

KETCHIKAN CHARTER COMMISSION

AGENDA STATEMENT

NO G-2

MEETING OF January 30, 2004

ITEM TITLE Structuring the writing of the Charter SUBMITTED BY John Harrington

SUMMARY STATEMENT:

In order to give the public as much information about the content of the documents produced by the Commission, it has been suggested that the Charter be broken into sections and one or two at a time be prepared with alternatives to the Ketchikan Charter, i.e. wording from the Haines, Sitka and Juneau charters) listed under the prior Ketchikan document's wording.

An example of this type of formatting is attached for discussion purposes.

RECOMMENDED ACTION:

"I recommend the presentation of alternatives to the City of Ketchikan 2001 Charter be formatted into documents and be made available to the public prior to the Commission's discussions."

PREAMBLE

We, the people of the greater Ketchikan area, in order to form an efficient and economical government with just representation, do hereby ordain and establish this Charter of the Municipality of Ketchikan.

☒ Continue Summary Statement

☐ Continue Recommended Action

Sitka Alternative: [We, the people of the Greater Sitka area, in order to form an efficient and economical government with just representation, do hereby ordain and establish this Charter of the City and Borough of Sitka.]

Juneau Alternative: [We, the people of the greater Juneau-Douglas area, exercising the powers of home rule granted by the Constitution of the State of Alaska, in order to provide for local government responsive to the will of the people and to the continuing needs of the community, do hereby ratify and establish this Charter of the City and Borough of Juneau, Alaska.]

Haines Alternative: [We the people of the Haines Borough, exercising the powers of home rule granted by the Constitution of the State of Alaska, in order to achieve common goals, to support individual rights, to form a more responsive government, and to secure maximum control of our own local affairs, hereby establish this charter. This charter guarantees to the people of the Haines Borough the following rights that are in addition to the rights guaranteed by the Constitution of the United States of America and the Constitution of the State of Alaska:

The right to a government of the people, by the people and for the people, which safeguards our diversity, harmony between neighbors and respect for the environment; The right to access a well maintained public record of all actions of public officials in accordance with this charter, so that the citizens of the borough may retain control over the affairs of their government; The right to enjoyment of private property, chosen lifestyles, traditions, employment, and recreational activities without unnecessarily restrictive or arbitrary laws or regulations.]

ARTICLE I NAME, BOUNDARIES AND POWERS

Section 1.01 Name

The municipal corporation shall be known as "Municipality of Ketchikan." Whenever it deems in the public interest to do so, the municipality may use the name "Ketchikan."

Sitka Alternative: [The municipal corporation shall be known as "Sitka." Whenever it deems it in the public interest to do so, the municipality may use the name "City and Borough of Sitka."]

Juneau Alternative: [The municipality shall be a municipal corporation known as "THE CITY AND BOROUGH OF JUNEAU, ALASKA."]

Haines Alternative: [The municipal corporation shall be known as the Haines Borough.]

Section 1.02 Type and Class of Government

Ketchikan shall be a home rule borough and shall operate as an "assembly manager" form of government.

Sitka Alternative: [No comparable section.]

Juneau Alternative: [No comparable section.]

Haines Alternative: [The Haines Borough government is a home rule borough established by the voters through the consolidation of the former first class City of Haines and the former third (second) class Haines Borough (Ketchikan Gateway Borough). The Haines Borough shall operate as a manager form of government.]

Section 1.03 Boundaries

☒ Continue Summary Statement

☐ Continue Recommended Action

The boundaries of the Municipality shall be the same as the boundaries of the Ketchikan Gateway Borough as they exist on the date of ratification of this Charter. The boundaries of the Municipality may be changed in the manner provided by law.

Sitka Alternative: [The boundaries of Sitka Borough as they exist on the date of ratification of this Charter or hereafter are legally modified.]

Juneau Alternative: [On July 1, 1970, the boundaries of the municipality shall be co-extensive with the boundaries of the Greater Juneau Borough existing on June 30, 1970.]

Haines Alternative: [The boundaries of the Haines Borough shall include all areas within the borough on the date of ratification of this charter. The boundaries may be altered in the manner provided by law.]

Section 1.04 Powers

The Municipality may exercise all powers of a home rule borough not prohibited by law or by this Charter. All powers of the Municipality shall be exercised in the manner prescribed by this Charter or applicable laws or, if the manner is not thus prescribed, then in such a manner as the Assembly or other authority may prescribe.

Sitka Alternative: [The municipality may exercise all powers of home rule cities or boroughs not prohibited by law or by this Charter.]

Haines Alternative: [The Haines Borough may exercise all powers available to a home rule borough, not prohibited by law or this charter.]

Juneau Alternative: (a separate section on powers) [— POWERS

Section 2.1. POWERS. The municipality may exercise all powers not prohibited to home rule cities or boroughs by law or by this Charter.

Section 2.2. CONSTRUCTION. The powers of the municipality shall be liberally construed. The specific enumeration of a particular power in this Charter shall not be construed as limiting the powers of the municipality.

Section 2.3. INTERGOVERNMENTAL RELATIONS. The municipality may exercise any of its powers or perform any of its functions and may participate in the financing thereof, jointly or in cooperation, by agreement with any one or more local governments, the State, or the United States, or any agency or instrumentality of these governments.]