

**KETCHIKAN CHARTER COMMISSION**  
AGENDA STATEMENT

NO   F-1  

MEETING OF **February 27, 2004**

ITEM TITLE Review and acceptance of the Articles IV, V, VI and VII of the Ketchikan 2004 DRAFT Charter SUBMITTED BY John Harrington
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SUMMARY STATEMENT

At the last regular meeting, the Commission amended and voted on Articles IV, V, VI and VII for the Ketchikan 2004 DRAFT Charter, utilizing a comparison document between the Ketchikan 2001 Charter and the Haines, Sitka, Juneau successfully adopted charters.

[Formatting note: Wording added to the Charter is underlined. Areas of concern or questions are highlighted.]

RECOMMENDED ACTION:

"I move to approve Articles IV, V, VI and VII of the Ketchikan 2004 DRAFT Charter in the second reading."

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**ARTICLE IV: MUNICIPAL MANAGER AND ADMINISTRATIVE  
DEPARTMENTS**

**Section 4.01 Municipal Manager: Appointment, Term, Qualifications, Removal.**

There shall be a municipal manager appointed by the Assembly who shall serve at the pleasure of the Assembly. At the time of appointment, the manager need not be a resident of the municipality, but during the manager's tenure of office, the manager shall reside within the municipality. Neither the mayor nor any assemblymember may be appointed manager during the term for which the member was elected. The Assembly may suspend or remove the manager at any time by a vote of a majority of the assemblymembers.

**Section 4.02Municipal Manager: Powers and Duties.**

The manager shall be the chief administrative officer and head of the administrative branch of the municipal government. The manager shall execute the laws and ordinances and administer the government of the municipality. The manager shall:

- (a) Hire and Remove Employees. Appoint, lay off, suspend, demote, or remove all directors or heads of administrative departments and all other officers and employees of the municipality, (except personnel in the department of law, the clerk's office, school district, and employees appointed by the Assembly or their subordinates). The manager may delegate this power and duty to directors or heads of departments and other administrative officers;
- (b) Supervise Departments. Supervise and control all administrative departments, agencies, officers, and employees appointed by the manager or by agencies and officers subordinate to the manager;
- (c) Prepare Budgets. Prepare a budget annually for the general government, excluding the municipal utilities and schools, and submit it to the Assembly, be responsible for the administration of the budget after it goes into effect, and recommend to the Assembly any changes in the budget which the manager deems desirable;
- (d) Report. Submit to the Assembly a report as of the end of the fiscal year on the finances and administrative activities of the municipality for the preceding year;

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- (e) **Make Recommendations.** Keep the Assembly advised of the financial condition and future needs of the municipality and make recommendations on policy and other matters;
- (f) **Perform Other Duties.** Perform such other powers, duties, and functions as the Charter may prescribe and such powers, duties, and functions consistent with this Charter as the Assembly may prescribe.

## ARTICLE V: NOMINATIONS - ELECTIONS

## Section 5.01 General Requirements.

- (a) Regular Elections. A regular election shall be held on the first Tuesday in October of every year.
- (b) Special Elections. The Assembly, by ordinance or resolution, may call special elections.
- (c) Questions Submitted at Elections. The Assembly, by ordinance or resolution, may submit questions to the voters at a special election or at a regular election.
- (d) Notice of Elections. At least 30 days published notice shall be given of a regular or special election.
- (e) Canvassing Returns - Certificates of Election. The Assembly shall canvass the returns of all municipal elections, regular and special, and shall ascertain and declare the results thereof, provided that the Assembly may delegate this function to a board created by ordinance. The clerk shall promptly prepare, sign, and issue certificates of election, sealed with the seal of the municipality, to all persons elected to office.
- (f) Laws Governing Elections. The provisions of law applicable to municipal elections shall govern elections of this municipality insofar as they are not superseded by this Charter or by ordinance.
- (g) Nominations. Candidates for elective office shall be nominated by a petition signed by at least twenty (20) qualified voters of the municipality. No nominating petition may be accepted unless accompanied by a signed acceptance of the nomination.

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## ARTICLE VI: INITIATIVE, REFERENDUM AND RECALL

## Section 6.01 Initiative and Referendum.

The powers and rights of the initiative and referendum are reserved to the people of the municipality as prescribed by law. The assembly, by ordinance, shall regulate the procedure for their exercise.

### Section 6.02 Recall.

All incumbents of elective offices of the municipality, including persons chosen to fill vacancies in such offices, shall be subject to recall from office by the qualified voters of the municipality. Procedures and grounds for recall shall be such as prescribed by law. The Assembly, by ordinance, may further regulate the recall insofar as such regulation is not in conflict with the state constitution or law.

## ARTICLE VII: PLANNING

## Section 7.01 Planning Commission.

- (a) Membership. There shall be a Planning Commission consisting of seven members who shall be appointed by the Assembly from among the qualified voters of the Municipality and who shall serve for terms of three (3) years unless removed by the Assembly for cause. Members shall hold no other municipal office.
- (b) Term and powers and duties. The powers and duties of the Planning Commission shall be established by an ordinance approved by the Assembly.