

ANCHORAGE, ALASKA
AO No. 2025-_____

AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE CHAPTER 2.30, RULES OF PROCEDURE FOR ASSEMBLY, REGARDING THE RULES FOR A MOTION TO POSTPONE INDEFINITELY WHEN IT CLOSES THE PUBLIC HEARING ON AN AGENDA ITEM.

WHEREAS, the Home Rule Charter of the Municipality of Anchorage provides that “the assembly by ordinance shall determine its own rules and order of business,...” Charter § 4.04(c); and

WHEREAS, the Anchorage Assembly has implemented that directive by adoption of several specific rules in Anchorage Municipal Code chapter 2.30, Rules of Procedure for Assembly, which includes a catchall provision in AMC section 2.30.080I.: “In all matters not covered by this chapter, Robert’s Rules of Order, Newly Revised, shall govern.”; and

WHEREAS, Anchorage Municipal Code section 2.30.065 allows for a motion to postpone indefinitely to act as an incidental main motion (it is normally a subsidiary motion), and therefore may be in order even before a motion to approve an agenda item has been made; and

WHEREAS, AMC section 2.30.055 permits the public hearing on an item to be closed when a motion to postpone the item indefinitely has prevailed; and

WHEREAS, every Assembly Member is within their rights to move to postpone an item indefinitely after the public hearing is opened, and, if successful, thereby defeat the item and prevent any public comment on it; and

WHEREAS, Robert’s Rules, Newly Revised, 12th Edition, § 11:2.5 states the subsidiary motion to postpone indefinitely is “debatable; and, unlike the case of any other subsidiary motion, debate on the motion to Postpone Indefinitely can go fully into the merits of the main question.”; and

WHEREAS, these provisions of Code create the potential for the Assembly to debate the merits of an underlying item, before hearing public testimony concerning it; now, therefore,

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. Anchorage Municipal Code chapter 2.30 is hereby amended to read as follows (*the remainder of the chapter is not affected and therefore not set out*):

Chapter 2.30 - RULES OF PROCEDURE FOR ASSEMBLY

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2.30.055 Conduct of public hearing.

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E. If any time scheduled for public hearing proves inadequate to hear all persons present to testify, the public hearing shall be continued.

1. Continued public hearing may be scheduled for any day of the week.

2. If the date, time, and location of continued public hearing cannot be announced when the public hearing is continued, public notice shall be given as soon as practicable.

F. If the assembly anticipates public hearing or assembly deliberation will draw more people than the assembly chambers will accommodate, additional space with audio or audio and video in the Wilda Marston Theater or other location will be used, if available, to facilitate seating for additional members of the public.

G. Notwithstanding subsection E. of this section, the assembly may close a public hearing:

1. In order to meet a deadline imposed by law,

2. If necessary to pass an item which is, in the sole discretion of the assembly, time sensitive, or

3. If the item for which the public hearing is being conducted is postponed indefinitely. A motion to postpone an item indefinitely, made and seconded before the closure of the public hearing, may be debated, but the scope of the debate may not reach the merits of the underlying item.

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(AO No. 2014-2(S), § 3, 2-25-14; AO No. 2017-53, § 10, 4-11-17; AO No. 2020-137(S), § 2, 1-14-21; AO No. 2021-117, § 1, 1-19-22; AO No. 2022-43(S), § 5, 4-12-22; AO No. 2022-82, § 1, 9-27-22)

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2.30.065 Motions.

A. By a member with the floor. A motion that is in order may be made at any time by a member who has been granted the floor by the chair.

B. Rules applicable to specific motions. Certain motions classified by Robert's Rules as subsidiary shall be considered incidental main motions when made pertaining to an agenda item and there is no main

1 motion pending, including a motion to postpone indefinitely, motion to
2 postpone to a time certain, motion to continue, motion to refer, and
3 similar motions incidental to or related to assembly business on the
4 agenda.

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6 1. Motion to postpone indefinitely. Any main motion may be
7 postponed indefinitely. When moved and seconded before
8 closure of a public hearing as an incidental motion, a motion to
9 postpone indefinitely is debateable, but debate may not reach
10 the merits of the underlying item.

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13 (AO No. 2021-117, § 1, 1-19-22; AO No. 2022-82, § 1, 9-27-22; AO No. 2023-
14 62, § 1, 5-23-23)

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18 **Section 2.** This ordinance shall be effective immediately upon passage and
19 approval by the Assembly.

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21 PASSED AND APPROVED by the Anchorage Assembly this _____ day
22 of _____, 2025.

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27 _____
Chair

28 ATTEST:

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31 _____
32 Municipal Clerk
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