

**ANCHORAGE, ALASKA
AO No. 2025-18(S)**

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 *** **

(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 of any ordinance (except an emergency ordinance as defined herein).

*** **

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

*** **

ARTICLE IV. THE ASSEMBLY

Section 4.01. - Power, composition and apportionment.

The legislative power of Anchorage is vested in an assembly of 12 members. There shall be six election districts; each shall have two assembly members, and they 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, **unless less than one year remains before commencement of the next federal decennial census.** 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; AO No. 2019-82, Prop. 12, 10-8-19/election of 4-7-20)

*** **

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. The manager 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, **except those**

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

*** **

ARTICLE VII. VACANCIES IN ELECTIVE OFFICE

*[NOTE: current text of Charter Section 7.01, which was omitted from original AO, is
inserted in the (S) version without markup and then amended as indicated]*

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 sworn into an elected office of the state or federal government;**
- (7)** Is removed from office for breach of the public trust.

*** **

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.

1 (a) A service area may be created, altered, or abolished only with the
2 approval of a majority of those voting on the question within the area
3 affected, **except**

4
5 **(1) [or,]** if no qualified voter resides within the area, with the written
6 consent of the owners of all real property within the area
7 affected;[.]

8
9 **(2) state law allows or requires alteration, including**
10 **annexation or deannexation, by ordinance or other means**
11 **without a vote;**

12
13 **(3) [However,]** the assembly, by ordinance may consolidate
14 service areas in which services are provided by the
15 municipality at the same level in each of the areas to be
16 consolidated; **or**

17
18 **(4) A service area that ceases providing such services for**
19 **which it was created and has not levied taxes for same for**
20 **more than three fiscal years may be abolished by**
21 **ordinance.**

22
23 *** **

24 **ARTICLE X. LEGISLATION**

25
26 *** **

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

28
29 In addition to other actions which require an ordinance, the assembly shall
30 use ordinances to:

31
32 *** **

33 (8) Convey or lease, or authorize the conveyance or lease, of any
34 interest in lands of the municipality. An ordinance conveying
35 an interest, **other than a utility easement,** in real property
36 dedicated to public park or recreational purposes is valid only
37 upon approval by a majority of those voting on the question at
38 a regular or special election. The assembly shall publish
39 notice of the election, including a description of the property
40 by proper place name and legal description, and the terms and
41 conditions of the conveyance.

42
43 *** **

44 **ARTICLE XIII. FINANCE**

45
46 *** **

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

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

1
2 **(b) The assembly may, by ordinance, establish an office of internal**
3 **audit, with such responsibilities as it may prescribe. The**
4 **director of internal audit shall be appointed by the mayor and**
5 **confirmed by the assembly and may be dismissed by the mayor**
6 **only with the concurrence of a majority of the assembly. The**
7 **term of office of the director may be prescribed by ordinance.**
8

9 *** **

10 **ARTICLE XVI. MUNICIPAL UTILITIES**

11 **Section 16.01. - Municipal utilities.**

12 *** **

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

15 *** **

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

17
18
19
20 ~~**[(a) The Anchorage Telephone Utility shall be governed by a board**~~
21 ~~**of directors consisting of five members. Directors shall serve**~~
22 ~~**for staggered terms of five years and are appointed to office by**~~
23 ~~**the assembly upon nomination by the mayor or by a member of**~~
24 ~~**the assembly and after a public hearing. Exercise of the power**~~
25 ~~**of the veto by the mayor shall not extend to actions of the**~~
26 ~~**assembly with respect to appointment of directors. In**~~
27 ~~**connection with the operation and management of the utility,**~~
28 ~~**the board may exercise any power unless provided otherwise in**~~
29 ~~**this section, article II of the Charter, or prohibited by state law.**~~
30 ~~**Any director may be removed at any time upon a vote of at least**~~
31 ~~**eight members of the assembly, or a vote of at least six**~~
32 ~~**members of the assembly and concurrence of the mayor given**~~
33 ~~**within seven days after the assembly's action.**~~

34
35 ~~**(b) The utility shall be operated and compete in accordance with**~~
36 ~~**prevailing industry practices and in a manner which will provide**~~
37 ~~**a dividend to the municipality.**~~

38
39 ~~**(c) The board of directors may incur debt for the utility and may**~~
40 ~~**exercise the power of eminent domain on its behalf only with**~~
41 ~~**prior approval of the assembly. The assembly by ordinance**~~
42 ~~**shall determine the extent to which it will approve the rates, fees**~~
43 ~~**and charges imposed by the utility. The assembly may annually**~~
44 ~~**appropriate to the general fund any amount of utility revenues**~~
45 ~~**in excess of that required to discharge the utility's service**~~
46 ~~**obligations, meet its approved capital improvement program,**~~
47 ~~**and maintain financial integrity.**~~
48

1 ~~(d) The Anchorage Telephone Utility and its board of directors shall~~
2 ~~be subject to the authority of the municipal ombudsman as~~
3 ~~provided by ordinance.~~

4
5 ~~(e) The compensation for the Anchorage Telephone Utility board of~~
6 ~~directors shall be determined by the commission on salaries~~
7 ~~and emoluments in the same manner as provided for elected~~
8 ~~officials in section 5.08(c) and section 5.08(d) of this Charter.~~

9
10 ~~(f) The Anchorage Telephone Utility shall operate on the same~~
11 ~~fiscal year as the Municipality of Anchorage, and shall submit~~
12 ~~its budget to the mayor on the same schedule as that required~~
13 ~~of other municipal utilities. The assembly shall have final~~
14 ~~approval of the utility budget.~~

15
16 ~~(g) In addition to any amounts the assembly may appropriate~~
17 ~~pursuant to subsection (c) of this section, the Anchorage~~
18 ~~Telephone Utility shall pay a municipal utility service~~
19 ~~assessment if established by the Anchorage Assembly by~~
20 ~~ordinance.~~

21
22 ~~(h) Only the provisions of this section, section 16.02 and article II~~
23 ~~of this Charter, and state law applicable to home rule~~
24 ~~municipalities shall apply to the utility. The assembly, by~~
25 ~~ordinance, shall implement this section to provide for the~~
26 ~~independent management and operation of the utility consistent~~
27 ~~with this section. Exercise of the power of veto by the mayor~~
28 ~~shall not extend to enactment of legislation by the assembly~~
29 ~~required by this subsection.]~~

30
31 (Initiative, prop. 32, 10-1-91)

32
33 *** **

34 **ARTICLE XVII GENERAL PROVISIONS**

35
36 **Section 17.01. - Equity and Equal rights.**

37
38 **(a)** The assembly shall enact ordinances against invidious discrimination
39 in housing, public accommodations, employment, education, and
40 financing practices on the basis of race, religion, age, sex, color,
41 national origin, marital status, or physical disability.

42
43 **(b)** **The assembly may, by ordinance, establish an office to analyze**
44 **and identify systemic inequities in the municipality, with such**
45 **responsibilities as it may prescribe. The director shall be**
46 **appointed by the mayor and confirmed by the assembly and**
47 **may be dismissed by the mayor only with the concurrence of a**
48 **majority of the assembly.**

49
50 *** **

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.

*** **

[NOTE: see charter commission commentary: "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 17.06. – Access to municipal benefits and assistance programs~~[Notice of claims. (Repealed)].~~

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

*** **

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].~~

1 **Editor's note**— In *Bruce v. Municipality of Anchorage*, case no. 3AN-
2 96-1674CI, the Alaska Superior Court held the "three-fifths" provision of this
3 charter section to be in conflict with the Alaska Constitution Art. X, sec. 9.
4

5
6 Shall the Anchorage Municipal Charter be amended as set forth above?
7

8 Yes [] No []
9

10
11 **Section 2.** This ordinance shall become effective immediately upon passage and
12 approval by two-thirds of the total membership of the Assembly in accord with
13 Charter § 18.02. The proposition's amendments shall be incorporated into the Home
14 Rule Charter for the Municipality of Anchorage and be effective only if certified as
15 approved by a majority of the qualified voters voting on said proposition at the
16 regular municipal election of April 1, 2025.
17

18 PASSED AND APPROVED by the Anchorage Assembly this _____ day
19 of _____, 2025.
20

21
22
23
24 _____
Chair

25 ATTEST:
26

27
28 _____
29 Municipal Clerk
30
31



**MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM**

No. AM XXX-2025

Meeting Date: _____, 2025

1 **From: Assembly Vice Chair Zaletel.**

2
3 **Subject: AO 2025-18(S) - AN ORDINANCE OF THE ANCHORAGE**
4 **ASSEMBLY SUBMITTING TO THE QUALIFIED VOTERS OF THE**
5 **MUNICIPALITY OF ANCHORAGE A BALLOT PROPOSITION**
6 **AMENDING THE HOME RULE CHARTER TO UPDATE THE**
7 **CHARTER TEXT WITH CORRECTIONS FOR GRAMMAR AND**
8 **LEGAL RULINGS AND ENSURE EFFICIENT GOVERNMENT.**
9

10 The proposed substitute version adds language to Charter section 7.01 to expand
11 the definition of “vacancy” to include an elected incumbent being sworn into another
12 elected office of the state or federal government. This change is designed to make
13 the Charter internally more consistent (Anchorage Municipal Charter section
14 17.04(a)) and consistent with Anchorage Municipal Code section 28.30.050.
15

16 **I request your support for the (S) version of the ordinance.**

17
18 Prepared by: Assembly Counsel’s Office

19
20 Respectfully submitted: Meg Zaletel, Assembly Vice Chair
21 District 4 – Midtown Anchorage
22
23