

PART I CHARTER ^[1]

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PART I CHARTER

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Editor's note— Printed herein is the Home Rule Charter for the Municipality of Anchorage, Alaska, as adopted by referendum on September 9, 1975, and effective on September 16, 1975. Amendments to the Charter are indicated by parenthetical history notes following amended provisions. The absence of a history note indicates that the provision remains unchanged from the original Charter. Obvious misspellings have been corrected without notation. For stylistic purposes, a uniform system of treatment of numbers, capitalization, headings, catchlines and citations to state statutes has been used. Additions made for clarity are indicated by brackets. [\(Back\)](#)

PART I - CHARTER

PREAMBLE

PREAMBLE

We, the people of Anchorage, in order to eliminate waste and duplication in government, to achieve common goals, to support individual rights, to form a more responsive government, and to secure maximum local control of local affairs, hereby establish this Charter.

PART I - CHARTER

ARTICLE I. NAME AND BOUNDARIES

ARTICLE I. NAME AND BOUNDARIES [\[2\]](#)

[Section 1.01. Name.](#)

[Section 1.02. Boundaries.](#)

Section 1.01. Name.

The municipality shall be known as Anchorage.

Section 1.02. Boundaries.

The boundaries of Anchorage shall include all areas within the Greater Anchorage Area Borough on the date of ratification of this Charter. The boundaries may be altered in the manner provided by law.

State law reference— Boundary, AS 44.47.565.

FOOTNOTE(S):

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Editor's note— The charter commission's commentary article is printed following the Charter as article II of such commentary. [\(Back\)](#)

PART I - CHARTER

ARTICLE II. BILL OF RIGHTS

ARTICLE II. BILL OF RIGHTS

This Charter guarantees rights to the people of Anchorage that are in addition to rights guaranteed by the Constitution of the United States of America and the Constitution of the State of Alaska. Among rights guaranteed by this Charter are:

- (1) The right of initiative; the right of referendum; and the right to recall public officers, as herein provided.
- (2) The right of immunity from the creation or alteration of a service area, except upon a vote within the area affected.
- (3) The right to establish local community councils to assure maximum community self-determination, exercised in conjunction with others and without infringement upon the rights of other persons.
- (4) The right of immunity from sales taxes, except upon approval by three-fifths (3/5) of the qualified voters voting on the question, except the tax imposed by Charter [Section 14.05](#) shall be effective if approved by a majority (50 percent + one) of the qualified voters voting on the question.
- (5) The right of immunity from official actions of the assembly taken after 12:00 midnight and before 7:00 a.m., actual time.
- (6) The right to the assistance of a municipal ombudsman in dealing with grievances and abuses.
- (7) The right to opportunities in housing, public accommodations, employment, and education without regard to race, religion, sex, color, national origin, marital status, or physical disability; and the right to an equal rights commission at the municipal level in aid thereof.
- (8) The right to a locally directed, ongoing planning process that is based upon the community's goals, objectives and policies for the future.
- (9) The right—whether as a taxpayer, as a municipal employee, or both—to a comprehensive personnel classification and procedures system created by ordinance and based upon merit.
- (10) The right to be heard at public hearings prior to adoption of proposed six-year plans of the school system and the municipality, or approval of the annual budget or any ordinance (except an emergency ordinance as defined herein).
- (11) The right—whether as a contractor, as a taxpayer, or both—to competitive bidding for goods and services furnished to the municipality, subject only to exceptions established by ordinance.
- (12) The right of immunity from emergency ordinances, unless adopted by affirmative votes of all assemblymen present and voting, or three-fourths of the total membership.
- (13) The right to have a public record of the actions of the assembly.

(AO No. 93-51, prop. 2, 4-20-93; Prop. 1 of 4-15-97; AO No. 2005-17, § 1, 2-15-05)

Editor's note—

The charter commission's commentary on subsection (9) of this article is printed following the Charter as article II(9) of such commentary.

ARTICLE III. POWERS

[Section 3.01. Powers of the municipality.](#)

[Section 3.02. Initiative and referendum.](#)

[Section 3.03. Recall.](#)

Section 3.01. Powers of the municipality.

The municipality may exercise all legislative powers not prohibited by law or by this Charter.

Editor's note—

The charter commission's commentary on this section is printed following the Charter as [section 3.01](#) of such commentary.

Section 3.02. Initiative and referendum.

- (a) The powers of initiative and referendum are reserved for exercise by the people of Anchorage in the manner provided by law. The powers of initiative and referendum do not apply to ordinances establishing budgets, fixing mill levies, authorizing the issuance of bonds, or appropriating funds. A petition for initiative or referendum shall be signed by a number of qualified voters equal to at least ten percent of the voters who cast ballots at the last regular mayoral election.
- (b) Within ten days from the filing of a petition for initiative or referendum, the municipal clerk shall certify on the petition whether or not it is sufficient. An initiative shall be submitted to the voters at the next regular election held at least 45 days after certification of the petition. A referendum shall be submitted to the voters at a regular or special election held not later than 75 days after certification of the petition. However, the assembly may submit a referendum to the voters at a later regular or special election if the assembly suspends the ordinance until the election.
- (c) A referendum petition may be filed at any time. However, filing of a referendum petition suspends the ordinance or resolution if and only if the petition is filed within 60 days after the effective date of the ordinance or resolution. The suspension terminates on a finding of insufficiency of the petition or upon certification of a majority vote against repeal.
- (d) An initiative petition is void if the assembly enacts substantially the same measure prior to the election. A referendum petition is void if the assembly repeals the ordinance in question prior to the election.
- (e) The assembly may not repeal or substantially alter an ordinance enacted by initiative or enacted under (d) above, or re-enact a measure rejected by referendum within two years after certification of the election at which the enactment or rejection occurred.

(AO No. 79-139, prop. 9, 10-2-79)

Const. law reference—Initiative and referendum, Ak. Const. art. XI.

State law reference— Home rule charters must contain provisions for initiative and referendum, AS 29.10.030.

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ARTICLE III. POWERS

Section 3.03. Recall.

An elected official may be recalled by the voters in the manner provided by law. A petition to place the recall of an elected official before the voters shall be signed by a number of qualified voters as required by law.

(AO No. 90-90, prop. 2, 10-2-90)

Const. law reference—Recall, Ak. Const. art. XI, § 8.

State law reference— Recall, AS 29.26.250—29.26.360.

ARTICLE IV. THE ASSEMBLY

[Section 4.01. Power, composition and apportionment.](#)

[Section 4.02. Term, membership and qualifications.](#)

[Section 4.03. Compensation.](#)

[Section 4.04. Presiding officer, meetings and procedures.](#)

[Section 4.05. Clerk.](#)

[Section 4.06. Staff.](#)

[Section 4.07. Ombudsman.](#)

Section 4.01. Power, composition and apportionment.

The legislative power of Anchorage is vested in an assembly of 11 members. Election districts, if established, shall be formed of compact and contiguous territory containing as nearly as practicable a relatively integrated socioeconomic area. The assembly shall be reapportioned whenever it becomes malapportioned. The assembly shall determine and declare by resolution whether or not it is malapportioned within two months from:

- (1) Adoption of a final state redistricting plan under art. VI, sec. 10, Constitution of the State of Alaska;

If the assembly determines that it is malapportioned, it shall, within six months of the determination, reapportion itself in the manner provided by law.

(AO No. 2006-154, prop. 10, 4-17-07)

Section 4.02. Term, membership and qualifications.

- (a) The term of an assembly member is three years.
- (b) A candidate for the office of assemblyman:
 - (1) Shall be a qualified voter of Anchorage; and
 - (2) Shall be a resident of the district from which he/she seeks election for at least one year immediately preceding the election.
- (c) An assemblyman shall remain a resident of Anchorage and of the district from which elected while in office.
- (d) The assembly shall be the judge of the election and qualification of its members. A qualified voter may appeal to superior court for review of a decision of the assembly under this section.
- (e) A person who has served on the assembly for three consecutive terms may not be reelected to the assembly until one full term has intervened.

(AO No. 90-86, prop. 3, 10-2-90; AO No. 90-94, prop. 4, 10-2-90; AO No. 2012-119(S), prop. 6, 4-2-13)

PART I - CHARTER

ARTICLE IV. THE ASSEMBLY

Section 4.03. Compensation.

The compensation of assemblymen shall be fixed by the commission on salaries and emoluments.

Section 4.04. Presiding officer, meetings and procedures.

- (a) The assembly shall elect annually from its membership a presiding officer known as "chairman." The chairman serves at the pleasure of the assembly.
- (b) The assembly shall meet in regular session at least twice each month. The mayor, the chairman of the assembly, or five assemblymen may call special meetings.
- (c) The assembly by ordinance shall determine its own rules and order of business, including provisions for reasonable notice to the public and to all assemblymen of regular and special meetings. The assembly shall maintain a journal of its proceedings as a public record.
- (d) Voting shall be by roll call, electronic device or other public method as defined by assembly rule. The votes of all assemblymen shall be recorded.
- (e) Six members of the assembly shall constitute a quorum; however, a smaller number may recess from time to time and compel the attendance of absent members as prescribed by assembly rule.

(AO No. 79-140, prop. 10, 10-2-79)

Section 4.05. Clerk.

The assembly shall appoint a municipal clerk and prescribe the duties of that office. The clerk serves at the pleasure of the assembly.

Section 4.06. Staff.

Pursuant to ordinance, the assembly may engage such legal counsel, other professional advisors and staff as it requires in the execution of its legislative functions.

Section 4.07. Ombudsman.

There is established in the legislative branch of the municipality the office of ombudsman. The ombudsman is appointed by the assembly and serves at the pleasure of the assembly. The term of office, powers and duties of the ombudsman shall be prescribed by ordinance. The jurisdiction, power and duties of the ombudsman include acts and omissions of employees and agents of the school district, as well as employees and agents of the municipality.

(AO No. 90-87, prop. 5, 10-2-90)

State law reference— Ombudsman, AS 24.55.320, 24.55.330.

ARTICLE V. THE EXECUTIVE BRANCH

ARTICLE V. THE EXECUTIVE BRANCH ^[3]

[Section 5.01. The office of the mayor.](#)

[Section 5.02. Powers of the mayor.](#)

[Section 5.03. Manager.](#)

[Section 5.04. Municipal attorney.](#)

[Section 5.05. Chief fiscal officer.](#)

[Section 5.06. Administrative code.](#)

[Section 5.07. Boards and commissions.](#)

[Section 5.08. Commission on salaries and emoluments.](#)

Section 5.01. The office of the mayor.

- (a) The executive and administrative power of Anchorage is vested in the mayor. The mayor is elected at-large for a three-year term.
- (b) A candidate for the office of mayor:
 - (1) Shall be a qualified voter of Anchorage; and
 - (2) Shall be a resident of Anchorage for at least two years immediately preceding his election.
- (c) The mayor shall remain a resident of Anchorage while in office.
- (d) A person who has served as mayor for two consecutive terms may not be re-elected to that office until one full term has intervened.
- (e) The compensation of the mayor shall be fixed by the commission on salaries and emoluments, and may not be reduced during his term of office without his consent.

Section 5.02. Powers of the mayor.

- (a) The mayor shall appoint all heads of municipal departments, subject to confirmation by the assembly, on the basis of professional qualifications. Persons appointed by the mayor serve at the pleasure of the mayor.
- (b) The mayor may participate in all assembly meetings to the same extent as an assemblyman, but may not vote.
- (c) The mayor has the veto power. The mayor also has line item veto power. The mayor may, by veto, strike or reduce items in a budget or appropriation measure. The veto must be exercised and submitted to the assembly with a written explanation within seven days of passage of the ordinance affected. The assembly, by two-thirds majority vote of the total membership, may override a veto any time within 21 days after its exercise.
- (d) In case of emergency, the mayor has the power of a peace officer and may exercise that power as chief executive officer to prevent disorder and to preserve the public health. The assembly by resolution may declare that the emergency no longer exists.

(AO No. 90-82(S), prop. 6, 10-2-90)

ARTICLE V. THE EXECUTIVE BRANCH

Section 5.03. Manager.

- (a) There shall be a manager appointed by the mayor and confirmed by the assembly. The manager serves at the pleasure of the mayor. The manager is selected solely on the basis of professional qualifications. He need not be a resident of the municipality at the time of appointment but must be a resident while in office.
- (b) The manager is responsible to the mayor for the overall conduct of the administrative functions of the municipality.
- (c) During the temporary absence or incapacity of the mayor the manager shall assume the powers and duties of the mayor, except emergency and veto powers.

Section 5.04. Municipal attorney.

There shall be a municipal attorney appointed by the mayor and confirmed by the assembly. The attorney serves at the pleasure of the mayor. The attorney shall advise and assist the municipal government on legal matters.

Section 5.05. Chief fiscal officer.

There shall be a chief fiscal officer appointed by the mayor and confirmed by the assembly. The chief fiscal officer serves at the pleasure of the mayor. He is the custodian of all municipal funds. He shall keep an itemized account of money received and disbursed, pay money on vouchers drawn against appropriations, and perform such other duties as the assembly by ordinance may prescribe.

Section 5.06. Administrative code.

The assembly by ordinance shall adopt an administrative code providing for:

- (a) The identity, function, and responsibility of each executive department and agency;
- (b) Rules of practice and procedure governing administrative proceedings;
- (c) Personnel policy and rules preserving the merit principle of employment.

Section 5.07. Boards and commissions.

- (a) The assembly by ordinance may provide for advisory, regulatory, appellate or quasi-judicial boards or commissions. The ordinance shall prescribe the duties, terms and qualifications of members.
- (b) The mayor appoints the members of boards and commissions, unless otherwise specifically provided in this Charter. Appointments are subject to confirmation by the assembly.
- (c) Boards and commissions may make recommendations to the assembly, the mayor, and heads of executive departments on matters specified in the ordinance creating the board or commission.
- (d) The assembly by ordinance may create or designate itself to be a board of review, adjustment, or equalization. The ordinance shall prescribe the rules of procedure, including quorum and voting requirements.

Editor's note—

PART I - CHARTER

ARTICLE V. THE EXECUTIVE BRANCH

The charter commission's commentary on subsection (d) of this section is printed following the Charter as [section 5.07](#)(d) of such commentary.

Section 5.08. Commission on salaries and emoluments.

- (a) There is established a commission on salaries and emoluments of elected officials. The commission is composed of five members appointed for terms of four years. The commission shall be composed of at least one business executive, one representative of a nonpartisan voters' organization, one person with experience in public administration, and one representative of a labor organization.
- (b) No member of the commission shall be employed by the municipality during the term for which he is appointed, nor shall he hold elective municipal office during his term or within one year thereafter.
- (c) The commission shall establish the compensation, including salaries, benefits, and allowances, if any, of elected officials. A decision of the commission to adjust the compensation of elected officials shall not affect seated elected officials, but shall affect those elected officials seated after the election following approval of the decision. A decision of the commission not affecting the compensation of elected officials takes effect at the beginning of the next fiscal year of the municipality. A decision by the commission is subject to initiative and referendum in the same manner as an ordinance.
- (d) The commission shall afford an opportunity for the public to be heard before rendering any decision that changes the compensation of an elected official. At least every two years, but not more frequently than every year, the commission shall review the compensation of elected officials. The commission shall render its decision with respect to salaries not later than 30 days before the end of the fiscal year of the municipality.

(AO No. 94-92, prop. 1, 6-1-95)

Code references—Public meetings, [ch. 1.25](#); assembly, [ch. 2.20](#); administrative executive organization, [ch. 3.20](#); school board, [ch. 29.10](#); Anchorage Telephone Utility, tit. 30.

FOOTNOTE(S):

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State Law reference— Executive power, AS 29.20.220. [\(Back\)](#)

ARTICLE VI. EDUCATION

[Section 6.01. Public school system.](#)

[Section 6.02. Qualification, term and compensation.](#)

[Section 6.03. Powers of the school board.](#)

[Section 6.04. Joint conferences.](#)

[Section 6.05. Budget and six-year plan.](#)

Section 6.01. Public school system.

The system of public schools for the municipality shall be operated by a school board of seven persons elected at-large from seats designated as seat A, seat B, seat C, seat D, seat E, seat F, and seat G.

Section 6.02. Qualification, term and compensation.

- (a) A candidate for school board shall be a qualified municipal voter. A school board member shall serve a three-year term and shall remain a resident of Anchorage while in office.
- (b) The compensation of school board members shall be fixed by the commission on salaries and emoluments.
- (c) A person who has served on the school board for three consecutive terms may not be reelected to the school board until one full term has intervened.

(AO No. 90-93, prop. 8, 10-2-90; AO No. 90-95, prop. 7, 10-2-90)

Section 6.03. Powers of the school board.

The school board has the powers provided by law, including but not limited to, the power to:

- (1) Formulate policy for the operation of the schools;
- (2) Appoint and provide for suspension and removal of school personnel, including the superintendent;
- (3) Serve as a board of personnel appeals;
- (4) Generally supervise school district fiscal affairs, including preparation and submission of the annual budget and six-year plan.

Section 6.04. Joint conferences.

The assembly and school board shall meet at least four times yearly in public session to discuss and coordinate financial planning, capital improvement needs, the comprehensive plan, and other matters of mutual concern.

PART I - CHARTER

ARTICLE VI. EDUCATION

Section 6.05. Budget and six-year plan.

- (a) The superintendent of schools shall submit to the school board at such time as the board directs a proposed budget for the next fiscal year and a proposed six-year program for capital improvements and fiscal policies. The board shall hold at least one public hearing on the proposed budget and program before they are submitted to the assembly, and at least one public hearing after assembly action if the total amount is different. The proposed budget and program shall be approved and submitted to the assembly at least 90 days before the end of the current fiscal year of the school district.
- (b) The assembly may increase or decrease the budget of the school district only as to total amount. The school district may not appropriate or otherwise incur the expenditure of any funds, regardless of the source, in excess of the total amount of the budget, as approved by the assembly, without prior approval by the assembly.
- (c) The assembly shall approve the budget of the school district as amended and appropriate the necessary funds at least 60 days prior to the end of the fiscal year of the school district. If the assembly fails to approve the school district budget and make the necessary appropriation within the time stated, the budget proposal shall become the budget and appropriation for the fiscal year of the school district without further assembly action.

(AO No. 90-88, prop. 9, 10-2-90)

ARTICLE VII. VACANCIES IN ELECTIVE OFFICE

ARTICLE VII. VACANCIES IN ELECTIVE OFFICE

[Section 7.01. Determining vacancies.](#)

[Section 7.02. Filling vacancies in elective office.](#)

Section 7.01. Determining vacancies.

- (a) An elective office becomes vacant if the incumbent:
 - (1) Ceases to meet the qualifications prescribed for the office by this Charter;
 - (2) Resigns;
 - (3) Dies;
 - (4) Is judicially determined to be incompetent;
 - (5) Is convicted of a felony;
 - (6) Is removed from office for breach of the public trust.
- (b) Proceedings for removal of an elected official for breach of the public trust may be initiated by a majority of all members of the assembly, or the school board in the case of removal of a school board member. In addition, proceedings for removal may be initiated by any duly constituted ethics board. The assembly by ordinance shall establish procedures for removal of elected officials for breach of the public trust, including provision for notice, a complete statement of the charge, a public hearing conducted by an impartial hearing officer, and judicial review. Removal must be approved by two-thirds of the authorized membership of the assembly or school board as the case may be.

Editor's note—

The charter commission's commentary on subsection (a)(1) of this section is printed following the Charter as [section 7.01\(a\)\(1\)](#) of such commentary.

Section 7.02. Filling vacancies in elective office.

- (a) If a vacancy occurs on the school board, the remaining members shall appoint a qualified person to fill the vacancy within 30 days. The person appointed shall serve until the next regular election, at which time a successor shall be elected to serve the balance of the term. If less than 30 days remain in a term when a vacancy occurs, the vacancy shall not be filled. However, if at any time, the membership is reduced to fewer than a quorum, the remaining members, within seven days, shall appoint a number of qualified persons sufficient to constitute a quorum.
- (b) If a vacancy occurs on the assembly, the remaining members may appoint a qualified person to fill the vacancy within 30 days. The person appointed shall serve until the next regular or special election, at which time a successor shall be elected to serve the balance of the term. If the vacancy occurs more than six months before the next regular election, the assembly shall provide for a special election to fill the vacancy not more than 60 days after the occurrence of the vacancy. If less than 30 days remain in a term when a vacancy occurs, the vacancy shall not be filled. However, if at any time, the membership is reduced to fewer than a quorum, the remaining members, within seven days, shall appoint a number of qualified persons sufficient to constitute a quorum.

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ARTICLE VII. VACANCIES IN ELECTIVE OFFICE

- (c) A vacancy in the office of mayor shall be filled at a regular or special election held not less than 90 days from the time the vacancy occurs. If less than 90 days remain in the term when the vacancy occurs, the vacancy shall not be filled. When a vacancy occurs in the office of mayor, the chairman of the assembly shall serve as acting mayor until a successor is elected and takes office. The acting mayor has the veto power, but may not vote on assembly action. The assembly by ordinance shall provide for further succession to the office of acting mayor.

(AO No. 84-171, prop. 3, 10-2-84)

Editor's note—

The charter commission's commentary on subsection (b) of this section is printed following the Charter as [section 7.02](#)(b) of such commentary.

ARTICLE VIII. COMMUNITY COUNCILS

[Section 8.01. Establishment and procedures.](#)

Section 8.01. Establishment and procedures.

The assembly by ordinance shall provide for establishment of community councils to afford citizens an opportunity for maximum community involvement and self-determination. The ordinance shall include procedures for negotiation between the local government and each community council with respect to the duties and responsibilities of the community council.

ARTICLE IX. SERVICE AREAS AND ASSESSMENT DISTRICTS

ARTICLE IX. SERVICE AREAS AND ASSESSMENT DISTRICTS

[Section 9.01. Service areas.](#)

[Section 9.02. Assessment districts.](#)

Section 9.01. Service areas.

- (a) A service area may be created, altered, or abolished only with the approval of a majority of those voting on the question within the area affected, or, if no qualified voter resides within the area, with the written consent of the owners of all real property within the area affected. However, the assembly, by ordinance may consolidate service areas in which services are provided by the municipality at the same level in each of the areas to be consolidated.
- (b) The assembly by ordinance shall adopt procedures for creating, altering, abolishing and operating service areas. Services provided in a service area shall be financed by a uniform tax levy within the area.
- (c) The assembly may provide for appointed or elected boards to supervise the furnishing of special services in service areas.

Editor's note—

The charter commission's commentary on this section is printed following the Charter as [section 9.01](#) of such commentary.

Section 9.02. Assessment districts.

- (a) The assembly by ordinance may establish districts to provide and finance capital improvements by means of an assessment, or services by means of a tax levy. The assessment or levy shall be proportionate to the benefit received from and the burden imposed upon the improvement or service. The assembly by ordinance shall prescribe uniform criteria for allocating the cost of the improvement or service within an assessment district.
- (b) An assessment district may be created or extended only with the approval of the property owners who would bear more than 50 percent of the estimated cost of the improvement or service. An assessment district created to finance a capital improvement may be dissolved by assembly resolution at any time after the district's share of the cost of the improvement has been paid. An assessment district created to finance a service may not be dissolved without the approval of the property owners who bear more than 50 percent of the cost of providing the service.
- (c) A special assessment for capital improvements, with interest and collection charges, is a lien on the property assessed, second only to property taxes and prior special assessments.
- (d) A special assessment may not be contested by civil action unless the action is brought within 60 days after confirmation of the assessment roll.
- (e) An account or accounts for each special assessment district shall be created and kept separate from all other municipal accounts. Revenues collected within a special assessment district may be applied only to costs incurred with respect to that assessment district.

ARTICLE X. LEGISLATION

[Section 10.01. Introduction and enactment of ordinances.](#)

[Section 10.02. Actions requiring an ordinance.](#)

[Section 10.03. Emergency ordinances.](#)

[Section 10.04. Adoption by reference.](#)

[Section 10.05. Codification.](#)

Section 10.01. Introduction and enactment of ordinances.

- (a) An ordinance shall be introduced in writing in the form required by assembly rule.
- (b) An ordinance may be introduced by an assemblyman at a regular or special meeting of the assembly. The mayor may cause an ordinance to be introduced; each such ordinance shall state "By the Chairman of the Assembly at the request of the Mayor." Following introduction and upon approval of three assemblymen, the clerk shall publish a notice containing the text of the ordinance or an informative summary of its contents, the time and place for a public hearing on the ordinance, and the time and place where copies of the ordinance are available. The public hearing shall be held at least seven days after publication of the notice.
- (c) An ordinance takes effect upon adoption or at a later date specified in the ordinance. Ordinances shall be attested by the municipal clerk and by the presiding officer of the assembly.

Section 10.02. Actions requiring an ordinance.

In addition to other actions which require an ordinance, the assembly shall use ordinances to:

- (1) Adopt or amend the administrative code;
- (2) Levy taxes;
- (3) Authorize borrowing of money;
- (4) Grant, renew or extend a franchise;
- (5) Regulate the rate charged by a public utility;
- (6) Provide for a fine or other penalty or establish a rule or regulation for the violation of which a fine or other penalty is imposed;
- (7) Adopt or amend zoning or similar land use control measures;
- (8) Convey or lease, or authorize the conveyance or lease, of any interest in lands of the municipality. An ordinance conveying an interest in real property dedicated to public park or recreational purposes is valid only upon approval by a majority of those voting on the question at a regular or special election. The assembly shall publish notice of the election, including a description of the property by proper place name and legal description, and the terms and conditions of the conveyance.

Editor's note—

PART I - CHARTER

ARTICLE X. LEGISLATION

The charter commission's commentary on subsection (8) of this section is printed following the Charter as [section 10.02](#)(8) of such commentary.

State law reference— Exemption of contractors from AS 36.25.025 must be by ordinance, AS 29.25.010(a)(10).

Section 10.03. Emergency ordinances.

In case of an emergency, an ordinance may be introduced and adopted at the same meeting. An emergency ordinance shall contain a finding that an emergency exists and a statement of the facts constituting the emergency. An emergency ordinance is adopted upon the affirmative vote of all members present, or of three-fourths of the total membership, whichever is less. The mayor may veto an emergency ordinance within 36 hours after adoption of the ordinance. An emergency ordinance is effective for 60 days unless sooner repealed by resolution. A reasonable attempt shall be made to notify the mayor and all assemblymen immediately upon introduction of an emergency ordinance.

Section 10.04. Adoption by reference.

The assembly by ordinance may adopt by reference a standard code of regulations or a portion of the statutes of the State of Alaska. The matter adopted by reference shall be made available to the public in a manner prescribed by assembly rule.

Section 10.05. Codification.

The assembly shall provide for indexing and codification of all ordinances adopted by the assembly. Following preparation of the initial Code, all proposed ordinances shall be adopted as amendments or additions to the Code.

State law reference— Codification, AS 29.25.050.

ARTICLE XI. ELECTIONS

[Section 11.01. Regular elections.](#)

[Section 11.02. Election procedures.](#)

[Section 11.03. Qualifications of voters.](#)

Section 11.01. Regular elections.

A regular election shall be held annually on the first Tuesday in October, unless otherwise specified by ordinance.

(AO No. 88-129(S-1))

Editor's note—

AO No. 99-113 changed the regular municipal election to the first Tuesday in April beginning in 2000.

Section 11.02. Election procedures.

- (a) All municipal elections shall be nonpartisan. The assembly by ordinance shall establish procedures for regular and special municipal elections, including provisions for absentee voting. In case of ties, the assembly shall determine the successful candidate by lot.
- (b) If no candidate for the office of Mayor receives more than 45 percent of the votes cast for the office of Mayor, the Assembly within three weeks from the date of certification of the election, shall hold a run off election between the two candidates receiving the highest number of votes for the office. Run-off elections under this section are not required, however, in races where the names of no more than two candidates appeared on the initial ballot unless a write-in candidate received more votes than a candidate whose name is on the ballot.

(AO No. 252-76, prop. 1, 10-4-77; prop. 10, 5-4-99; AO No. 2001-42(S), prop. 4, 4-2-01; AO No. 2002-79, 4-1-03)

Section 11.03. Qualifications of voters.

To vote in any municipal election, a person must be:

- (a) A qualified voter of the State of Alaska; and
- (b) A resident of Anchorage for 30 days immediately preceding the election and a resident of the precinct in which he seeks to vote.

ARTICLE XII. PLANNING

[Section 12.01. Comprehensive plan required.](#)

[Section 12.02. Planning commission.](#)

[Sec. 12.03. Assembly AMATS Policy Committee Members.](#)

Section 12.01. Comprehensive plan required.

The assembly by ordinance shall adopt and implement, and from time to time modify, a comprehensive plan setting forth goals, objectives and policies governing the future development of the municipality.

Section 12.02. Planning commission.

There shall be a planning commission constituted as provided by ordinance.

Sec. 12.03. Assembly AMATS Policy Committee Members.

The Assembly appoints and removes Assembly members on the Anchorage Metropolitan Area Transportation Study ("AMATS") Policy Committee or its successor in the Anchorage Metropolitan Planning Organization ("MPO").

(AO No. 97-140(S), § 1, 1-13-98)

ARTICLE XIII. FINANCE

[Section 13.01. Fiscal year.](#)

[Section 13.02. Six-year program.](#)

[Section 13.03. Operating and capital budget.](#)

[Section 13.04. Budget hearing.](#)

[Section 13.05. Assembly action on the municipal budget.](#)

[Section 13.06. Reduction and transfer of appropriations.](#)

[Section 13.07. Lapse of appropriations.](#)

[Section 13.08. Administration of the budget.](#)

[Section 13.09. Competitive bidding.](#)

[Section 13.10. Financial audit.](#)

[Section 13.11. Trust fund.](#)

Section 13.01. Fiscal year.

The assembly by ordinance may change the fiscal year of the municipality. The assembly by ordinance may change the fiscal year of the school district to the extent permitted by law. A change in fiscal year may not take effect until at least one year after enactment of the change.

Section 13.02. Six-year program.

At least 90 days before the end of the fiscal year of the municipality the mayor shall submit to the assembly, with recommendations from the planning commission, a six-year program for public services, fiscal policies and capital improvements of the municipality. The program shall include estimates of the effect of capital improvement projects on maintenance, operation and personnel costs. The assembly shall hold at least one public hearing on the six-year program prior to adoption.

Section 13.03. Operating and capital budget.

At least 90 days before the end of the fiscal year of the municipality the mayor shall submit to the assembly a proposed operating and capital budget for the next fiscal year. The form and content of the budget shall be consistent with the proposed six-year program. The mayor shall submit with the budget an analysis of the fiscal implications of all tax levies and programs.

Section 13.04. Budget hearing.

The assembly shall hold at least two public hearings on the proposed operating and capital budget for the next fiscal year, including one hearing at least 21 days after the budget is submitted to the assembly, and one hearing at least seven but not more than 14 days prior to the adoption of the budget.

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ARTICLE XIII. FINANCE

Section 13.05. Assembly action on the municipal budget.

The assembly may increase or decrease any item, and may add or delete items, in the proposed operating or capital budget of the municipality. The assembly shall approve the budget of the municipality as amended and appropriate the necessary funds at least 21 days prior to the end of the fiscal year of the municipality. If the assembly fails to approve the budget and make the necessary appropriation within the time stated, either before or by veto override after a veto of all or a portion of a budget, the Assembly shall hold such regular or special meetings as are necessary to adopt a budget and make the necessary appropriation.

(AO No. 2001-33(S-1), prop. 5, 2-13-01)

Section 13.06. Reduction and transfer of appropriations.

- (a) If the mayor determines that revenues will be less than appropriations for a fiscal year, the mayor shall so report to the assembly. The assembly may reduce appropriations as it deems necessary. No appropriation may be reduced by more than the amount of the then unencumbered balance.
- (b) Except as to the school budget, the mayor may transfer all or part of any unencumbered balance between categories within an appropriation. The school board may transfer part or all of any unencumbered balance between categories within the appropriation for the school budget. Except as to the school budget, the assembly may transfer part or all of any unencumbered balance from one appropriation to another.

Editor's note—

The charter commission's commentary on subsection (b) of this section is printed following the Charter as [section 13.06](#)(b) of such commentary.

Section 13.07. Lapse of appropriations.

At the close of the fiscal year, an unencumbered appropriation shall lapse into the fund from which appropriated. An appropriation for capital improvement, or in connection with requirements of federal and state grants, shall not lapse until the purpose of the appropriation has been accomplished or abandoned.

Section 13.08. Administration of the budget.

- (a) No payment shall be made, or obligation incurred except in accordance with appropriations. Obligations otherwise incurred are void. The assembly by ordinance may provide for exceptions in the case of tax refunds and other routine payments.
- (b) The assembly by ordinance may authorize a contract, lease, or obligation requiring funds from future appropriations. A lease purchase agreement with respect to acquisition of a capital improvement valued in excess of \$1,000,000.00 is not valid until approved by a majority of the qualified voters voting on the question.

Cross reference— Multi-year contracts, § 7.15.100.

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ARTICLE XIII. FINANCE

Section 13.09. Competitive bidding.

The assembly by ordinance shall provide for competitive bidding for goods and services and shall make provision for any exceptions.

Section 13.10. Financial audit.

The assembly shall provide for an annual independent audit of all municipal accounts by a certified public accountant. The audit shall be completed within 90 days following the close of the fiscal year.

Section 13.11. Trust fund.

- (a) When a municipal owned utility is sold pursuant to [section 16.02](#) of this Charter, the proceeds shall be used to:
- (1) Retire the debt of that utility;
 - (2) Retire other municipal debt deemed appropriate by the assembly;
 - (3) Establish a trust fund with the balance of the proceeds.
- (b) The trust fund shall be defined as an endowment fund with a controlled spending policy limiting dividend distributions and managed by the municipal treasurer under [chapter 6.70](#) of the Municipal Code with the following stipulations:
- (1) The corpus, or a portion of the corpus, of this trust shall be maintained in perpetuity as an endowment. Any use of the corpus, or a portion of the corpus, separate from the controlled spending policy of the endowment, may only be used for purposes approved by a majority of the voters voting on a ballot proposition in a regular or special election;
 - (2) Under the endowment's controlled spending policy an annual dividend may be appropriated by the assembly provided that the annual appropriation does not exceed five percent of the average asset balance of the trust.
- (c) The fund shall be invested and managed in accordance with [chapter 6.50](#) of the Municipal Code.
(AO No. 89-27(S), prop. 1, 10-3-89; AO No. 2002-11, § 2, 2-12-02)

ARTICLE XIV. TAXATION ^[4]

[Section 14.01. Taxing authority.](#)

[Section 14.02. Tax procedures.](#)

[Section 14.03. Tax increase limitation.](#)

[Section 14.04. Prohibition on use of property taxes for convention center.](#)

[Section 14.05. Hotel, motel and bed and breakfast room tax.](#)

Section 14.01. Taxing authority.

- (a) The taxing power of the municipality is vested solely in the assembly. The taxing power may not be surrendered, delegated, suspended or contracted away except as provided by law.
- (b) No sales tax ordinance is valid until ratified by three-fifths (3/5) of those voting on the question at a regular or special election, except the tax imposed by Charter [Section 14.05](#) shall be effective if approved by a majority (50 percent + one) of the qualified voters voting on the question.
- (c) Private leaseholds, contracts or other interests in land or property owned or held by the United States, the state, or other political subdivisions shall be taxable only to the extent of the fair market value of the private interest.

(Prop. 1 of 4-15-97 election, effective 5-30-97; AO No. 2005-17, § 1, 2-15-05)

Section 14.02. Tax procedures.

- (a) The assembly by ordinance shall adopt procedures for tax assessment, levy and collection.
- (b) The procedures shall provide for assessment of property at full and true value, except as otherwise provided by law, and for notice of assessment, appeal, and judicial review.
- (c) Property taxes, with collection charges, penalties, and interest are first liens upon the property.

State law reference— Procedure required, AS 29.45.010(c).

Section 14.03. Tax increase limitation.

- (a) Except as provided in this section, the total amount of municipal tax that can be levied during a fiscal year shall not exceed the total amount approved by the assembly for the preceding year by more than a percentage determined by adding the average percentage increase in the Federal Consumer Price Index for Anchorage from the preceding five fiscal years plus the average percentage growth or loss in the Anchorage municipal population over the preceding five fiscal years as determined by the state department of community and regional affairs.
 - (1) The "total amount of the municipal tax that can be levied during a fiscal year" and the "total amount approved by the assembly for the preceding year" in subsection (a) of this section shall include all payments in-lieu of taxes paid or to be paid by any Municipality of Anchorage utility, department, agency or public corporation or authority.
- (b) The limitations set forth in subsection (a) do not apply to the following:

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ARTICLE XIV. TAXATION

- (1) Taxes on new construction or property improvements which occur during the current fiscal year.
 - (2) Taxes required to fund additional services mandated by voter approved ballot issues.
 - (3) Special taxes authorized by voter approved ballot issues.
 - (4) Taxes required to fund the costs of judgments entered against the municipality or to pay principal or interest on bonds, including revenue bonds.
 - (5) Taxes required to fund the cost of an emergency ordinance enacted pursuant to [10.03](#) of the Municipal Charter.
- (c) Any tax increases which result from the exceptions set forth in subsection (b)(1)—(3) shall be added to the base amount which is used in subsection (a) for the calculations of the subsequent year tax increase limit.

(Initiative, prop. 24, 10-4-83; initiative, prop. 9, 4-7-09)

State law reference— Tax limitation, AS 29.45.090.

Section 14.04. Prohibition on use of property taxes for convention center.

Property taxes shall not be used to finance the acquisition, construction, operation or maintenance of a new civic and convention center.

(AO No. 2005-17, § 1, 2-15-05)

Section 14.05. Hotel, motel and bed and breakfast room tax.

- A. There is hereby levied a tax on all hotel, motel and bed and breakfast room rents in an amount equal to four percent of the room rent paid to an operator.
1. Revenues received from this tax are dedicated to financing the design, site acquisition, construction, landscaping, bonded debt service or lease payments, carrying costs, and operation of a new civic and convention center, including parking facilities and renovation and operation of the existing Egan Civic and Convention Center.
 2. If bonds are issued to finance the acquisition and construction of a new civic and convention center, the revenue derived from this tax shall first be used to pay annual principal, interest and other carrying costs of said bonds, until such bonds are paid in full.
- B. The assembly shall enact such additional provisions, not inconsistent with this section, as necessary or desirable to implement this section. Such enactments may include provisions to terminate or reduce the tax upon payment of all bond principal, interest and carrying costs, and appropriation of tax revenues, if any, excess to payment of the principal and interest on the bonds and support for operation of the convention center.

(AO No. 2005-17, § 1, 2-15-05)

FOOTNOTE(S):

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ARTICLE XIV. TAXATION

--- (4) ---

State Law reference— Municipal property tax, AS 29.45.010—29.45.250. [\(Back\)](#)

ARTICLE XV. MUNICIPAL BORROWING

ARTICLE XV. MUNICIPAL BORROWING ^[5]

[Section 15.01. Authority.](#)

[Section 15.02. Limitations.](#)

[Section 15.03. Form and manner of sale.](#)

[Section 15.04. Actions challenging the validity of obligations.](#)

[Section 15.05. Proceeds from sale of obligations.](#)

Section 15.01. Authority.

The municipality may borrow money for any public purpose, and issue its evidences of indebtedness therefor.

Section 15.02. Limitations.

- (a) No general obligation bonded indebtedness may be incurred unless authorized by the assembly and ratified by a majority vote of those in the municipality voting on the question, except that refunding bonds may be issued without an election.
- (b) Tax or revenue anticipation notes shall be repaid within 12 months from their date of issuance. When the taxes or revenues anticipated are not received within this time, the assembly may renew the notes for a period not to exceed six months.

Section 15.03. Form and manner of sale.

The assembly by ordinance shall provide for the form and manner of sale of bonds and notes including reasonable limitation upon the sale of bonds and notes to financial consultants of the municipality.

Section 15.04. Actions challenging the validity of obligations.

An action challenging the validity of obligations of the municipality or of an election or tax levy with respect to an obligation may be instituted only within 30 days after the adoption of the ordinance or resolution or certification of the election results, as the case may be.

Section 15.05. Proceeds from sale of obligations.

Proceeds derived from the sale of obligations shall be used solely for the purposes for which the obligations were issued, or for payment of principal or interest or other charges with respect to the obligations.

FOOTNOTE(S):

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ARTICLE XV. MUNICIPAL BORROWING

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State Law reference— Debt limit on general obligation bonds for utilities, AS 29.47.200(b). [\(Back\)](#)

ARTICLE XVI. MUNICIPAL UTILITIES

ARTICLE XVI. MUNICIPAL UTILITIES

[Section 16.01. Municipal utilities.](#)

[Section 16.02. Disposal of utilities.](#)

[Section 16.03. Anchorage Telephone Utility.](#)

Section 16.01. Municipal utilities.

- (a) Each municipal utility shall be operated in accordance with the general standards common to utilities providing the same utility service.
- (b) Each municipal utility shall have a separate budget within the annual municipal budget. The accounts of the utilities shall be separately kept and classified in accordance with uniform accounting standards generally prescribed for public utilities providing the same utility service.
- (c) The assembly shall prescribe rules and procedures for the operation and management of municipal utilities.
- (d) This section shall not apply to the Anchorage Telephone Utility.

(Initiative, prop. 32, 10-1-91)

Section 16.02. Disposal of utilities.

The municipality may sell, lease, or otherwise dispose of a municipal utility only pursuant to an ordinance or initiative proposition approved by three-fifths of the qualified voters voting on the question. If the disposal of the utility is by ordinance, the municipality may dispose of a municipal utility only to the highest responsive bid received by the municipality from a responsible bidder to a competitive procurement. The assembly shall provide for such competitive bidding by ordinance, and shall provide a description of the factors that will be considered in evaluation of the bids, including the relative weight of price and other evaluation factors.

(Initiative, prop. 10, 10-1-91)

Editor's note—

The charter commission's commentary on this section is printed following the Charter as [section 16.02](#) of such commentary.

Section 16.03. Anchorage Telephone Utility.

- (a) The Anchorage Telephone Utility shall be governed by a board of directors consisting of five members. Directors shall serve for staggered terms of five years and are appointed to office by the assembly upon nomination by the mayor or by a member of the assembly and after a public hearing. Exercise of the power of the veto by the mayor shall not extend to actions of the assembly with respect to appointment of directors. In connection with the operation and management of the utility, the board may exercise any power unless provided otherwise in this section, article II of the Charter, or prohibited by state law. Any director may be removed at any time upon a vote of at least eight

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ARTICLE XVI. MUNICIPAL UTILITIES

members of the assembly, or a vote of at least six members of the assembly and concurrence of the mayor given within seven days after the assembly's action.

- (b) The utility shall be operated and compete in accordance with prevailing industry practices and in a manner which will provide a dividend to the municipality.
- (c) The board of directors may incur debt for the utility and may exercise the power of eminent domain on its behalf only with prior approval of the assembly. The assembly by ordinance shall determine the extent to which it will approve the rates, fees and charges imposed by the utility. The assembly may annually appropriate to the general fund any amount of utility revenues in excess of that required to discharge the utility's service obligations, meet its approved capital improvement program, and maintain financial integrity.
- (d) The Anchorage Telephone Utility and its board of directors shall be subject to the authority of the municipal ombudsman as provided by ordinance.
- (e) The compensation for the Anchorage Telephone Utility board of directors shall be determined by the commission on salaries and emoluments in the same manner as provided for elected officials in [section 5.08\(c\)](#) and [section 5.08\(d\)](#) of this Charter.
- (f) The Anchorage Telephone Utility shall operate on the same fiscal year as the Municipality of Anchorage, and shall submit its budget to the mayor on the same schedule as that required of other municipal utilities. The assembly shall have final approval of the utility budget.
- (g) In addition to any amounts the assembly may appropriate pursuant to subsection (c) of this section, the Anchorage Telephone Utility shall pay a municipal utility service assessment if established by the Anchorage Assembly by ordinance.
- (h) Only the provisions of this section, section 16.02 and article II of this Charter, and state law applicable to home rule municipalities shall apply to the utility. The assembly, by ordinance, shall implement this section to provide for the independent management and operation of the utility consistent with this section. Exercise of the power of veto by the mayor shall not extend to enactment of legislation by the assembly required by this subsection.

(Initiative, prop. 32, 10-1-91)

Editor's note—

The charter commission's commentary on this section is printed following the Charter as [section 16.03](#) of such commentary.

ARTICLE XVII. GENERAL PROVISIONS

ARTICLE XVII. GENERAL PROVISIONS

[Section 17.01. Equal rights.](#)

[Section 17.02. Equal rights commission.](#)

[Section 17.03. Conflict of interest.](#)

[Section 17.04. Prohibitions.](#)

[Section 17.05. Public meetings.](#)

[Section 17.06. Notice of claims. \(Repealed\)](#)

[Section 17.07. Oaths of office.](#)

[Section 17.08. Continuation in office.](#)

[Section 17.09. Provisions self-executing.](#)

[Section 17.10. Municipal name.](#)

[Section 17.11. Interpretation.](#)

[Section 17.12. Separability.](#)

[Section 17.13. Definitions.](#)

Section 17.01. Equal rights.

The assembly shall enact ordinances against invidious discrimination in housing, public accommodations, employment, education, and financing practices on the basis of race, religion, age, sex, color, national origin, marital status, or physical disability.

(AO No. 93-51, prop. 2, 4-20-93)

Section 17.02. Equal rights commission.

The assembly by ordinance shall establish an equal rights commission and prescribe its duties. The commission shall appoint its principal executive officer with the approval of the mayor. The principal executive officer shall serve at the pleasure of the commission.

Section 17.03. Conflict of interest.

An elected municipal officer may not participate in any official action in which he or a member of his household has a substantial financial interest unless after disclosure of the interest his participation is approved by a majority of the body. This prohibition shall be implemented in the manner provided by law, including provision for public disclosure of substantial financial interests of assemblymen, school board members, and members of regulatory, appellate and quasi-judicial boards and commissions.

The assembly by ordinance shall adopt procedures dealing with conflict of interest on the part of municipal employees.

State law reference— Conflict of interest, AS 29.20.010.

ARTICLE XVII. GENERAL PROVISIONS

Section 17.04. Prohibitions.

- (a) Except where authorized by ordinance, an elected official of the municipality may hold no other compensated municipal office or employment or elected position under the state or municipality while in office.
- (b) For one year after he leaves office, an assemblyman or school board member elected under this Charter may hold no compensated municipal office or employment which was created, or the salary or benefits of which were specially increased during his last year in office by the body of which he was a member. This section does not apply to employment by or election to a charter commission.
- (c) An independent contractor engaged through competitive bidding does not hold municipal employment for purposes of this section.

Editor's note—

The charter commission's commentary on subsection (a) of this section is printed following the Charter as [section 17.04\(a\)](#) of such commentary.

Section 17.05. Public meetings.

- (a) All meetings of the assembly, the school board and other boards and commissions shall be public. The assembly by ordinance shall adopt procedures for maximum reasonable public notice of all meetings. At each such meeting the public shall have reasonable opportunity to be heard. An executive session may be held to discuss pending litigation or any matter the immediate public knowledge of which would tend to affect adversely the finances of the municipality or to defame or prejudice the character or reputation of any person. The general matter for consideration in executive session shall be expressed in the motion calling for the session. No official action may be taken in executive session.
- (b) Except in emergency, the assembly, school board, and all municipal boards and commissions may take no official action between the hours of 12:00 midnight and 7:00 a.m., actual time. Action taken in violation of this paragraph is void.

State law reference— Open meetings, AS 44.62.310.

Section 17.06. Notice of claims. (Repealed)

(AO No. 79-145, prop. 12, 10-2-79)

Section 17.07. Oaths of office.

Municipal officers, before taking office, shall take and subscribe to the following oath or affirmation: "I solemnly swear (or affirm) that I will support and defend the Constitution of the United States, the Constitution of the State of Alaska and the Charter of Anchorage, and that I will faithfully perform the duties of _____ to the best of my ability."

Section 17.08. Continuation in office.

Each elected municipal officer shall continue to serve until his successor qualifies and takes office.

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ARTICLE XVII. GENERAL PROVISIONS

Section 17.09. Provisions self-executing.

The provisions of this Charter shall be construed as self-executing whenever possible.

Section 17.10. Municipal name.

The municipality may use the name "City and Borough of Anchorage" wherever for bonding or other purposes, it is to the advantage of the municipality to do so.

Section 17.11. Interpretation.

- (a) Titles and subtitles shall not be used in construing this Charter. Personal pronouns used in this Charter shall be construed as including either sex.
- (b) References in this Charter to particular powers, duties and procedures of municipal officers and agencies may not be construed as implied limitations on other municipal activities not prohibited by law.

Editor's note—

The charter commission's commentary on this section is printed following the Charter as [section 17.11](#) of such commentary.

Section 17.12. Separability.

If any provision of this Charter is held invalid, the other provisions of the Charter shall not be affected thereby. If the application of the Charter or any of its provisions to any person or circumstances is invalid, the application of the Charter and its provisions to other persons or circumstances shall not be affected thereby.

Section 17.13. Definitions.

- (a) "*Appropriation*" means a unit of funding provided for by the assembly in the municipal budget. An appropriation may be specific as to particular expenditures or general as to an entire department or agency, as the assembly deems appropriate.
- (b) "*Categories*" means actual proposed expenditures to be made from an appropriation.
- (c) "*Emergency*" means an unforeseen occurrence or condition which results or apparently will result in an insufficiency of services or facilities substantial enough to endanger the public health, safety or welfare.
- (d) "*Initiative*" means the process of enacting an ordinance or resolution by vote of the people without assembly action.
- (e) "*Interest in lands*" means any estate in real property or improvements thereon excluding revocable permits or licenses, rights-of-way, or easements which the assembly finds to be without substantial value to the municipality.
- (f) "*Law*" means this Charter, the ordinances and resolutions preserved by this Charter, or enacted pursuant to it, and those portions of the statutes of the State of Alaska and the constitutions of the State of Alaska and of the United States which are valid limitations on the exercise of legislative power by home rule governments.

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ARTICLE XVII. GENERAL PROVISIONS

- (g) "*Municipality*" means the unified municipality of Anchorage created upon ratification of this Charter.
- (h) "*Publish*" means to cause to be posted on a municipal website designated for public notices the matter required by law to be published. Unless otherwise provided by the assembly, posting shall be maintained for seven consecutive days. The assembly shall provide for additional modes of dissemination.
- (i) "*Referendum*" means the process of repealing an ordinance or resolution by vote of the people without assembly action.
- (j) "*Resident*" means a person whose habitual, physical dwelling place is within the area in question and who intends to maintain his dwelling place in that area.
- (k) "*Utility*" or "*municipal utility*" means a utility which belonged to a former government and whose rates are subject to regulation by the Alaska Public Utilities Commission on the date this Charter becomes effective.

(AO No. 79-144, prop. 11, 10-2-79; AO No. 2012-11, prop. 6, 1-31-12, election of 4-3-12)

Editor's note—

Sec. 3 of AO No. 2012-11 states with certification of voter approval in the regular election of April 3, 2012, the ballot proposition shall become effective as of May 1, 2012. Because Municipal Code already allows electronic publication to the extent allowed by law, no further action by the Assembly is required to implement the charter amendment.

ARTICLE XVIII. CHARTER AMENDMENT

[Section 18.01. Vote required.](#)

[Section 18.02. Procedure.](#)

[Section 18.03. Ballot form.](#)

Section 18.01. Vote required.

This Charter may be amended only upon the concurrence of a majority of the qualified voters of Anchorage voting on a proposed amendment, except that a proposed amendment which would diminish any right referred to in article II or any provision of [section 16.02](#) requires approval by three-fifths of the qualified voters voting on the amendment.

Editor's note—

In *Bruce v. Municipality of Anchorage*, case no. 3AN-96-1674CI, the Alaska Superior Court held the "three-fifths" provision of this charter section to be in conflict with the Alaska Constitution Art. X, sec. 9.

Section 18.02. Procedure.

Amendments to this Charter may be proposed by ordinance approved by two-thirds of the total membership of the assembly, by a charter commission established in the manner provided by law, or by initiative petition. Proposed amendments shall be submitted to the voters at the next regular election occurring more than 45 days after the effective date of the proposal. If the proposed amendment is approved by the voters, it becomes effective at the time set in the amendment, or, if no time is set, 30 days after certification of the results of the election.

Section 18.03. Ballot form.

When an amendment to this Charter is proposed for adoption by the voters, the ballot proposition shall indicate the current wording proposed to be changed, if any, as well as the proposed new wording, if any.

ARTICLE XIX. TRANSITION

ARTICLE XIX. TRANSITION

[Section 19.01. Effective date.](#)

[Section 19.02. Initial election.](#)

[Section 19.03. Initial terms of assemblymen.](#)

[Section 19.04. Organization of assembly.](#)

[Section 19.05. Prior law preserved.](#)

[Section 19.06. Conflict in prior law.](#)

[Section 19.07. Code of Ordinances.](#)

[Section 19.08. Existing rights and liabilities preserved.](#)

[Section 19.09. Prior organizations continued.](#)

[Section 19.10. Organization of the executive branch.](#)

[Section 19.11. Employees of former governments.](#)

[Section 19.12. Finance.](#)

[Section 19.13. Assets and liabilities.](#)

[Section 19.14. Utility profits preserved.](#)

[Section 19.15. Salaries and emoluments of elected officials.](#)

[Section 19.16. Definitions for transition.](#)

Section 19.01. Effective date.

This Charter is effective immediately upon certification of the election at which it is ratified.

Section 19.02. Initial election.

- (a) The election for ratification of this Charter, for election of officers under this Charter, and for approval of a plan of apportionment in accordance with Alaska Statutes, shall be held on September 9, 1975.
- (b) The election of September 9, 1975, and any related runoff election, shall be conducted in accordance with the election ordinances of the Greater Anchorage Area Borough in effect immediately prior to the election except as otherwise provided in this Charter. Runoff elections shall be held, if necessary, only for the offices of mayor and school board member.
- (c) The election of assemblymen shall be in accordance with the plan of apportionment included in this Charter as appendix A.
- (d) At the election of September 9, 1975, school board members are elected at-large, without designated seats. School board members elected under the former government serve until the expiration of the terms for which they were elected. The designation of seats takes effect as the respective terms of members elected without designated seats expire, or as their seats become otherwise vacant.

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ARTICLE XIX. TRANSITION

Section 19.03. Initial terms of assemblymen.

Assembly seats A, D, F, H and J shall be designated as one-year seats for purposes of this election. Seats B, C, E, G, I and K shall be designated as two-year seats for purposes of this election.

Section 19.04. Organization of assembly.

Assemblymen elected on September 9, 1975 shall take office immediately upon certification of the election of the mayor. At that moment former governments are dissolved. On the day after the assembly takes office, it shall meet at an hour and place designated by the mayor and shall organize.

Editor's note—

The charter commission's commentary on this section is printed following the Charter as [section 19.04](#) of such commentary.

Section 19.05. Prior law preserved.

All ordinances, resolutions, regulations, orders and rules in effect in any former government shall continue in full force and effect to the extent they are consistent with this Charter, until repealed or amended in accordance with this Charter.

Section 19.06. Conflict in prior law.

In the event of conflict between the ordinances, resolutions and regulations of the former governments, affecting the orderly transition of government, the mayor shall designate in writing which governs. The designation is effective immediately and shall be communicated to the assembly. The designation is approved unless the assembly, within 21 days, adopts by resolution a contrary designation.

Section 19.07. Code of Ordinances.

Not later than September 1, 1977, the assembly shall enact a Code of Ordinances. Enactment of the Code shall repeal all ordinances of the former governments not included in the Code. Repeal is not retroactive and does not affect pending court action.

Section 19.08. Existing rights and liabilities preserved.

- (a) Except as otherwise provided in this Charter, all rights, titles, actions, suits, franchises, contracts, and liabilities and all civil, criminal or administrative proceedings shall continue unaffected by the ratification of this Charter. The new government shall be the legal successor to the former governments for this purpose.
- (b) Any bond of a former government authorized and unissued on the date of ratification or authorized at the elections provided in [section 19.02](#) remains authorized and may be issued at the discretion of the assembly without additional ratification and subject to the procedures provided by law.

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ARTICLE XIX. TRANSITION

Section 19.09. Prior organizations continued.

- (a) All existing special assessment districts, service areas, boards of supervisors for service areas, community councils and community schools recognized under municipal ordinances, and municipal regulatory and advisory boards and commissions shall continue to function until altered in accordance with this Charter.
- (b) Upon ratification of this Charter the former cities shall become service areas for the provision of services formerly provided within their boundaries.

Section 19.10. Organization of the executive branch.

Not later than May 1, 1976, the mayor shall submit to the assembly a plan of organization of the executive branch. The plan shall provide for elimination of unnecessary duplication. The proposed plan shall become law 20 days after submitted unless sooner adopted with or without amendment or rejected by the assembly. If the proposed plan is rejected, the mayor shall submit an alternate plan to the assembly within 15 days of the rejection. If, prior to July 1, 1976, no such plan of organization has been adopted by the assembly the alternate proposal submitted by the mayor becomes law.

Section 19.11. Employees of former governments.

- (a) Upon ratification of this Charter, employees of former governments become employees of the new government.
- (b) Any employees whose positions are eliminated by the plan of organization prescribed in [section 19.10](#) shall be eligible for reassignment to available positions for which they are qualified in the order of their seniority based on date of hire by a former government or by the new government.
- (c) Pension plans, retirement plans and other benefits for current employees under collective bargaining agreements, personnel rules, or other legal or contractual provisions, in effect on the date of ratification of this Charter shall not be diminished by ratification of this Charter.

Editor's note—

The charter commission's commentary on subsection (c) of this section is printed following the Charter as [section 19.11\(c\)](#) of such commentary.

Section 19.12. Finance.

- (a) The fiscal year of the new government shall be January 1 through December 31. The fiscal year of the school district is not affected by adoption of this Charter.
- (b) Immediately after ratification of this Charter, the assembly for the new government shall prepare a six-month budget for the period July 1, 1976, through December 31, 1976, with respect to former governments which operated on a July 1 through June 30 fiscal year, and a budget for the period January 1, 1976 through December 31, 1976, with respect to former governments which operated on a January 1 through December 31 fiscal year. The assembly shall approve and appropriate funds for these budgets.
- (c) Not later than April 1, 1976, October 1, 1976 and April 1, 1977, the assembly of the new government shall complete a financial report covering the activities provided for in the budgets for the former governments for their respective budget periods.

PART I - CHARTER

ARTICLE XIX. TRANSITION

- (d) The assembly for the new government shall prepare, approve and appropriate funds for a budget for Anchorage for the period January 1, 1977 through December 1, 1977.

Editor's note—

The charter commission's commentary on subsection (b) of this section is printed following the Charter as [section 19.12](#)(b) of such commentary.

Section 19.13. Assets and liabilities.

As required by AS 29.68.410:

- (a) The new government shall succeed to all assets and liabilities of the former governments.
- (b) Not later than March 1, 1977, the assembly shall determine which assets of a former government provided benefit to an area larger than the former government prior to unification, or will provide such a benefit after unification. The tax obligation for bonded indebtedness, or other debt, incurred prior to unification with respect to such an asset shall be spread to such area not later than July 1, 1977.
- (c) Pre-unification bonded indebtedness or other debt for sewage collection systems, water distribution systems and streets, even if determined to be used for the benefit of a larger area than that which incurred the debt, shall remain the tax obligation of the area which incurred the debt.

Section 19.14. Utility profits preserved.

- (a) Utilities owned by the former City of Anchorage shall continue to be operated in such a manner as to provide a reasonable profit, in accordance with the applicable regulations of the Alaska Public Utilities Commission. Net profits from the operations of the utilities, for a period of five years after ratification of this Charter, shall be applied for the benefit of the service area created by this Charter in the area of the former City of Anchorage.
- (b) Within 90 days after ratification of this Charter, the mayor shall appoint an interim utility commission of five persons, subject to confirmation by the assembly. Within one year after its appointment the commission shall submit a written report to the assembly of its recommendations for the future operation and management of the utilities owned by the former City of Anchorage. The commission shall receive testimony and response to its recommendations from the assembly and from the public. Within six months after submission of its initial report, the commission shall prepare and submit to the assembly a final report of its recommendations, at which time the commission is dissolved.

Editor's note—

The charter commission's commentary on this section is printed following the Charter as [section 19.14](#) of such commentary.

Section 19.15. Salaries and emoluments of elected officials.

- (a) The mayor shall appoint, subject to confirmation by the assembly, the commission on salaries and emoluments within 30 days after the ratification of this Charter. Within 90 days after appointment, the commission shall promulgate its initial decision establishing the compensation of elected officials.

PART I - CHARTER

ARTICLE XIX. TRANSITION

- (b) Until the initial decision of the commission takes effect under this Charter, an elected official shall receive the highest of the salaries and benefits which a comparable official would have received for the same period as an elected official of a former government, if the new government had not been formed. The initial decision of the commission may establish the salary of the mayor without regard to limitations of [section 5.01](#)(e) of this Charter.

Section 19.16. Definitions for transition.

In this article, "former governments" means the former cities of Anchorage, Girdwood and Glen Alps, and the former Greater Anchorage Area Borough. "New government" means the unified municipality of Anchorage.

"Utilities" means utilities whose rates are subject to regulation by the Alaska Public Utilities Commission on the date of ratification of this Charter.

ARTICLE XX. BLOCK 51, TOWN SQUARE DEDICATION

ARTICLE XX. BLOCK 51, TOWN SQUARE DEDICATION

[Section 20.01. \[Dedication of land.\]](#)

[Section 20.02. \[Buildings.\]](#)

[Section 20.03. \[Underground uses.\]](#)

[Section 20.04. \[Severability.\]](#)

Section 20.01. [Dedication of land.]

That portion of Block 51 of the Original Townsite of Anchorage which is at the effective date of this Charter amendment owned by the Municipality of Anchorage, or thereafter acquired by the Municipality of Anchorage, is hereby dedicated for use as a town square park providing open space in the downtown city center.

(Initiative, prop. 1, 10-2-84)

Section 20.02. [Buildings.]

No buildings may be placed, erected, or retained on the lands hereby dedicated, except that any buildings existing thereon at the effective date of this Charter amendment which have been, or shall be, designated as historic sites by an authorized authority of the Municipality of Anchorage may be retained, maintained and restored for exclusive use in a manner consistent with the dedication.

(Initiative, prop. 1, 10-2-84)

Section 20.03. [Underground uses.]

Underground uses of the lands hereby dedicated shall be permitted if, and only if, such uses are determined by the Anchorage Planning and Zoning Commission and the municipal assembly to be consistent with the dedication, and if such underground uses do not cause the grade of the town square to be above or below street level.

(Initiative, prop. 1, 10-2-84)

Section 20.04. [Severability.]

If any part of this Charter amendment shall be declared to be invalid, the remaining portions shall remain in full force and effect. If this Charter amendment shall be found to be invalid as to a portion of the lands covered, it shall remain in full force and effect as to other lands.

(Initiative, prop. 1, 10-2-84)

Agreed upon by the members of the charter commission at Anchorage, Alaska this 21st day of July, 1975.

s/ FRANK M. REED

FRANK M. REED, Chairman

PART I - CHARTER

ARTICLE XX. BLOCK 51, TOWN SQUARE DEDICATION

s/ JOE P. JOSEPHSON
JOE P. JOSEPHSON, Vice-Chairman

s/ JANE ANGVIK
JANE ANGVIK

s/ FRED CHIEI, JR.
FRED CHIEI, JR.

s/ RICHARD W. FISCHER
RICHARD W. FISCHER

s/ MARY R. FROHNE
MARY R. FROHNE

s/ SHARI T. HOLMES
SHARI T. HOLMES

s/ LISA PARKER
LISA PARKER

s/ JIM PARSONS
JIM PARSONS

s/ BILL SHEFFIELD
BILL SHEFFIELD

s/ ARLISS STURGULEWSKI
ARLISS STURGULEWSKI

ATTEST:

s/ PATRICIA M. ZANTEK
PATRICIA M. ZANTEK
Executive Secretary

Staff:

PART I - CHARTER

ARTICLE XX. BLOCK 51, TOWN SQUARE DEDICATION

Rick Kevin Evy Patti Zantek, Executive Secretary	Garnett, "Pat" Walters,	Charter Parnell,	Commission Executive Executive	Attorney Director Secretary
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The charter commission, with sincere appreciation, acknowledges the assistance of numerous organizations and the public through letters and appearances at hearings and meetings, and further acknowledges the considerable support and assistance supplied by the various governments through their elected officials and their staff personnel.

ARTICLE XXI. MUNICIPAL VEHICLE CODE ENFORCEMENT STANDARDS

ARTICLE XXI. MUNICIPAL VEHICLE CODE ENFORCEMENT STANDARDS

[Section 21.01. Vehicle violation enforcement.](#)

[Section 21.02. Prohibited vehicle impound, towing and transportation from public streets and emergency exception.](#)

[Section 21.03. Liability for improper impound, towing and transportation; private rights.](#)

[Section 21.04. Prohibited enforcement and delegation of enforcement; enforcement in person; prohibited administrative enforcement.](#)

[Section 21.05. Supremacy of municipal vehicle code enforcement standards.](#)

[Section 21.06. Private rights; parties; estoppel of sovereign immunity; damages and attorneys fees.](#)

Section 21.01. Vehicle violation enforcement.

- (a) No enforcement of any vehicle violation, whether the vehicle is parked or in motion may be performed by the Municipality of Anchorage by any persons other than a regularly sworn police officer who meets the standards set forth in A.S. 18.65.290(5)(A) or (B). Such enforcement includes, but is not limited to, any and all civil or criminal statutes, codes, ordinances or regulations which apply to the regulation of vehicles and which currently exist or may exist in the future.
- (b) The Municipality may, by ordinance only, delegate enforcement of parking violations to a municipal agency or municipal authority. The allowable delegation is limited to enforcement of parking violations on both sides of named streets within the area bounded by Ship Creek on the north, Gambell Street on the east, 10th Avenue on the south, and M Street on the west.

(Prop. 3 of 4-15-97 election, effective 6-6-97, § 1; AO No. 2010-94(S), § 2, election of 4-5-11, effective 6-1-11)

Section 21.02. Prohibited vehicle impound, towing and transportation from public streets and emergency exception.

No vehicle may be impounded, towed, or transported from upon the public streets in the Municipality of Anchorage without the written permission of either the owner or the operator of the vehicle, a valid court order, or unless an impound notice is placed on the vehicle by a police officer qualified as set forth in [Section 21.01](#) above. This shall not prohibit necessary emergency action in the event that a vehicle presents an immediate threat to life or public safety.

(Prop. 3 of 4-15-97 election, effective 6-6-97, § 2)

Section 21.03. Liability for improper impound, towing and transportation; private rights.

Towing, impounding or transporting a vehicle within the Municipality of Anchorage, unless such is in conformity with the requirements of these vehicle code standards, shall be considered a wrongful taking of property as to the owner or operator for which civil damages to the full extent permitted by law shall be available. Without limitation as to other damages, any damages sustained by a vehicle upon or after being impounded, towed, or transported in a fashion not in conformity with these vehicle code enforcement standards shall conclusively be presumed to be the fault of any persons impounding, towing,

PART I - CHARTER

ARTICLE XXI. MUNICIPAL VEHICLE CODE ENFORCEMENT STANDARDS

or transporting the vehicle. Nothing in this section shall be construed to diminish or infringe upon the rights of private property owners to enforce their own property rights in this regard.

(Prop. 3 of 4-15-97 election, effective 6-6-97, § 3)

Section 21.04. Prohibited enforcement and delegation of enforcement; enforcement in person; prohibited administrative enforcement.

- (a) Enforcement of any part of the present or future state or Anchorage municipal vehicle laws or codes by anyone other than qualified police officers, except as set forth in [Section 21.01](#) above, is prohibited.
- (b) The Municipality may not delegate vehicle related enforcement powers to any agency other than as described in [Section 21.01](#) above, nor shall they delegate by ordinance, contract, or otherwise such powers to anyone except as set forth in [Section 21.01](#) above.
- (c) Any and all vehicle law or code enforcement activity pursuant to this Article XXI shall be performed in person. Any vehicle law or code enforcement powers which may currently exist, other than those described in [Section 21.01](#) above, are null and void.
- (d) Review of all vehicle law and code enforcement within the Municipality of Anchorage shall be, and remain with, the judicial branch of government as described in Article IV of the Alaska Constitution, with such right of appeal as the law provides.
- (e) This law is not to be construed as defining the jurisdiction of courts or prescribing their rules, rather, this ordinance declares that the Municipality shall not enforce any motor vehicle ordinance or policy by way of administrative process.

(Prop. 3 of 4-15-97 election, effective 6-6-97, § 4; AO No. 2010-94(S), § 2, election of 4-5-11, effective 6-1-11)

Section 21.05. Supremacy of municipal vehicle code enforcement standards.

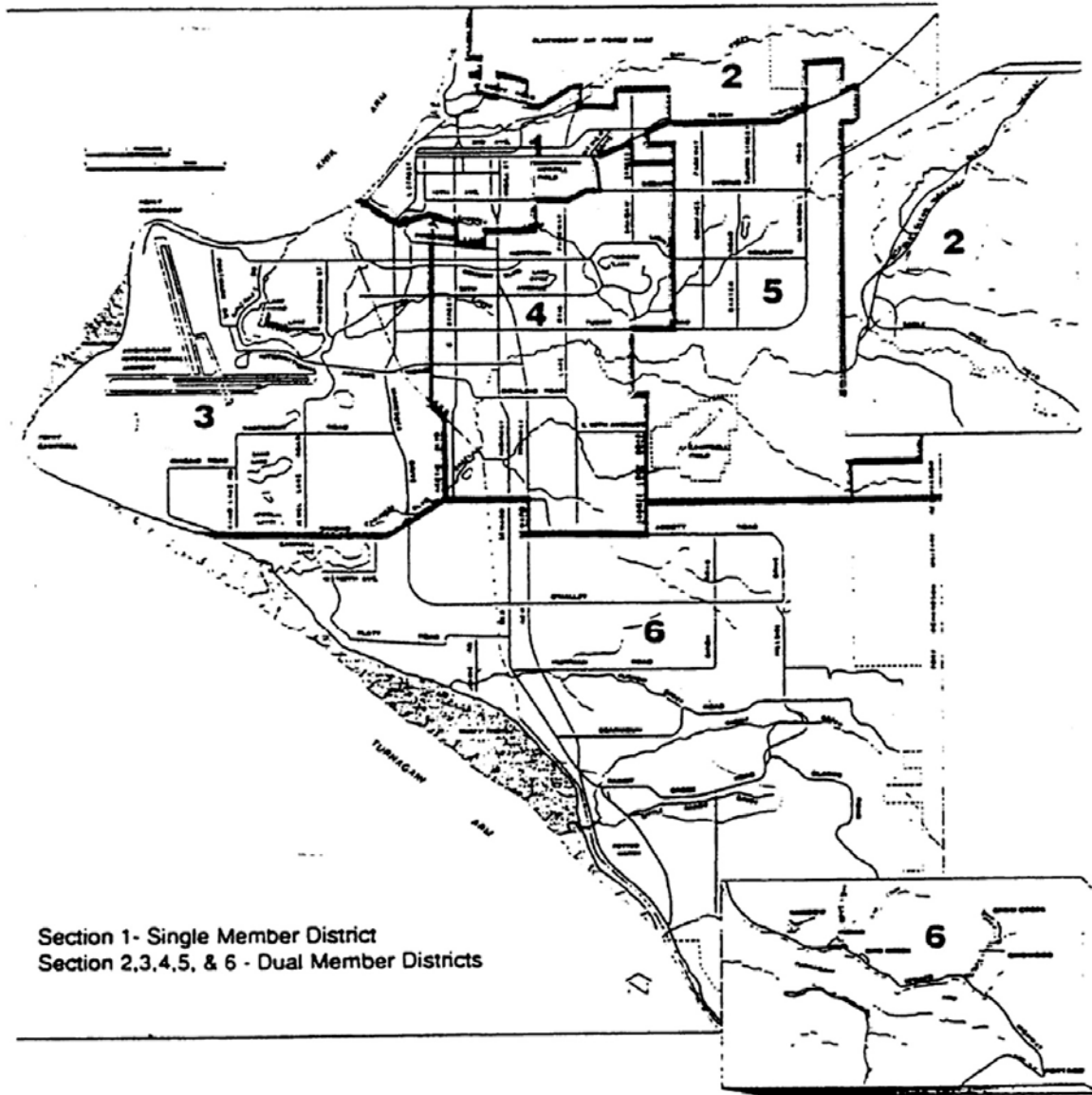
These municipal vehicle code enforcement standards shall supersede any and all Municipality of Anchorage laws, ordinances, administrative rules or judicial decisions and the like which are inconsistent with them.

(Prop. 3 of 4-15-97 election, effective 6-6-97, § 5)

Section 21.06. Private rights; parties; estoppel of sovereign immunity; damages and attorneys fees.

Private citizens may enforce their rights under the provisions of this initiative by civil action. The Municipality of Anchorage shall be a named defendant in any such action. The Municipality of Anchorage shall not be allowed to assert claims of sovereign immunity under any theory of law or equity to defeat such citizen claims. Private citizens who are the prevailing party in any enforcement action against the Municipality of Anchorage shall receive treble damages and full attorney fees and costs.

(Prop. 3 of 4-15-97 election, effective 6-6-97, § 6)



(AO No. 91-182, 12-17-91)

An aid to legislative history, to assist in the interpretation of the Charter document.

August 20, 1975

Article II:

The bill of rights is intended as a synopsis of substantive rights granted in the remainder of the Charter. It is not intended to expand or modify the rights in question as they are stated in other parts of the Charter.

Article II(9):

The reference in this paragraph to a personnel system "based on merit" does not preclude collective bargaining between the new government and a valid representative of its employees.

[Section 3.01](#)

By virtue of this section the new government will be a home rule municipality.

This section brings all allowable legislative power from the state level to the local level. However, sections [9.01](#) and 9.02, and other provisions of the Charter calling for voter approval of government action, reserve to the people the basic power to determine if and when the municipal power will be exercised.

[Section 5.07\(d\):](#)

This paragraph provides that the assembly, by ordinance, shall prescribe "quorum and voting requirements" for boards of review, adjustment and equalization. The intent is to permit the assembly to establish quorums and the number of votes required for action at less than a majority of the membership of the board. This flexibility may be needed to deal with the problem of mustering a majority of such boards at a number of successive meetings during the time of year when the business of the particular board is concentrated.

[Section 7.01\(a\)\(1\):](#)

An elected official who has been recalled in accordance with [section 3.03](#) ceases to meet the qualifications for his office immediately upon ratification of the election recalling him. The vacancy so created is filled by election in accordance with the mandatory provisions of state law.

[Section 7.02\(b\):](#)

This paragraph provides for accession of the chairman of the assembly to the position of acting mayor during a vacancy in the office of mayor. It is intended that the acting mayor cease to function as an assemblyman during his tenure as acting mayor. However, when the office of mayor is filled by election, the acting mayor reverts to his status as chairman of the assembly in all respects.

[Section 9.01](#)

The requirement that "a service area may be created, altered, or abolished only with the approval of a majority of those voting on the question within the area affected" refers to the addition or abolition of services within an existing service area, as well as modification of service area boundaries.

[Section 10.02\(8\):](#)

This paragraph provides that conveyance of an interest in real property "dedicated" to public park or recreational purposes requires a majority vote of the people. The term "dedicated" is intended to indicate formal designation of the land in question for permanent or long-term park or recreational purposes. Land intended for ultimate use for some other purpose may be used in the interim for park or recreational purposes without triggering the election requirement of this paragraph.

[Section 13.06\(b\):](#)

This paragraph, combined with the definitions of "categories" and "appropriations," enables the assembly to determine at the time the budget is enacted precisely which funds are subject to transfer by the mayor and which are not. If the assembly wishes to exercise especially close fiscal control over an agency or department, it may budget with particularity. Conversely, if the assembly appropriates a lump sum to a particular agency, it is, in effect, authorizing the mayor to determine priorities for actual expenditures for that agency.

[Section 16.02](#)

This section permits the sale of a utility to be started by initiative. A valid initiative petition would go directly to a vote on the question of sale with three-fifths of the vote required for approval.

[Section 16.03](#)

The intent of [section 16.03](#) is to retain the municipal ownership of the Anchorage Telephone Utility and to ensure that the utility, to the maximum extent allowed by law, can function free of governmental or political interference by the municipal government. To that end, [16.03\(h\)](#) provides that only the specific provisions of [section 16.03](#), 16.02, and article II of the Anchorage Municipal Charter shall apply to the utility unless other provisions of state law applicable to home rule municipalities apply to the operation and management of the utility. Accordingly, other provisions of the Charter which are not specifically incorporated into [section 16.03](#) do not apply to the operation, management, or organization of the Anchorage Telephone Utility. Unless specifically required by state law applicable to home rule municipalities, the role of the assembly and the executive branch is limited to the specific functions enumerated in [section 16.03](#).

Under subsection [16.03\(h\)](#) the assembly is required to amend the Anchorage Municipal Code as is necessary to ensure that government oversight of the Anchorage Telephone Utility is reduced to the minimum. Present ordinances governing the municipal purchasing, employee relations, personnel management, provision of inter-governmental services such as accounting and data processing, are to be amended to exempt the utility from their application and to allow its board of directors the necessary discretion to manage and operate the utility as an independent municipal agency under [section 16.03](#).

[Section 17.04\(a\)](#):

This section should be read as though there were a comma after the word "employment." It bars an elected municipal officer from compensated municipal employment and from elected municipal or state office, but not from non-elected state employment.

[Section 17.11](#)

As used in this Charter, "may" is permissive, "shall" is mandatory, and "may not" or "shall not" are prohibitive.

[Section 19.04](#)

It is intended that the mayor take office immediately upon certification of his election.

[Section 19.11\(c\)](#):

The protections afforded by this section are not limited by [section 19.06](#), which gives the mayor transitional power to choose between conflicting ordinances, nor by [section 19.05](#), which preserves all current ordinances until they are repealed or amended by the new government.

[Section 19.12\(b\)](#):

This section states that the assembly shall "prepare" certain transitional budgets. It is intended that the administration devise proposed budgets for presentation to the assembly, which, in turn, will modify the proposals and approve the final budgets.

[Section 19.14](#)

[Section 19.14](#)(b) calls for an interim utility commission to be appointed. Any action taken pursuant to the interim utility commission's report must be consistent with the five-year dedication of profits called for in [section 19.14](#)(a).

These commission comments are agreed upon by the members of the charter commission at Anchorage, Alaska, this 20th day of August, 1975.

s/ FRANK M. REED
FRANK M. REED, Chairman

s/ JOE P. JOSEPHSON
JOE P. JOSEPHSON, Vice-Chairman

s/ JANE ANGVIK
JANE ANGVIK

s/ FRED CHIEI, JR.
FRED CHIEI, JR.

s/ RICHARD W. FISCHER
RICHARD W. FISCHER

s/ MARY R. FROHNE
MARY R. FROHNE

s/ SHARI T. HOLMES
SHARI T. HOLMES

s/ LISA PARKER
LISA PARKER

s/ JIM PARSONS
JIM PARSONS

s/ BILL SHEFFIELD
BILL SHEFFIELD

s/ ARLISS STURGULEWSKI
ARLISS STURGULEWSKI

ATTEST:

s/ PATRICIA M. ZANTEK

PATRICIA M. ZANTEK
Executive Secretary