



City and Borough of Juneau  
City & Borough Manager's Office  
155 Heritage Way  
Juneau, Alaska 99801  
Telephone: 586-5240 | Facsimile: 586-5385

TO: Mayor Weldon and Assembly  
FROM: Rob Dumouchel, Special Project Planning Manager  
THROUGH: Katie Koester, City Manager  
DATE: 14JAN25  
RE: Rules of Construction for Title 49

In a zoning code, like Title 49, the rules of construction contain guidelines for how words are to be used, how the code is to be interpreted, and how to resolve conflicts between different elements of the code. Rules for construction are commonly found in either the general provisions at the beginning of the code, or they are packaged with the definitions section. At this time, CBJ's rules of construction are located in section 49.80.110 which immediately precedes 49.80.120 – Definitions. I'm uncertain of the context in which 49.80.110 was created. It is not very comprehensive and does not add much value to those interpreting Title 49.

I am recommending the deletion of 49.80.110 – Rules of construction and the replacement of 49.05.140 – Interpretation with the creation of 49.05.140 - Rules of construction which is significantly more comprehensive. The proposed update provides more relevant definitions and resolves common ambiguities that arise in code interpretation which is intended to allow for the more efficient review and approval of permits.

The proposed update includes guidelines for the following:

- General interpretation of Title 49
- Cross reference to CBJ 01.15.020 regarding word usage and grammatical rules
- The use of lists
- Measurement of time
- Rules of rounding for fractions
- References to other documents and regulations
- The delegation of authority in the zoning code
- How to solve conflicts between provisions

Having a clear and comprehensive set of rules of construction is an important tool for the Community Development Department. This upgrade will allow the Director and staff to more efficiently and consistently interpret Title 49 which will likely improve the experience for permit applicants and reduce wait times for permit approvals. A future amendment will address the related concept of "rules of measurement" which are provisions that set rules for how developments are measured for compliance with zoning regulations (i.e. height, distances, etc.).