



## **ORDINANCE 2025-03**

### **AN ORDINANCE AMENDING TITLE I, CHAPTERS 1.05 THROUGH CHAPTER 1.25 OF THE CITY CODE FOR THE CITY OF DELTA JUNCTION, ALASKA**

**WHEREAS,** Title I of the City Code of Ordinances for the City of Delta Junction is outdated; and

**WHEREAS,** City staff are working through the Code, a few sections at a time, to ensure they are current.

**NOW, THEREFORE,** the City Council for the City of Delta Junction Alaska enacts sections of City Code of Ordinances, Title I, Chapters 1.05, 1.10, 1.15, 1.20, and 1.25 as attached:

**ADOPTED** by a duly constituted quorum of the City Council of Delta Junction this 18th day of February 2025.

Introduction:	February 4, 2025
First Reading:	February 4, 2025
Public Hearing:	February 18, 2025
Second Reading:	February 18, 2025
Adoption:	February 18, 2025

\_\_\_\_\_  
Igor Zaremba, Mayor

CITY  
SEAL

\_\_\_\_\_  
Pat White, City Clerk

	YES	NO	ABSENT	ABSTAIN
Seat A: Leith				
Seat B: Mitchell				
Seat C: Prestegard				
Seat D: Zaremba				
Seat E: Stricklin				
Seat F: Hallgren				
Seat G: Riesner				

# TITLE I

## LEGISLATIVE, JUDICIAL AND ADMINISTRATIVE

### Chapters:

1.05	General Provisions
1.10	City Council
1.15	Other Officers and Employees
1.20	Oath of Office
1.25	Mayor
1.27	Ethics
1.30	City Legislation - Provisions of the Code of Ordinances
1.31	Records Management and Preservation
1.35	Fiscal Procedures
1.37	Permanent Fund
1.41	Purchasing Department
1.45	Municipal Employee Relations
1.50	Library Department
1.55	Emergency Services
1.60	Civil Defense
1.65	Emergency Preparedness
1.67	Enhance 911
1.70	Cemetery
1.75	Community Center

CHAPTER 1.05

GENERAL PROVISIONS

Sections:

1.05.010	City Seal
1.05.020	Definitions
1.05.030	Severability

1.05.010 City Seal: The description of the seal of the City shall be a circle upon which shall be printed the words, CITY OF DELTA JUNCTION, ALASKA and across the face the inscription INCORPORATED DECEMBER 1960. The above-described seal is adopted and declared the corporate seal of the city, and the same may be used to authenticate acts of this corporation. The seal of the city shall be kept by the City Clerk and by him affixed to all documents to be authenticated.

1.05.020 Definitions: Except as otherwise specifically defined or otherwise required by the context, words used in the Delta Junction Code shall have their ordinary dictionary meanings.

- A. CITY means the City of Delta Junction, Alaska.
- B. BY LAW denotes applicable Federal Law, the constitution, Statutes and regulations of the State of Alaska, and applicable common law.
- C. CODE means the code of ordinances of the City of Delta Junction, Alaska, including all amendments and additions. All ordinances shall be adopted in the manner required by State law.
- D. COUNCIL means the City Council of the City of Delta Junction, Alaska.
- E. MUNICIPALITY means a general law municipal corporation and political subdivision, which is a first or second-class borough or city, or a third-class borough incorporated under the laws of the State.
- F. OWNER, RECORD OWNER, or OWNER OF RECORD means owner of record or purchaser of record.
- G. PROPERTY means real and personal property.
- H. PERSONAL PROPERTY means tangible property other than real property, such as goods and stock in trade, machinery and equipment, furniture and fixtures, motor vehicles and vehicles, boats, vessels and aircraft.
- I. REAL PROPERTY means land and improvements and all possessors' rights and privileges appurtenant to the property, and includes personal property affixed to the land or improvements.
- J. PUBLISHED means appearing at least once in a paper of general circulation distributed within the city or, if there is no newspaper of general circulation distributed within the City, posting in three public places, [including but not limited to the city website and/or Facebook page](#), for at least five days. Generally, it means setting forth of any matter for public notice in the way provided for by law or ordinance.

- K. REGULAR ELECTION means the annual City election held on the first Tuesday of October.
- L. STREET includes streets, avenues, boulevards, roads, lanes, alleys and other ways.
- M. SUBDIVISIONS means the division of a tract or parcel of land into two or more lots, sites, or other divisions for the purpose, whether immediate or future, of sale or building development, includes re-subdivision and, when appropriate to the context, relates to the process of subdividing or to the land or area subdivided.
- N. VOTER means a United States citizen who is registered to vote in State elections and has been a resident of the city for 30 days immediately preceding the election and who is not disqualified under Article V of the State Constitution.

1.05.030      Severability: If any section, subsection, sentence clause, phrase or portion of this code is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate and independent provision, which shall not affect the validity of the remaining portions hereof.

CHAPTER 1.10

CITY COUNCIL

Sections:

1.10.010	Composition
1.10.015	Duties
1.10.020	Eligibility
1.10.030	Election and Term
1.10.040	Procedure
1.10.050	Deputy Mayor
1.10.060	Filling a Vacancy
1.10.070	Vacancies
1.10.080	Compensation
1.10.090	Recall

1.10.010 Composition: The Council shall consist of seven (7) Council members, each of whom shall be elected at large. Council offices will be designated as Council seats A through G. The terms of at least two Council seats shall expire annually after the annual regular election, so that Council members shall serve for overlapping three-year terms. Each candidate shall file for a particular Council seat.

1.10.015 Duties: The Council shall manage public funds and resources and provide services to the public. The council also establishes policy and procedure for the City, which may be in the form of ordinances, resolutions, and formal manuals consistent with

the general powers provided in AS 29.35.010-29.35.149. The council may be assigned departments to provide updates at council meetings.

1.10.020 Eligibility: A City voter who has lived within the City limits for one (1) year when filing is eligible to hold the office of Council member.

1.10.030 Election and Term: An election shall be held annually on the first Tuesday of October to choose Council members for three-year terms, and until their successors are elected and have qualified. The regular term of office begins on the first Monday following certification of the election.

1.10.040 Procedure:

- A. The Council shall meet on the first and third Tuesday of every month. Except as otherwise provided by law, regular and special meetings of the Council shall be open to the public and the public shall have a reasonable opportunity to be heard, at the times provided by the rules of the Council. Special meetings may be held at the call of the mayor or two (2) Council members upon not less than twenty-four (24) hours written or oral notice communicated to each member.
- B. If a council member is going to be absent it is the responsibility of the member to contact the City Clerk. If a member is attending remotely, it is the responsibility of the member to contact the Finance department for the link and password.
- C. The final vote on each ordinance, resolution or substantive motion is a recorded roll call vote. All Council members present shall vote unless the council, for special reasons, permits a member to abstain or abstention is required by law.

- D. Public notice shall be given of the location, date and time of regular meetings.
- E. The Council shall determine its own rules and order of business and provide for keeping a journal of its proceedings.
- F. Four Council members constitute a quorum. Four affirmative votes are required for passage of an ordinance, resolution or motion.
- G. A Council member may attend a regular, special or executive session meeting by **remotely**. At any meeting where one or more Council members are participating **remotely**, all voting must be by roll call vote and in accordance with City Code 1.10.040 and AS 44.62.310(a).

1.10.050 Deputy Mayor:

- A. The Council shall annually elect a Deputy Mayor on the third Tuesday in October to preside over Council meetings in the absence of The Mayor. The Deputy Mayor shall serve at the pleasure of the Council.
- B. In the absence of both the Mayor and Deputy Mayor Council meetings shall be presided over by a current Council member in the following order of precedence:
  - 1. Any sitting Council member who has previously served as Mayor.
  - 2. Any sitting Council member who has previously served as Deputy Mayor, i.e. Mayor Pro tem.
  - 3. Any sitting Council member with the greatest consecutive seniority on the Council.

1.10.060 Filling a Vacancy: If a vacancy occurs in the council, the remaining members shall solicit applicants to fill the vacancy by advertising the vacancy in a newspaper of general circulation in the City. Persons interested in being applicants shall submit a letter to the City Clerk stating their interest. The Council shall fill the vacancy from among those persons submitting letters and the next highest vote getter, if any, in the election for the seat vacated. The Council shall fill a vacancy by vote of a majority of its remaining members. The person selected to fill a vacancy, upon qualification and taking office, shall fill the vacancy until the next regular election and until a successor is elected and has qualified.

1.10.070 Vacancies: An elected municipal office is vacated under the following conditions and upon the declaration of vacancy by the council. The Council shall declare an elective office vacant when the person elected:

- A. fails to qualify or take office within thirty (30) days after his election or appointment.
- B. resigns and his/her resignation is accepted by the council.
- C. **becomes** physically or mentally **incapacitated** to perform the duties of his/her office.
- ~~D. misses three (3) consecutive regular meetings, unless excused.~~
- D. is convicted of a felony or a misdemeanor involving moral turpitude or involving a violation of his/her oath of office.
- E. **is convicted of a felony or misdemeanor described in AS 15.56 and two-thirds of the members of the Council concur in expelling the person elected.**
- F. is otherwise legally removed from office; or

- G. departs from the City with the intent to remain away for a period of ninety (90) days or more **unless excused by two-thirds vote of the members of the Council.**
- H. **if a member misses three (3) consecutive regular meetings and is not excused or** fails to attend at least 75% of all regular meetings per year of the City Council from the time of their election or appointment to their seat.

1.10.080        Compensation: The Council may fix, by ordinance, the salaries of elected officers. Salaries may not be changed during the term of office. An elected official may not receive any other compensation for services to the community. Per-diem payments or reimbursements are not considered compensation.

1.10.090        Recall: The voters of the city may recall any member of the council, including the mayor, pursuant to AS 15.45.470 through 15.45.720.



CHAPTER 1.15

OTHER OFFICERS AND EMPLOYEES

Sections:

- 1.15.010 Officers Appointed by the Council
- 1.15.020 Officers Serve at Pleasure
- 1.15.030 City Attorney
- 1.15.040 City Clerk
- 1.15.050 City Treasurer
- 1.15.060 Discrimination Prohibited
- 1.15.070 Bonding
- 1.15.080 Combining Offices

1.15.010 Officers Appointed by the Council: The City Clerk/Treasurer, City Attorney and Chief of Police shall be appointed by and serve at the pleasure of the council.

1.15.020 Officers Serve at Pleasure: Appointed officers serve at the pleasure of the appointing authority.

1.15.030 City Attorney: The City Attorney is the legal advisor of the Council and other officers of the city. He/she represents the city as attorney in civil and criminal proceedings and, when directed by the Council or Mayor, in all other legally related matters concerning the city.

1.15.040 City Clerk: The City Clerk shall:

- A. Give notice of the time and place of meetings to the Council and to the public.
- B. Attend meetings and keep the journal.
- C. Arrange publication of notices, ordinances and resolutions.
- D. Maintain and make available for public inspection an indexed file including the municipal ordinances, resolutions, rules, regulations and codes.
- E. Attest deeds and other documents; and
- F. Perform other duties prescribed by the Mayor, City Administrator or council, or by ordinance or law.

1.15.050 City Treasurer: The treasurer shall give bond to the City in a sum, which the Council directs. The municipal treasurer is the custodian of all municipal funds. He shall keep an itemized account of money received and disbursed. He shall pay money on vouchers drawn against appropriations.

1.15.060 Discrimination Prohibited: No person may be appointed to or removed from city office or in any way favored or discriminated against with respect to a city position because of his race, color, sex, creed, national origin or because of his political opinions or affiliations, unless otherwise required by law.

1.15.070 Bonding: City officers or employees which the Council may designate shall give bond in the amount and with the surety prescribed by the council. Premiums on bonds shall be paid by the City.

1.15.080      Combining Offices: The Council may combine two or more appointed or administrative offices which are not appointed by the council and may combine the offices of City Clerk and Treasurer and may combine the office of Chief of Police with other appointed offices. If the Council combines the office of Clerk with that of Treasurer, the City Clerk/Treasurer shall give his bond to the municipality for the faithful performance of his duties as Clerk/Treasurer.

CHAPTER 1.20

OATH OF OFFICE

Sections:

1.20.010 Oath of Office

1.20.010 Oath of Office: All City officers, before taking office, shall affirm in writing that they will honestly, faithfully and impartially perform their duties. The oath shall be filed with the City Clerk.

CHAPTER 1.25

MAYOR

Sections:

- 1.25.010 Duties
- 1.25.020 Term
- 1.25.030 Veto, Voting
- 1.25.035 Absence or Disability of Mayor
- 1.25.040 Vacancy in Office of Mayor

1.25.010 Duties: The Mayor shall preside at Council meetings, act as ceremonial head of the city, and sign documents on the City's behalf upon authorization by the council. [The Mayor may assign council members to departments to provide updates at Council meetings.](#) The Mayor has the duties of the City Manager as provided in AS 29.20.250 and 29.20.500. The Mayor may hire an administrative assistant who will assist the Mayor in the conduct of the City's business, and whose title shall be City Administrator.

1.25.020 Term: The Mayor is elected by and from the Council for a term equal in length to a Council member's term. The Mayor shall take office upon election by the Council on the third Tuesday in October.

1.25.030 Veto, Voting: The Mayor has no veto power, is a member of the council, and may vote on all matters unless conflict of interest prevents him/her from exercising his vote.

1.25.035 Absence or Disability of Mayor: The Deputy Mayor is hereby authorized to serve as Acting Mayor with all the powers of the Mayor during any absence or period of disability of the Mayor.

1.25.040 Vacancy in Office of Mayor: In the event the office of Mayor becomes vacant, the Deputy Mayor shall automatically become Mayor and the Council shall appoint one of their members as Deputy Mayor, both to serve until the next regular election is certified, after which the Council shall elect a Mayor and a Deputy Mayor.