

**ANCHORAGE, ALASKA
AO No. 2025-18**

1 **AN ORDINANCE OF THE ANCHORAGE ASSEMBLY SUBMITTING TO THE**
2 **QUALIFIED VOTERS OF THE MUNICIPALITY OF ANCHORAGE A BALLOT**
3 **PROPOSITION AMENDING THE HOME RULE CHARTER TO UPDATE THE**
4 **CHARTER TEXT WITH CORRECTIONS FOR GRAMMAR AND LEGAL RULINGS**
5 **AND ENSURE EFFICIENT GOVERNMENT.**

6
7 **THE ANCHORAGE ASSEMBLY ORDAINS:**

8
9 **Section 1.** Pursuant to state law and the Anchorage Municipal Charter, a ballot
10 proposition in substantially the following form shall be placed on the ballot and
11 submitted to the qualified voters of the Municipality at the next regular municipal
12 election on April 1, 2025

13 PROPOSITION NO. __

14
15 **CHARTER AMENDMENTS**
16 **FOR LEGAL AND GRAMMATICAL CORRECTIONS**
17 **AND TO ENSURE EFFICIENCY**
18

19
20 This proposition would amend Anchorage Municipal Charter Sections 13.10
21 as follows (**underlined and bolded words** are proposed new words;
22 [~~strikeouts in bold~~] are proposed deletions):
23

24
25 **ARTICLE II. BILL OF RIGHTS**
26

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

31 *** **

32 (2) The right of immunity from the creation or alteration of a service
33 area, except upon a vote within the area affected **or upon**
34 **action allowed or required by state law.**

35 *** **

36
37 (4) The right of immunity from **the initial establishment or an**
38 **increase in** sales taxes **by ordinance**, except upon approval
39 by three-fifths (3/5) of the qualified voters voting on the
40 question[, ~~except the taxes imposed by Charter Section~~
41 ~~14.05 and Section 14.07 shall be effective if approved by~~
42 ~~a majority (50 percent + one) of the qualified voters voting~~
43 ~~on the question].~~

44 *** **

1 (10) The right to be heard at public hearings prior to adoption of
2 proposed six-year plans of the school system and the
3 municipality, or approval of the annual budget, or of any
4 ordinance (except an emergency ordinance as defined
5 herein).

6
7 *** **

8 **(14) The right to a simplified process to access**
9 **municipal benefits and assistance programs**
10 **through a single application.**

11 *** **

12 **ARTICLE IV. THE ASSEMBLY**

13
14 **Section 4.01. - Power, composition and apportionment.**

15
16 The legislative power of Anchorage is vested in an assembly of 12
17 members. There shall be six election districts; each shall have two
18 assembly members, and they shall be formed of compact and contiguous
19 territory containing as nearly as practicable a relatively integrated
20 socioeconomic area. The assembly shall be reapportioned whenever it
21 becomes malapportioned, **unless less than one year remains before**
22 **commencement of the next federal decennial census.** The assembly
23 shall determine and declare by resolution whether or not it is
24 malapportioned within two months from:

25
26 (1) Adoption of a final state redistricting plan under art. VI, sec.
27 10, Constitution of the State of Alaska;

28
29 If the assembly determines that it is malapportioned, it shall, within
30 six months of the determination, reapportion itself in the manner
31 provided by law.

32
33 (AO No. 2006-154, prop. 10, 4-17-07; AO No. 2019-82, Prop. 12, 10-8-
34 19/election of 4-7-20)

35 *** **

36
37 **ARTICLE V. THE EXECUTIVE BRANCH**

38 *** **

39
40 **Section 5.03. – Manager.**

41
42 (a) There shall be a manager appointed by the mayor and confirmed by
43 the assembly. The manager serves at the pleasure of the mayor. The
44 manager is selected solely on the basis of professional qualifications.
45 The manager need not be a resident of the municipality at the time
46 of appointment but must be a resident while in office.

47
48 (b) The manager is responsible to the mayor for the overall conduct of
49 the administrative functions of the municipality, **except those**

**administrative functions the assembly requires for the exercise
of its legislative functions.**

*** **

ARTICLE VII. VACANCIES IN ELECTIVE OFFICE

*** **

Section 7.02. - Filling 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 chair of the assembly shall serve as acting mayor until a successor is elected and takes office, **at which time the person returns to the assembly seat and role of chair of the assembly unless an intervening election or reorganization supersedes such return.** 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.

*** **

ARTICLE IX. SERVICE AREAS AND 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, **except**
- (1) [~~or,~~] if no qualified voter resides within the area, with the written consent of the owners of all real property within the area affected;[.]**
 - (2) state law allows or requires alteration, including annexation or deannexation, by ordinance or other means without a vote;**
 - (3) [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; or**
 - (4) A service area that ceases providing such services for which it was created and has not levied taxes for same for more than three fiscal years may be abolished by ordinance.**

*** **

ARTICLE X. LEGISLATION

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2 *** **

3 **Section 10.02. - Actions requiring an ordinance.**

4
5 In addition to other actions which require an ordinance, the assembly shall
6 use ordinances to:

7
8 *** **

- 9 (8) Convey or lease, or authorize the conveyance or lease, of any
10 interest in lands of the municipality. An ordinance conveying
11 an interest, **other than a utility easement**, in real property
12 dedicated to public park or recreational purposes is valid only
13 upon approval by a majority of those voting on the question at
14 a regular or special election. The assembly shall publish
15 notice of the election, including a description of the property
16 by proper place name and legal description, and the terms and
17 conditions of the conveyance.

18 *** **

19
20 **ARTICLE XIII. FINANCE**

21 *** **

22 **Section 13.10. - Financial and internal audit.**

23
24 **(a)** The assembly shall provide for an annual independent audit of all
25 municipal accounts by a certified public accountant. The audit shall
26 be completed within 90 days following the close of the fiscal year.

27
28 **(b)** **The assembly may, by ordinance, establish an office of internal**
29 **audit, with such responsibilities as it may prescribe. The**
30 **director of internal audit shall be appointed by the mayor and**
31 **confirmed by the assembly and may be dismissed by the mayor**
32 **only with the concurrence of a majority of the assembly. The**
33 **term of office of the director may be prescribed by ordinance.**

34
35 *** **

36 **ARTICLE XVI. MUNICIPAL UTILITIES**

37
38 **Section 16.01. - Municipal utilities.**

39
40 ~~**[(d) This section shall not apply to the Anchorage Telephone Utility.]**~~
41 (Initiative, prop. 32, 10-1-91)

42
43 *** **

44 **Section 16.03. - Anchorage Telephone Utility. (Repealed)**

45
46 ~~**[(a) The Anchorage Telephone Utility shall be governed by a board**~~
47 ~~**of directors consisting of five members. Directors shall serve**~~
48 ~~**for staggered terms of five years and are appointed to office by**~~
49 ~~**the assembly upon nomination by the mayor or by a member of**~~
50 ~~**the assembly and after a public hearing. Exercise of the power**~~

1 ~~of the veto by the mayor shall not extend to actions of the~~
2 ~~assembly with respect to appointment of directors. In~~
3 ~~connection with the operation and management of the utility,~~
4 ~~the board may exercise any power unless provided otherwise in~~
5 ~~this section, article II of the Charter, or prohibited by state law.~~
6 ~~Any director may be removed at any time upon a vote of at least~~
7 ~~eight members of the assembly, or a vote of at least six~~
8 ~~members of the assembly and concurrence of the mayor given~~
9 ~~within seven days after the assembly's action.~~

10
11 ~~(b) The utility shall be operated and compete in accordance with~~
12 ~~prevailing industry practices and in a manner which will provide~~
13 ~~a dividend to the municipality.~~

14
15 ~~(c) The board of directors may incur debt for the utility and may~~
16 ~~exercise the power of eminent domain on its behalf only with~~
17 ~~prior approval of the assembly. The assembly by ordinance~~
18 ~~shall determine the extent to which it will approve the rates, fees~~
19 ~~and charges imposed by the utility. The assembly may annually~~
20 ~~appropriate to the general fund any amount of utility revenues~~
21 ~~in excess of that required to discharge the utility's service~~
22 ~~obligations, meet its approved capital improvement program,~~
23 ~~and maintain financial integrity.~~

24
25 ~~(d) The Anchorage Telephone Utility and its board of directors shall~~
26 ~~be subject to the authority of the municipal ombudsman as~~
27 ~~provided by ordinance.~~

28
29 ~~(e) The compensation for the Anchorage Telephone Utility board of~~
30 ~~directors shall be determined by the commission on salaries~~
31 ~~and emoluments in the same manner as provided for elected~~
32 ~~officials in section 5.08(c) and section 5.08(d) of this Charter.~~

33
34 ~~(f) The Anchorage Telephone Utility shall operate on the same~~
35 ~~fiscal year as the Municipality of Anchorage, and shall submit~~
36 ~~its budget to the mayor on the same schedule as that required~~
37 ~~of other municipal utilities. The assembly shall have final~~
38 ~~approval of the utility budget.~~

39
40 ~~(g) In addition to any amounts the assembly may appropriate~~
41 ~~pursuant to subsection (c) of this section, the Anchorage~~
42 ~~Telephone Utility shall pay a municipal utility service~~
43 ~~assessment if established by the Anchorage Assembly by~~
44 ~~ordinance.~~

45
46 ~~(h) Only the provisions of this section, section 16.02 and article II~~
47 ~~of this Charter, and state law applicable to home rule~~
48 ~~municipalities shall apply to the utility. The assembly, by~~
49 ~~ordinance, shall implement this section to provide for the~~
50 ~~independent management and operation of the utility consistent~~

1 ~~with this section. Exercise of the power of veto by the mayor~~
2 ~~shall not extend to enactment of legislation by the assembly~~
3 ~~required by this subsection.]~~
4

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

6 *** **

7
8 **ARTICLE XVII GENERAL PROVISIONS**

9
10 **Section 17.01. - Equity and Equal rights.**

11
12 **(a)** The assembly shall enact ordinances against invidious discrimination
13 in housing, public accommodations, employment, education, and
14 financing practices on the basis of race, religion, age, sex, color,
15 national origin, marital status, or physical disability.

16
17 **(b)** The assembly may, by ordinance, establish an office to analyze
18 and identify systemic inequities in the municipality, with such
19 responsibilities as it may prescribe. The director shall be
20 appointed by the mayor and confirmed by the assembly and
21 may be dismissed by the mayor only with the concurrence of a
22 majority of the assembly.

23
24 *** **

25 **Section 17.04. - Prohibitions.**

26
27 **(a)** Except where authorized by ordinance, an elected official of the
28 municipality may hold no other compensated municipal office or
29 employment, or elected position under the state or municipality while
30 in office.

31 *** **

32 *[NOTE: see charter commission commentary: "Section 17.04(a):*
33 *This section should be read as though there were a comma after the word*
34 *"employment." It bars an elected municipal officer from compensated municipal*
35 *employment and from elected municipal or state office, but not from non-elected*
36 *state employment."]*

37
38 *** **

39
40 **Section 17.06. - Access to municipal benefits and assistance**
41 **programs [Notice of claims. (Repealed)].**

42
43 The municipality shall, to the greatest extent possible,
44 ease the access by residents to its benefits and
45 assistance programs, and shall simplify its processes to
46 require the submission of only one application to apply
47 for all benefits.

48
49 *** **

50 **Section 17.10. - Municipal name.**

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

*** *** ***

Section 17.13. - Definitions.

*** *** ***

(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.

*** *** ***

ARTICLE XVIII. CHARTER AMENDMENT

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.

Shall the Anchorage Municipal Charter be amended as set forth above?

Yes [] No []

Section 2. This ordinance shall become effective immediately upon passage and approval by two-thirds of the total membership of the Assembly in accord with Charter § 18.02. The proposition's amendments shall be incorporated into the Home Rule Charter for the Municipality of Anchorage and be effective only if certified as approved by a majority of the qualified voters voting on said proposition at the regular municipal election of April 1, 2025.

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

_____ Chair

ATTEST:

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Municipal Clerk



**MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM**

No. AM 71-2025

Meeting Date: January 7, 2025

1 **From: Assembly Vice Chair Zaletel**

2
3 **Subject: AN ORDINANCE OF THE ANCHORAGE ASSEMBLY SUBMITTING**
4 **TO THE QUALIFIED VOTERS OF THE MUNICIPALITY OF**
5 **ANCHORAGE A BALLOT PROPOSITION AMENDING THE HOME**
6 **RULE CHARTER TO UPDATE THE CHARTER TEXT WITH**
7 **CORRECTIONS FOR GRAMMAR AND LEGAL RULINGS AND**
8 **ENSURE EFFICIENT GOVERNMENT.**

9
10
11 The proposed ordinance was produced through informal collaboration between both
12 branches of the municipal government with the goal of cleaning up longstanding
13 issues in the Municipal Charter. The ordinance would submit to the qualified voters
14 of Anchorage a ballot proposition which would amend to the Charter in several
15 places to correct grammatical errors, address internal conflicts, and bring its
16 language into alignment with State law and legal precedent. Additionally, it would
17 increase the efficiency of the municipal government by creating a single application
18 process for all benefits and services administered by and through the municipality.

19
20 **I request your support for the ordinance.**

21
22 Prepared by: Assembly Counsel's Office

23
24 Respectfully submitted: Meg Zaletel, Assembly Vice Chair
25 District 4 – Midtown Anchorage
26
27
28
29