

Submitted by: VICE CHAIR OSSIANDER
Reviewed by: MUNICIPAL CLERK
Prepared by: ASSEMBLY COUNSEL
For reading: March 18, 2008

ANCHORAGE, ALASKA
AO NO. 2008-40

1 AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING
2 ANCHORAGE MUNICIPAL CODE SECTION 2.30.050, INTRODUCTION OF
3 ORDINANCES; ACTION ON ORDINANCES, TO REPEAL THE PROVISION FOR
4 AUTOMATIC DEFEAT WITHOUT A VOTE OF THE ASSEMBLY.
5

6
7 THE ANCHORAGE ASSEMBLY ORDAINS:
8

9 **Section 1.** Anchorage Municipal Code section 2.30.050, is hereby amended by
10 repealing subsection 2.30.050F as indicated. (*Other subsections are not affected and*
11 *therefore not set out*):
12

13 ***

14 [F.] [AFTER PUBLIC HEARING ON AN ORDINANCE HAS BEEN
15 COMPLETED, THE VOTE ON THE ORDINANCE MAY BE CONTINUED NO
16 MORE THAN TWO TIMES AND FOR A TOTAL PERIOD OF NOT MORE THAN
17 FOUR REGULARLY SCHEDULED MEETINGS. IF NO VOTE ON THE
18 ORDINANCE OCCURS PRIOR TO THE END OF THE FOUR REGULARLY
19 SCHEDULED MEETINGS PERIOD, THE ORDINANCE SHALL BE
20 AUTOMATICALLY DEFEATED WITHOUT A VOTE. THE PROVISIONS OF
21 THIS SUBSECTION MAY BE WAIVED BY A MAJORITY VOTE OF THE
22 ASSEMBLY TAKEN PRIOR TO THE EXPIRATION OF THE FOUR
23 REGULARLY SCHEDULED MEETINGS PERIOD.]
24

25 (AO No. 13-75; AO No. 78-49; AO No. 92-162; AO No. 94-176, §§ 1, 2, 9-27-94;
26 AO No. 96-159(S), § 3, 1-14-97; AO No. 2003-169, § 1, 1-6-04)
27

28 **Section 2.** This ordinance shall become effective immediately upon its passage and
29 approval by the Assembly.
30

31 PASSED AND APPROVED by the Anchorage Assembly this _____ day of
32 _____, 2008.
33

34 _____
Chair

35 ATTEST:
36

37 _____
38 Municipal Clerk



MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM
NO. AM 157-2008

Meeting Date: March 18, 2008

1 **From:** VICE CHAIR OSSIANDER

2 **Subject:** AO 2008-40 — AN ORDINANCE OF THE ANCHORAGE MUNICIPAL
3 **ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE SECTION 2.30.050,**
4 **INTRODUCTION OF ORDINANCES; ACTION ON ORDINANCES, TO REPEAL THE**
5 **PROVISION FOR AUTOMATIC DEFEAT WITHOUT A VOTE OF THE ASSEMBLY.**
6

7 Anchorage Municipal Code Subsection 2.30.050F has been cumbersome to administer
8 since its adoption in January 2004. In review of the recent judicial decision in *Stuart v.*
9 *Municipality of Anchorage*, Case No. 3AN-07-4155 CI, with the Municipal Attorney's
10 Office and the Municipal Clerk, it is clear that our understanding of the application of the
11 code provision in Anchorage Municipal Code Subsection 2.30.050F and the Superior
12 Court's differ.
13

14 From the perspective of the Municipal Clerk, there is sufficient agenda control in place
15 without the application of Subsection 2.30.050F jeopardizing Assembly action when
16 items remain in active status to accommodate Assembly Work Session schedules and
17 additional review.
18

19 In summary, we feel Subsection 2.30.050F is unnecessary. AO 2008-40 is an ordinance
20 to repeal this subsection. No other changes to AMC Section 2.30.050 are proposed.
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22
23 Respectfully submitted:

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26 Debbie Ossiander
27 Assembly Member, Section 2
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Municipality of Anchorage
MUNICIPAL CLERK'S OFFICE
Agenda Document Control Sheet

AO 2008-40

(SEE REVERSE SIDE FOR FURTHER INFORMATION)

1	SUBJECT OF AGENDA DOCUMENT	DATE PREPARED
	AMEND AMC 2.30.050 TO REPEAL THE PROVISION FOR AUTOMATIC DEFEAT WITHOUT A VOTE OF THE ASSEMBLY	3/7/08
		Indicate Documents Attached <input checked="" type="checkbox"/> AO <input type="checkbox"/> AR <input type="checkbox"/> AM <input type="checkbox"/> AIM
2	DEPARTMENT NAME	DIRECTOR'S NAME
	Assembly	Dan Coffey, Assembly Chair
3	THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY	HIS/HER PHONE NUMBER
	Julia Tucker, Assembly Counsel	343-4419
4	COORDINATED WITH AND REVIEWED BY	INITIALS
	Mayor	
	Municipal Clerk	
	Municipal Attorney	
	Employee Relations	
	Municipal Manager	
	Anchorage Parks & Recreation	
	Fire	
	Health & Human Services	
	Merrill Field Airport	
	Municipal Light & Power	
	Office of Management and Budget	
	Police	
	Port of Anchorage	
	Office of Economic & Community Development	
	Solid Waste Services	
	Public Transportation	
	Anchorage Water & Wastewater Utility	
	Executive Manager	
	Planning Department	
	Chief Fiscal Officer	
	Heritage Land Bank	
	Information Technology Department	
	Project Management & Engineering	
	Purchasing	
	Other	
5	Special Instructions/Comments	
	CONSENT AGENDA - INTRODUCTION	
6	ASSEMBLY HEARING DATE REQUESTED	7
	3/18/08	
	PUBLIC HEARING DATE REQUESTED	
	4/15/08	

2008 MAR 17 10:01 AM
 CLERK'S OFFICE