

Chapter 03

ORDINANCES; RESOLUTIONS; REGULATIONS

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Section 1.03.010 **Ordinance Procedure.**

- A. A proposed ordinance is introduced by the Mayor or two Council Members, or by a committee of the Council, at any lawful council meeting.
- B. After the ordinance is introduced and discussed, the Council shall vote on whether to set the time and date for a public hearing on the ordinance. The public hearing on the proposed ordinance shall follow the date the notice was published by at least five days.
- C. At the public hearing, copies of the proposed ordinance shall be available to all persons present who request them or the proposed ordinance shall be read in full. During the public hearing the Council shall hear all interested persons wishing to be heard. After the hearing, the Council shall consider the proposed ordinance and may adopt it with or without amendment. The Council shall make available copies of the adopted ordinance.
- D. If a proposed ordinance is amended by the Council after the public hearing, and the amendments are so substantial that they change the ordinance's basic character, the proposed ordinance shall be treated as a newly-introduced proposed ordinance.

Section 1.03.020 **Ordinance Form and Content.**

All ordinances enacted by the Council shall be in substantially the following form:

- A. The heading: "City of Cold Bay, Alaska;"
- B. The Ordinance Number;

- C. The title, which summarizes the ordinance’s provisions and includes any penalties imposed;
- D. The enacting clause which shall read: “BE IT ENACTED BY THE COUNCIL OF THE CITY OF COLD BAY, ALASKA;”
- E. The provisions of the ordinance;
- F. The dates of introduction, first reading, and public hearing;
- G. The date of adoption;
- H. Space for the signature of the Mayor; and
- I. Space for the Clerk’s signature attesting to the signature of the Mayor.

The form appearing at the end of this chapter illustrates the form set out in this section and is suggested for use by Council Members.

Section 1.03.030 Emergency Ordinances.

- A. To meet public emergencies the Council may adopt emergency ordinances effective on adoption. Each emergency ordinance shall contain a finding by the Council that an emergency exists and a statement of the facts upon which the finding is based. The ordinance may be adopted, amended and adopted, or rejected at the meeting at which is it introduced. The affirmative vote of all members present or the affirmative vote of three-fourths of the total council membership, whichever is less, is required for adoption. The Council must type or print and make available copies of adopted emergency ordinances.
- B. An emergency ordinance may not be used to levy taxes; to grant, renew, or extend a franchise; or to regulate the rate charged by a public utility for its services. An emergency ordinance is effective for a maximum of 60 days.

Section 1.03.040 Ordinances Confined to Single Subject.

Every ordinance shall be confined to one subject unless it is an appropriation ordinance or one codifying, revising, or rearranging existing ordinances. Ordinances for appropriations shall be confined to appropriations. The subject of each ordinance shall be expressed in the title.

Section 1.03.050 Requirements for Passage.

- A. Four affirmative votes are required for the passage of an ordinance. The final vote on an ordinance is a recorded roll call vote.
- B. If State law requires an ordinance to be submitted to the voters at a city election, the ordinance is adopted after the election favoring the ordinance has been certified by the Council.

Section 1.03.060 **Signature.**

Each adopted ordinance shall be signed by the Mayor and attested by the clerk.

Section 1.03.070 **Ordinance File.**

The City Clerk shall keep a separate permanent file for all ordinances. This file shall contain all ordinances introduced, passed, failed, and repealed. A table of contents shall indicate the status of each ordinance. All ordinances shall be available for public inspection.

Section 1.03.080 **Formal Acts by Resolution.**

- A. Formal acts by the Council not required by law to be enacted by ordinance and not being acts of a general and permanent nature may be adopted by resolution. A resolution shall have:
1. The heading "City of Cold Bay, Alaska;"
 2. Space for a number to be assigned: "Resolution No. ____";
 3. A short and concise title descriptive of the resolution's subject and purpose;
 4. Short premises or WHEREAS clauses descriptive of the reasons for the resolution, if necessary;
 5. The resolving clause "Be it Resolved;"
 6. The date of adoption;
 7. Space for the signature of the Mayor; and
 8. Space for the Clerk's signature attesting to the signature of the Mayor.
- B. All resolutions adopted by the Council whether at the request of a third party or on the motion of the Council shall conform to the requirements set forth in this section. Resolutions shall not be included in the Code, but shall be kept in a separate permanent file by the City Clerk and shall be available for public inspection.
- C. The form appearing at the end of this chapter illustrates the form set out and is suggested for use by Council Members.

Section 1.03.090 **Process for Resolutions.**

- A. Every resolution shall be introduced in writing.
- B. At any meeting where a resolution is to be introduced, all interested persons shall, prior to the vote of the Council, be given an opportunity to be heard concerning that resolution. After such a hearing, the Council may finally pass such a resolution with or without amendments. After adoption, every resolution shall be posted in full on the city website, city bulletin board and in such other places as the Council may direct. Every resolution, unless it shall specify a later

date, shall become effective upon adoption. If the resolution is submitted at a city election when State law requires, then after the election favoring the resolution has been certified by the Council, the resolution may be adopted.

Section 1.03.100 Requirements for passage for Resolution.

Four affirmative votes are required for the passage of a resolution. The final vote on each resolution is a recorded roll call vote.

Section 1.03.110 Rules and Regulations.

Any rule or regulation made by an administrative officer or board or commission shall be posted ten days in three public places following its approval by the Council.

Section 1.03.120 Code of Regulations.

- A. The Council may in a single ordinance adopt or amend by reference provisions of a standard published code of regulations. The regular ordinance procedure applies except that neither the code of regulations nor its amendments need to be distributed to the public or read in full at the hearings.
- B. Only the adoption ordinance needs to be printed after adoption.

CITY OF COLD BAY, ALASKA
ORDINANCE NO. _____

AN ORDINANCE of the City of Cold Bay _____

BE IT ENACTED BY THE COLD BAY CITY COUNCIL AS FOLLOWS:

Sections:

- 1.
- 2.
- 3.

Section 1.

Section 2.

Section 3.

DATE INTRODUCED: _____

FIRST READING: _____

PUBLIC HEARING: _____

PASSED and APPROVED by the COLD BAY CITY COUNCIL this _____ day of 20____.

Mayor

ATTEST:

City Clerk

CITY OF COLD BAY, ALASKA
RESOLUTION NO. _____

A RESOLUTION of the City of Cold Bay _____

WHEREAS; and

WHEREAS; and

WHEREAS; and

WHEREAS,

NOW THEREFORE BE IT RESOLVED:

PASSED and APPROVED by the COLD BAY CITY COUNCIL this ___ day of _____, 20__.

Mayor

ATTEST:

City Clerk