenue Bond Redemption Fund" (the "Bond Fund"). As described below, the Net Revenue of the System is pledged to payment of this bond.

In addition to the installments of principal required to be paid by the Borough as hereinabove set forth, the Borough, at its option, shall have the right to prepay this bond as provided in the Bond Ordinance. No advance notice need be given of any prepayment hereunder.

This bond is issued pursuant to Ordinance No. 929 (the "Bond Ordinance") for the purpose of financing the completion of certain additions and improvements to the Borough's sewer system (the "System"). Capitalized terms used in this bond and not otherwise defined herein have the meanings given those terms in the Bond Ordinance.

The Borough 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 the lien thereon of the 1997 Bond and any Future Parity Bonds, and superior to all other charges of any kind or nature. In the Bond Ordinance, the Borough has reserved the right to issue Future Parity Bonds on terms and conditions as set forth therein, which conditions include Payee's consent, 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 Borough 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 Borough 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 the Charter and ordinances of the Borough, and that all acts, conditions and things required to be done precedent to and in the issuance of this bond have happened, been done and performed.

IN WITNESS WHEREOF, the City and Borough of Wrangell, Alaska, has caused this bond to be signed on behalf of the Borough with the manual or facsimile signature of the Mayor, to be attested by the manual signature of the Borough Clerk, and the seal of the Borough to be impressed hereon, as of this 23rd day of December, 2016.



[SEAL]

CITY AND BOROUGH OF WRANGELL,
ALASKA

Finance Director

ATTEST:

Borough Clerk

REGISTRATION CERTIFICATE

This bond is registered in the name of the owner on the books of the Borough in the office of the Borough 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 Borough.

Date of Registration	Name and Address of Registered Owner	Signature of Registrar
_____, 20__	United States Department of Agriculture, Rural Development 4300 Good Fellow Blvd., Bldg. 104 St. Louis, MO 63120-1703	
_____	_____	_____
_____	_____	_____

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 will be executed on behalf of the Borough with the manual or facsimile signatures of the Mayor and the Borough Clerk, and will have the seal of the Borough impressed or imprinted thereon.

If any officer of the Borough who has signed, attested, authenticated, registered or sealed the Bond ceases to hold that office before the Bond so signed, attested, authenticated, registered or sealed has been actually issued and delivered, the Bond will be valid nevertheless and may be issued by the Borough with the same effect as though the person who had signed, attested, authenticated, registered or sealed that Bond had not ceased to hold that office. The Bond may also be signed, attested, authenticated, registered or sealed on behalf of the Borough by a person who, at the actual date of execution of the Bond is a proper officer of the Borough although at the original date of the Bond that person did not hold that office.

Only a Bond that bears a Registration Certificate in the form set forth in Section 14, manually executed by the Bond Registrar, will be valid or obligatory for any purpose or entitled to the benefits of this ordinance. The executed Registration Certificate will be conclusive evidence that the Bond so authenticated has been duly executed, authenticated and delivered hereunder and is entitled to the benefits of this ordinance.

Section 16. Sale of Bond. The Bond shall be sold to USDA at a price of par on the terms and conditions set forth in the Letter of Conditions and in this ordinance. The Borough Manager is authorized to accept the applicable interest rate provided by USDA, so long as that interest rate does not exceed 4.0%, and that interest rate and the applicable principal and interest payment dates acceptable to USDA shall be set forth in the Bond.

Section 17. Application of Bond Proceeds. The proceeds of the sale of the Bond shall be accounted for in the Sewer Fund and used to pay costs of the Project and costs of issuance of the Bond.

Section 18. Repealer. Ordinance No. 924, passed by the Assembly on September 27, 2016, is repealed in its entirety.

Section 19. Severability. If any covenant or agreement provided in this ordinance to be performed on the part of the Borough is declared by any court of competent jurisdiction to be contrary to law, then that covenant or agreement will be null and void and 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 20. General Authorization. The Mayor, Borough Manager, Borough Clerk, Finance Director and all other appropriate officers of the Borough 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 21. Prior Acts. All acts taken pursuant to the authority of this ordinance but prior to its effective date are hereby ratified and confirmed.

Section 22. Effective Date. This ordinance is effective upon passage, in accordance with Section 2-10 of the Borough Charter.

PASSED by the Borough Assembly of the City and Borough of Wrangell, Alaska, at a regular meeting thereof held this 13th day of December, 2016.

CITY AND BOROUGH OF WRANGELL,
ALASKA



Mayor

ATTEST:



Borough Clerk



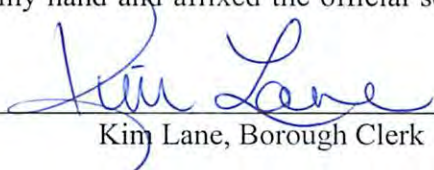
CERTIFICATE

I, the undersigned, Borough Clerk of the City and Borough of Wrangell, Alaska (the "Borough"), and keeper of the records of the Borough Assembly (the "Assembly"), DO HEREBY CERTIFY:

1. That the attached Ordinance No. 929 (the "Ordinance") is a true and correct copy of an ordinance of the Borough as passed at a regular meeting of the Assembly held on December 13, 2016, and duly recorded in my office.

2. That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such meeting was given; that a legal quorum was present throughout the meeting and a legally sufficient number of members of the 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 Borough this 13th day of December, 2016.



Kim Lane, Borough Clerk

