



MUNICIPALITY OF ANCHORAGE

Assembly Memorandum

No. AM 129-2020

Meeting Date: February 25, 2020

1 **From:** MAYOR

2
3 **Subject:** AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY
4 AMENDING ANCHORAGE MUNICIPAL CODE CHAPTER 3.80,
5 CIVIL EMERGENCY, TO ENSURE THAT EMERGENCY POWERS
6 CAN BE EXERCISED IN THE TEMPORARY ABSENCE OR
7 INCAPACITY OF THE MAYOR OR OTHER DELEGATED
8 AUTHORITY, TO MODERNIZE VARIOUS PROVISIONS, AND TO
9 PROVIDE THAT A PROCLAMATION OF EMERGENCY SHALL
10 TERMINATE AFTER SEVEN DAYS, UNLESS EXTENDED BY THE
11 ASSEMBLY.
12

13 The attached ordinance would enact a framework to ensure that the mayor's
14 emergency powers may be exercised during a period of temporary mayoral absence
15 or incapacity. It would provide that, to the extent permitted by law, the powers would
16 be exercised by the municipal manager, or a person designated by the mayor. In the
17 absence of those individuals, the ordinance would set a default rule for how
18 emergency powers would pass. The default rule would provide that mayoral powers
19 would be assumed during a period of temporary mayoral absence only by an
20 assembly-confirmed department head. Because emergency powers codified in
21 present AMC 3.80 include the ability to issue orders the violation of which is a crime,
22 the default rule would preclude the municipality's chief law enforcement and legal
23 officers from assuming the mayor's emergency powers.
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25 The attached ordinance would also provide that a local proclamation of emergency
26 expires after seven, rather than two days. The change is more practical, and better
27 aligns with state law. The extension of the timeframe does not change the power of
28 the Assembly to terminate a mayoral proclamation of emergency, at any time, by
29 resolution passed by simple majority vote.
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31 The ordinance would also expand the description of the Office of Emergency
32 Management, to better describe its actual functions.
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34 Last, the ordinance would also remove gendered language, and update dated
35 references.
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37 **THE ADMINISTRATION RECOMMENDS APPROVAL.**
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1 Prepared by: Deitra L. Ennis, Acting Municipal Attorney
2 Concur: Lance Wilber, Director, Office of Management and
3 Budget
4 Concur: Alexander Slivka, CFO
5 Concur: William D. Falsey, Municipal Manager
6 Respectfully submitted: Ethan A. Berkowitz, Mayor