


HOME RULE CHARTER

FOR THE

CITY OF DOUGLAS

PREAMBLE

We, the people of the City of Douglas, exercising the powers of home rule granted to us by the Constitution of the State of Alaska and mindful of the responsibilities which we are assuming, under God, do ordain, ratify and establish this Charter for the City of Douglas, Alaska.

PROPOSED HOME RULE CHARTER FOR THE CITY OF DOUGLAS

CHAPTER I

GENERAL PROVISIONS

DEFINITIONS AND CONSTRUCTION

Section 1.1 Except as otherwise specifically defined herein or indicated by the context, words used in this charter shall have their ordinary dictionary meanings.

(a) "Capital improvement" means a public improvement of a permanent nature.

(b) "City" means the City of Douglas.

(c) "Code" means the Code of Ordinances of the City of Douglas, including all amendments and additions.

(d) "Council" means the City Council of the City of Douglas.

(e) "Elector" means a qualified elector, as defined in Article V of the Alaska Constitution, who is registered as required by the Code.

(f) "Law" as used in this charter denotes applicable federal law, the Constitution and statutes of Alaska, the applicable common law, and this charter.

(g) "Local improvement" means public improvement specially beneficial to the property affected.

(h) "Person" extends and applies to bodies politic and corporate, and to partnerships and associations as well as to individuals.

(i) "Public improvement" means improvements to or in connection with the streets, sidewalks, parks, playgrounds, buildings, sewer systems, water system, harbor facilities, and any other real property or appurtenances thereof of the city used by the public.

(j) "Public utility" includes all common carriers in the public streets, water, sewage disposal, electric light, central heating, gas, electric power, telephone and telegraph lines and systems, garbage collections, garbage disposal and reduction plants, docks, and such other and different enterprises as the law or the Council may determine to be or designate as public utilities.

(k) "Publish" or "Published" includes the setting forth of any matter for public notice in the manner provided by law, or, where there is no applicable law, publishing at least once in one or more newspapers of the city qualified by law for the publication of legal notices and posting on the Official City Bulletin Board designated as such by the City Council.

(l) "Sign" or "signature" includes the facsimile of a signature when authorized by the Council.

(m) All words indicating the present tense are not limited to the time of the adoption of this charter, but may be extended to and include the time an event or requirement occurs to which any provision is applied.

(n) The singular includes the plural, the plural includes the singular, and the masculine gender extends to and includes the feminine gender and the neuter.

(o) "Shall" is mandatory, "may" is permissive.

(p) "Emergency" means a necessity to preserve public peace, health or safety.

CONTINUATION OF EXISTING CORPORATION

Section 1.2 The City of Douglas shall continue as a municipal corporation under the name: "The City of Douglas".

FORM OF GOVERNMENT

Section 1.3 The government of the city is the Mayor-Council form.

BOUNDARIES

Section 1.4 The boundaries of the city are the boundaries as established and on file in the records of the Clerk at the time this charter becomes effective or as such boundaries may be changed thereafter in the manner authorized by law.

POWERS OF THE CITY

Section 1.5 The city may exercise all powers not prohibited by law or by this charter.

Section 1.6 In this charter no mention of a particular power shall be construed to be exclusive or to restrict the scope of the powers which the city would have if the particular power were not mentioned. The charter shall be liberally construed to the end that the city may have all powers necessary or convenient for the conduct of its municipal affairs, including all powers that cities may assume pursuant to the provisions of the state constitution.

RECORDS TO BE PUBLIC

Section 1.7 All records relating to the general governmental affairs of the city are public records. They shall be kept in city offices, except when required for official reasons or for purposes of safekeeping to be kept elsewhere. The records shall be available at city offices for inspection, copying, or reproduction at reasonable times.

QUORUM

Section 1.8 A quorum of any board created by or under authority of this charter is a majority of its members. The Council may provide for a different number by ordinance.

SUNDAYS AND HOLIDAYS

Section 1.9 Except as otherwise provided in this charter whenever the date fixed by law for the doing or completion of any act falls on a Saturday, Sunday, or legal holiday, such act shall be done or completed on the next succeeding business day.

PENALTIES FOR VIOLATIONS

Section 1.10 Violations of the code, or any ordinance of the city may be punished by a fine or by imprisonment up to the maximums provided by state law.

NOTICE TO CITY OF CLAIM FOR INJURIES

Section 1.11

(a) The city shall not be liable in damages for injury to person or property by reason of negligence of the city, unless, within one hundred twenty days after such injury occurs, the person damaged or his representative causes a written notice to be served upon an officer of the city upon whom process may be served by law. Such notice shall state that such person intends to hold the city liable for damages and shall set forth substantially the time and place of the injury, the manner in which it occurred, the nature of the act or defect complained of, the extent of the injury so far as known, and the names and addresses of witnesses known to the claimant.

(b) No person shall bring action against the city for damages to person or property arising out of any of the reasons or circumstances aforesaid, unless such action is brought within the period prescribed by law, nor unless he has first presented to the Clerk a claim in writing and under oath, setting forth specifically the nature and extent of the injury and the amount of damages claimed. The Clerk shall refer such claim to the Council for action at the next regular meeting.

(c) Failure to give notice of injury or present a claim within the time and in the manner provided shall bar any action upon such claim.

(d) This section shall not be deemed to waive any defense of immunity which the city may have from claims for damages arising out of negligence, but shall apply in all cases where such defense is not available to the city.

CHAPTER AND SECTION HEADINGS

Section 1.12 The chapter and section headings used in this charter shall not be considered a part of the charter for any purpose.

SEVERABILITY OF CHARTER PROVISIONS

Section 1.13 If any portion of this charter is held to be invalid, such invalidity shall not affect the remainder of the charter; and to that end, this charter is declared to be severable.

CHAPTER II

OFFICERS

CITY OFFICERS

Section 2.1

(a) The elective officers of the city are six Councilmen and a Mayor.

(b) The administrative officers are all officers of the city other than elective officers.

ELIGIBILITY FOR ELECTIVE CITY OFFICE

Section 2.2

(a) To be eligible to file a nominating petition for election to a city office, a person shall be an elector of the city and shall have

been a resident of the city or of territory annexed to the city, or shall have had a combination of residence in the city and in the annexed territory for a period of not less than two years immediately preceding the date of the filing of such petition.

(b) A person appointed to fill a vacancy in an elective office must have the same qualifications at the time of his appointment as if he were filing for election.

(c) The Council shall be the judge of an election and of the qualifications of its members.

PERSONS INELIGIBLE FOR CITY OFFICE OR EMPLOYMENT

Section 2.3 A person who holds or has held an elective city office shall not be eligible for appointment to an office or for employment for which a salary is paid by the city until one year has elapsed following the term for which he was elected or appointed, unless the appointment is approved by four or more members of the Council.

NOTICE OF ELECTION OR APPOINTMENT

Section 2.4 The City Clerk shall mail to each person elected or appointed, a certificate of election or appointment within five days from the time of the election or appointment.

COMPENSATION OF OFFICERS

Section 2.5 The compensation for the service of each administrative officer and city employee shall be fixed by the council.

Section 2.6 The compensation of the mayor and councilmen shall be determined by ordinance. No increase in the compensation of the mayor or councilmen shall take effect until the council meeting following the first general city election after the increase is ordered.

OATH OF OFFICE

Section 2.7 Every officer of the city before entering upon his duties shall take the oath or affirmation required by Section 5 of Article XII, Constitution of the State of Alaska, and shall further affirm that he will uphold this charter and the laws of the City of Douglas. The Council may require designated employees to take such oath before entering upon their employment. Oaths of office shall be filed with the City Clerk.

SURETY BONDS

Section 2.8 In order to protect the city and the public, the Council may require appropriate surety bonds of officers and employees. The premium for such bonds shall be paid by the City.

GIVING OF SURETY BY OFFICERS AND EMPLOYEES FORBIDDEN

Section 2.9 No officer or employee shall give or furnish any bail, bond, or recognizance, nor shall he be the agent of any bondsman in connection with any bond which may be required by law or by

the Council.

VACANCIES IN OFFICE

Section 2.10

(a) A city office becomes vacant upon the occurrence of any of the following:

- (1) the expiration of the term of office;
- (2) the death of the incumbent;
- (3) a resignation when approved by the Council;
- (4) a removal from office in the manner provided by law;
- (5) ceasing to possess at any time the qualifications or eligibility required by this charter for election or appointment to office;
- (6) final conviction of a felony involving moral turpitude, or an offense involving a violation of an oath of office;
- (7) a judicial determination that the incumbent is of unsound mind;
- (8) a decision of a competent tribunal declaring the election or appointment of the incumbent void;
- (9) failure to take the oath or make the affirmation, or file the bond required for the office within ten days from the date of election or appointment or within such other time, not exceeding twenty days thereafter, as the Council may fix.
- (10) any other event which, by law, creates a vacancy.

(b) The Council shall provide in the code for creating vacancies in elective offices because of failure to perform the duties of office.

RESIGNATIONS

Section 2.11 Resignations of officers shall be made in writing and filed with the City Clerk, who shall immediately notify the proper officials concerned.

REMOVAL FROM OFFICE

Section 2.12

(a) The Council by an affirmative vote of at least four members may remove the City Clerk, the City Attorney, and members of boards, regardless of term of office. The person so removed from office shall have the right to a public hearing before the Council concerning the cause for his removal. Decisions of the Council are final, and there is no right to appeal therefrom.

(b) Except as provided in subsection (a) of this section, no city employee who has been employed by the City for less than six months may be discharged without just cause. An employee who feels he has been discharged arbitrarily shall, upon request, be granted a hearing by the City Council, which shall then promptly determine whether the discharge was with just cause. If the Council votes to reverse the discharge, the employee shall be immediately reinstated with back pay. If the Council upholds the discharge, the employee may seek judicial relief.

RECALL

Section 2.13 An elective officer may be recalled. The vacancy

thereby created shall be filled in the manner prescribed by law.

FILLING VACANCIES

Section 2.14

(a) If a vacancy occurs in an elective office, except in the case of recall, the Council shall fill the vacancy by appointment within thirty days thereafter. If the vacancy occurs less than twenty-four hours prior to the last date and time set for filing nominating petitions for offices to be filled at the next regular meeting of the Council next following such regular city election, it shall not be filled until the first regular meeting of the Council next following such regular city election. Each such appointment shall be for a term ending at the next regular Council meeting following the next regular city election.

(b) If a vacancy occurs in an appointive office, such vacancy shall be filled within forty-five days thereafter in the manner provided for making the original appointment. Such time may be extended, for not more than an additional ninety days, by Council resolution setting forth the reasons therefor.

DELIVERY OF OFFICE TO SUCCESSOR

Section 2.15 Whenever an officer or employee leaves an office or employment for any reason, he shall deliver forthwith to his successor in the office or to the Mayor, all property of the city such as books, working papers, moneys and effects, which are in his custody, possession, or control.

CHAPTER III

THE CITY COUNCIL

THE CITY COUNCIL

Section 3.1

(a) The Council consists of the Mayor and six Councilmen. The Mayor and each Councilman are elected from the city at large. The term of office of the Mayor and each Councilman is for two years and shall commence on the next regular Council meeting following their election. The Council exercises all of the legislative and policy-making powers of the city and provides for the performance of all duties and obligations imposed upon the city by law.

(b) The City Council shall designate and maintain an Official Bulletin Board, appropriately identified and centrally located.

TERMS OF OFFICE

Section 3.2

(a) The terms of three Councilmen shall expire in even years, and of the remaining three in odd years. The Councilmen in office at the time this charter goes into effect shall continue in office, each until the end of his term of office.

(b) The term of Mayor shall expire in odd years. The Mayor in office at the time this charter goes into effect shall continue until the end of his term of office.

(c) When appointments are made to fill vacancies in the manner provided by Section 2.14(a) of this charter, appointees shall qualify for and assume the duties of office within ten days after appointment unless such time be extended for not more than sixty days by the Council.

ORGANIZATION OF THE COUNCIL

Section 3.3 The Council shall meet and organize at the first regular meeting following each regular City election. The Council shall provide in the code for the prompt reconstitution of the Council in the event that its membership is reduced to less than a quorum.

THE MAYOR

Section 3.4

(a) The Mayor is the chief administrative officer and head of the administrative branch of the city government. He shall execute the laws and ordinances and administer the government of the city.

(b) He is the presiding officer of the Council.

(c) He may vote on matters before the Council only in the event of a tie.

(d) He shall advise the Council concerning the affairs of the city and make recommendations thereon.

(e) He has the powers conferred by law upon peace officers and shall exercise such powers as chief executive officer to prevent disorder, to preserve the public peace and health, and to provide for the safety of persons and property. He has the power to deputize such persons as necessary to carry out the provisions of this section.

(f) He shall make all required appointments subject to confirmation by the Council.

(g) He possesses the veto power. Upon vetoing an ordinance or resolution, the Mayor shall submit to the Council at its next regular meeting a written statement giving his reasons for the veto.

(h) He is the official head of the City for all ceremonial purposes.

(i) He shall perform such other duties as may be prescribed by this charter or as may be imposed by the City Council consistent with his office.

THE MAYOR PRO TEMPORE

Section 3.5 The Council shall elect a Mayor Pro Tempore who shall be a member of the Council. The duties of Mayor Pro Tempore are as set forth in this section.

(a) Vacancy in Office of Mayor: In the event the Mayor becomes deceased or resigns, the Mayor Pro Tempore automatically succeeds to the office of Mayor with all powers and duties of that office. The Council shall then appoint an additional councilman to replace the Mayor Pro Tempore on the City Council.

(b) Incapacity of Mayor: In the event the Council by majority vote of all Council members determines that the Mayor is disabled to the extent that he cannot adequately perform the duties of his office, the Mayor Pro Tempore shall succeed to the Office of Mayor with all powers of that office. No person shall be appointed to replace the Mayor Pro Tempore as a Councilman on the City Council. The Council may, at any time, by majority vote of the whole Council,

revoke its earlier determination as to disability of the Mayor, at which time the Mayor shall automatically reassume the duties of the office and the Mayor Pro Tempore shall return to his seat on the Council.

(c) Temporary Absence of Mayor: At any time when the Mayor is temporarily unable to preside at City Council meetings, the Mayor Pro Tempore shall act in his place. In the case of such temporary absence, the Mayor Pro Tempore shall not assume any of the powers of the Mayor, outside of his authority to preside at Council meetings and his authority as ceremonial head of the City, and shall act in all other ways as a Council member.

(d) Term of Office: In the event the Mayor Pro Tempore assumes the office of Mayor, pursuant to subsections (a) or (b) of this section, his term of office may not exceed such time as the next regular city election is to be held, at which time an election shall be held to fill the unexpired portion of the Mayor's term.

MEETINGS OF THE COUNCIL

Section 3.6

(a) The Council shall meet in the established Council Chambers or in such other place as may be established in the code, at least two regular meetings in each month. In the selection of its meeting place, consideration shall be given to the reasonable accommodation of the public.

(b) Special meetings of the Council shall be held at the regular meeting place of the Council. Special meetings may be called by the City Clerk on the written request of the Mayor, or of any two members of the Council.

(c) At least six hours written notice shall be given designating the time and purpose of a special meeting. Such notice shall be served personally on each member of the Council or left at his usual place of residence or business by the City Clerk or by someone designated by him. A copy of such notice shall be delivered at the place of business of each newspaper printed and published in the area and printed therein if time permits, but this requirement shall not be jurisdictional to the holding of any such meeting. If sufficient time exists for publication, notice shall be given orally over the radio. Three copies of such notice shall be posted in public places, one of these being on the Official Bulletin Board designated by the Council.

(d) An affidavit of service of any notice required by this section shall be made a part of the journal of a special meeting.

(e) No business shall be transacted at any special meeting of the Council except that stated in the notice of the meeting.

(f) All regular and special meetings of the Council are public meetings and the public shall have a reasonable opportunity to be heard.

(g) The Council may, after its agenda is otherwise completed, recess for the purpose of discussing, in a closed or executive session, any question permitted by law which is expressed in the motion calling for the executive session. The public may be excluded from the session, but final action shall not be taken by the Council or any matter discussed in executive session until the matter is placed on the agenda for a public meeting.

(h) Four members of the Council are a quorum for the transaction of business. In the absence of a quorum, any number less than a

quorum may adjourn a meeting to a later date.

(i) The Council shall determine its own rules and order of business and shall keep a journal of all its proceedings. The journal of each meeting of the Council shall be signed by the Clerk and countersigned by the Mayor. The vote upon all matters considered by the Council shall be taken by "Yes" or "No" votes which shall be entered upon record, except that, where the vote is unanimous, it shall be necessary only so to state.

(j) The Council may require attendance at its meetings of any officers or employees of the city.

(k) No member of the Council may vote on any question upon which he has a substantial direct or indirect financial interest. Otherwise, each member of the Council shall vote on each question before the Council for determination, unless excused therefrom by the affirmative vote of all remaining members able to vote on the question. If a question is raised at any Council meeting as to the qualification of a Council member to vote, or his desire to refrain from voting, such question shall be determined before the main question shall be voted on, and the Council members affected may not vote of such determination.

(l) The affirmative vote of a majority of the Council members present is necessary to adopt any motion. The affirmative vote of five members of the Council is required to override the Mayor's vote.

(m) The affirmative vote of a majority of the entire Council is necessary to adopt any ordinance or resolution.

(n) Any and all official City business shall be conducted at a regular or special meeting held in the usual place designated for such meetings.

POWERS OF THE COUNCIL TO APPOINT CITIZED BOARDS

Section 3.7 The Council may establish by ordinance such boards or commissions as in its judgment are required and may grant to them such powers and duties as are consistent with the provisions of this charter.

CHAPTER IV

ORDINANCES

INTRODUCTION, CONSIDERATION, STYLE, AND RECORDING OF CODE PROVISIONS

Section 4.1

(a) Each ordinance proposed by the Council shall contain the enacting clause "Be it ordained by the Council of the City of Douglas" and all ordinances proposed by the voters under their power of initiative, "Be it ordained by the People of the City of Douglas".

(b) No code provision shall be introduced and passed at the same meeting unless an emergency is declared by an affirmative vote of not less than five members of the Council. The basis of the emergency shall be set out in the ordinance.

(c) The Mayor shall verify each code provision and authenticate it on the record by his signature.

PUBLICATION OF CODE PROVISIONS

Section 4.2 Each code provision shall be published in the manner

provided by this charter.

EFFECTIVE DATE OF TAXATION CODE PROVISIONS

Section 4.3 No code provision which provides for or establishes a tax shall become effective until at least thirty days after adoption by the Council.

TIME LIMIT FOR PROSECUTION OF ORDINANCE VIOLATIONS

Section 4.4 No prosecution for the violation of any ordinance shall be commenced after the expiration of two years following commission of the offense, unless the accused has fled or remained beyond the boundaries of the city. The period of time during which the accused remains outside the municipal boundaries shall not be counted.

INITIATIVE AND REFERENDUM

Section 4.5 An ordinance may be initiated or a referendum may be had on any ordinance adopted by the Council as provided by law.

CODE PROVISIONS ADOPTED BY THE INITIATIVE

Section 4.6

(a) A code provision adopted by the initiative procedure may not be amended or repealed by the Council for a period of two years after the date of the election at which it was adopted.

(b) Should two or more code provisions adopted at the same election have conflicting provisions, the one receiving the largest affirmative vote shall prevail.

COUNCIL ACTION

Section 4.7 The filing with the Mayor of a sufficient referendary petition within thirty days after the passage of the act of the Council to which such petition refers shall automatically suspend the operation thereof, pending the required election.

BUILDING AND ZONING REGULATION

Section 4.8 To provide for the health, safety, and welfare of citizens within the city, the Council shall to the extent permitted by law, provide for comprehensive building and zoning regulations.

ABATEMENT OF NUISANCES

Section 4.9 The Council shall provide in the code for the declaration and abatement of nuisances which may be offensive or tend to endanger the health and welfare of the public, and for the assessment of the cost thereof against the property upon, or in respect to which the nuisance exists.

OTHER MUNICIPAL SERVICES

Section 4.10 The Council shall provide for the furnishing of such municipal services as it deems necessary for the protection of

the health, safety, welfare, and morals of the public. When the interests of the city so require, the Council may authorize plans or agreements for reimbursing the city in consideration of furnishing any of such services to tax-exempt persons or agencies, whether private or governmental.

THE COUNCIL TO PROVIDE FOR THE CITY ADMINISTRATION

Section 4.11 The Council shall provide in the code for the organization of the administrative offices and departments of the city and shall prescribe their duties and functions.

EMERGENCY ADMINISTRATION

Section 4.12 In order to assure continuity of city services and administration in periods of emergency resulting from war or disaster, the Council shall provide in the code for the prompt and temporary succession to the powers and duties of administrative officers and departments when such officers and departments are unable to carry on their respective powers and duties.

CHAPTER V

THE ADMINISTRATIVE SERVICE

ADMINISTRATIVE OFFICERS AND EMPLOYEES--APPOINTMENT, TERMS AND COMPENSATION

Section 5.1

(a) The City Clerk and the City Attorney are appointed by the Council, and hold office at the pleasure of the Council.

(b) Members of city boards serve for the terms provided by law.

(c) The Council shall provide in the code for the employment of city personnel on the basis of merit and fitness.

(d) There shall be no discrimination on the grounds of race, color, religion, or national origin in the selection, discharge, and fixing the terms and conditions of employment of city personnel.

CITY CLERK

Section 5.2 The City Clerk, or his authorized representative is clerk of the Council. He shall attend all meetings of the Council and shall keep a record of its proceedings. He shall record and certify all actions of the Council. He has the power to administer all oaths required by law. He is custodian of the city seal and the official records of the city. He shall give to the proper officials ample notice of the expiration or termination of any term of office and when necessary, the conditions or requirements of all bonds, franchises, contracts, or agreements. He is the registrar of the city and is responsible for the calling and supervision of all city elections, unless otherwise provided by law. He shall perform such other duties in connection with his office as may be required of him by law or by the Council.

CITY ATTORNEY

Section 5.3 The City Attorney is the legal advisor of the Council. He shall advise the City Clerk concerning legal matters

affecting the city administration, and shall perform such other duties as may be prescribed by the Council.

CITY FISCAL AGENT

Section 5.4 The Council shall provide in the code for the collection, receipt and custody of taxes, moneys, and things of value belonging to the City and shall designate the administrative officer who shall be responsible therefor.

EMPLOYEE BENEFIT PLANS

Section 5.5 Any benefit plans provided for officers and employees by the Council shall be actuarially sound. Membership in any retirement system which may be adopted by the city constitutes contract between the City and the member. Accrued benefits of any retirement system shall not be diminished or impaired.

CHAPTER VI

BUDGET PROCEDURE AND GENERAL FINANCE PROVISIONS

FISCAL YEAR

Section 6.1 The fiscal year of the city shall be set by the Council, unless otherwise provided by law.

BUDGET STATEMENT OF CITY

Section 6.2 During or prior to the sixth week preceding the first day of the fiscal year, a budget proposal for the next fiscal year of the city shall be prepared by the Mayor. The budget proposal shall set forth the recommendations for and an analysis of the anticipated income and expenditures of the city during the next fiscal year, together with comparative figures showing the estimated corresponding amounts for the current year and comparisons with the previous year. The proposed expenditures set forth in the budget proposal shall not exceed the expected revenues of the city. Unencumbered funds remaining at the end of the current fiscal year may be reallocated for the purposes set forth in the budget proposal.

BUDGET ADOPTION PROCEDURE

Section 6.3

(a) The proposed budget shall be available for public inspection in the office of the City Clerk.

(b) A public hearing on the budget proposal shall be held not less than one week before its final adoption. A notice of the public hearing shall be published at least one week prior to the date of hearing.

(c) At a regular meeting held not less than ten days prior to the end of the fiscal year, the Council shall, by resolution, adopt a budget for the following fiscal year and make an appropriation of the money needed therefor.

BUDGET CONTROL

Section 6.4

(a) Unencumbered appropriation balances may be transferred within a department by the Council at any time. The Council may also transfer unencumbered balances from one office, department, or agency to another.

(b) The administration shall submit periodically to the Council information comparing estimated and actual revenues and expenditures to the end of the preceding month.

WITHDRAWAL OF FUNDS

Section 6.5

(a) All funds drawn from the treasury shall be drawn by authority and appropriation of the Council.

(b) The Council shall prescribe the method for the disbursement of city funds.

INDEPENDENT AUDIT

Section 6.6 An independent audit shall be made of all accounts of the city at least annually and more frequently if deemed necessary by the Council. The annual audit shall be made by a certified public accountant employed by the Council and shall be completed within ninety days following the close of the fiscal year. A summary of the audit shall be published by the Council.

CHAPTER VII

TAXATION

TAXATION BY ORDINANCE

Section 7.1 The Council shall provide for the annual levy and collection of city taxes.

EXEMPTIONS

Section 7.2 The power of taxation shall never be surrendered. No exemptions from taxation shall be allowed, except such as are expressly provided by law. Private leaseholds, contracts, or interests in land or property owned or held by the United States, the State, or its political sub-divisions, are taxable to the extent of the private interests.

SECURITY FOR TAXES ON REAL PROPERTY

Section 7.3 The city shall have a first lien upon all real property against which taxes are assessed for the taxes and any collection charges, penalties, and interest thereto. The lien shall continue until the taxes, charges, penalties, and interest are paid.

PROTECTION OF CITY'S REAL PROPERTY TAX LIENS

Section 7.4 The city may enforce its lien for taxes upon real property by sale at tax sale, or protect said lien by purchasing the

real property at any tax sale or other public sale, or by direct negotiation with the owner. Any such procedure shall be deemed to be for a public purpose. When the city has acquired an interest in real property to protect a tax lien thereon, the owner of any interest in such real property may redeem the same by paying the delinquent city taxes and all accrued charges, penalties, and interest thereon within one year from the date of acquisition. After the city has held any tax delinquent real property for one year, it may hold the same for public use or sell it at public auction to the highest bidder.

SECURITY FOR TAXES ON PERSONAL PROPERTY

Section 7.5 City taxes on personal property are a debt to the city from the persons to whom they are assessed. If any person to whom such taxes are assessed fails or refuses to pay the taxes, the taxes and accrued charges, penalties and interest may be collected by a personal action in the name of the city against the person to whom assessed in a court of competent jurisdiction, or by distraint and sale of any personal property of the person assessed. Neither of the remedies herein given shall be exclusive of the other at any time.

CHAPTER VIII

SPECIAL ASSESSMENTS AND IMPROVEMENTS

SPECIAL POWER RELATIVE TO SPECIAL ASSESSMENTS AND PUBLIC IMPROVEMENTS

Section 8.1

(a) The Council has the power to make public improvements, including local improvements, within the city and, to the extent permitted by law, outside the city. The Council may determine the necessity for any public improvement, and may determine that the whole or any part of the cost thereof, including the cost of plans, specifications, administration, engineering, building, architectural, legal expenses, and expenses of the acquisition of property in connection therewith, shall be levied by special assessments upon the property specially benefited thereby. When more than one lot or parcel of land is to be specially benefited, the land benefited shall be considered as a special assessment district.

(b) Any special assessments against property for local improvements shall be in proportion to the benefit received from the local improvements. The Council shall establish the method of apportioning such benefit.

(c) If protests as to the necessity of a local improvement are made in writing by the owners of property which will bear fifty per cent or more of the estimated cost of the improvement, the public improvement shall not proceed until the objections have been reduced to less than fifty per cent, or unless the project is approved by at least five members of the Council.

DETAILED PROCEDURE TO BE PROVIDED IN THE CODE

Section 8.2 The procedure for the establishment of local improvements may be commenced by the Council either on its own initiative or upon receipt of a petition in the manner provided in the code. The Council shall prescribe the special assessment procedure for local improvements and for agreements for furnishing capital improvements

or the extension thereof in lieu of assessment.

EXPENDITURES BEFORE FUNDS FOR IMPROVEMENT ARE AVAILABLE

Section 8.3 No expenditures, other than for administrative, engineering, and legal work for any local improvement, the cost of which is to be borne by special assessments on the property benefited, shall be made unless the cash is on hand or bonds have been authorized to finance the cost thereof.

CORRECTION OF INVALID SPECIAL ASSESSMENTS

Section 8.4 If any special assessment procedure of the Council is invalid for any reason, the Council may correct the same at any time within ninety days after (1) the confirmation of the special assessment roll or (2) a final determination of any litigation in connection therewith, whether before or after the completion of the local improvement to which the special assessment applies. If payments of special assessments have been made under the invalid procedure, such payments shall be credited to payments required under the corrected procedure, or in the alternative, the Council may provide in the code for the payment of refunds.

LIMITATIONS ON SUITS AND ACTIONS

Section 8.5 No special assessment procedure may be contested in any action at law or in equity, unless commenced within sixty days after the confirmation of the special assessment roll therefor. If no such action is commenced, the procedure for such local improvement shall be conclusively presumed to have been regular and complete.

LIEN FOR AND COLLECTION OF SPECIAL ASSESSMENTS

Section 8.6

(a) The city has a first lien upon all real property against which special assessments are made and any such lien shall be of the same character, effect, and duration, and shall be enforceable in the same manner as a lien for city taxes.

(b) The Council shall provide the procedure in the code for the collection of special assessments and the collection charges, penalties, and interest which shall be added for the delayed or delinquent payment thereof.

RECEIPTS FROM SPECIAL ASSESSMENTS

Section 8.7 Accounts for special assessment rolls shall be kept separate from all other city accounts. Moneys collected from special assessments shall be used solely to pay the cost of the improvements to which they apply and to the principal of and interest on indebtedness of the city, in relation to the specific improvement.

ALL REAL PROPERTY LIABLE FOR SPECIAL ASSESSMENTS

Section 8.8 All real property, including that which is exempt from general taxation, shall be liable for the cost of local improvements assessed in accordance with this chapter, unless specifically exempted from special assessments by law.

CHAPTER IX

INTERGOVERNMENTAL RELATIONS

AGREEMENTS FOR TRANSFERRING POWERS

Section 9.1 Agreements, including those for cooperative or joint administration of any function or power, may be made by the Council with any local government, with the State, or with the United States. The Council may transfer to the borough of which the city is a part any city power or function. Such transfer shall not take effect for ninety days following approval by the Council, and may be revoked at any time.

COOPERATION WITH OTHER GOVERNMENTS

Section 9.2 The city may cooperate with the United States, with the State or its political subdivision, or with other States and their political subdivisions on matters of common interest. The Council may make all appropriations necessary to such cooperation.

CITY REPRESENTATIVES ON BOROUGH ASSEMBLY

Section 9.3 The Council shall choose one or more of its members to represent the city of the borough assembly.

VACANCIES IN OFFICE OF REPRESENTATIVES ON THE ASSEMBLY

Section 9.4 Any vacancy in the office of city representative on the borough assembly shall be filled by the Council within thirty days after such vacancy occurs.

COMPENSATION OF REPRESENTATIVES ON THE ASSEMBLY

Section 9.5 Compensation received by city representatives on the borough assembly shall not constitute compensation from the city and may be retained by such representatives.

CHAPTER X

ELECTIONS

REGULAR CITY ELECTIONS

Section 10.1 Regular city elections shall be held annually on the first Tuesday in October. The date of the election may be changed by the Council; provided, however, that the date of holding regular city elections may not be changed at any time less than one year prior to the date of the first regular city election affected.

Section 10.2 The Council shall provide for the calling of special elections. Not less than twenty days notice shall be given of each special election. The notice shall be published and state the purpose of the election.

QUALIFICATIONS OF ELECTORS

Section 10.3

(a) To be eligible to vote at any city election, a person shall be registered as an elector of the city. The Council shall prescribe in the code the procedure for the registration of electors by the City Clerk and his authorized representatives. Every resident of the city may register as an elector of the city within the time prescribed in the code if he is, or will be, at the time of the election:

- (1) a citizen of the United States
- (2) at least nineteen years of age
- (3) able to speak or read the English language as prescribed by law;
- (4) a resident of Alaska and has been resident for at least one year immediately preceding the election, and has resided in the City for at least 30 days immediately preceding the election.

(b) Only persons who are registered as electors of the city and whose names appear on the tax rolls of the city shall be entitled to vote on questions related to the borrowing of money by the city when the principal and interest on such borrowed money is to be paid by taxes or by special assessments levied against real property.

(c) The Council shall provide in the code for absentee voting by registered electors who are infirm or ill and by those who will be out of the city for the entire time that the polls are open on election day.

(d) The Council shall provide in the code for the purity of elections and the prevention of fraudulent voting.

ELECTION PROCEDURE

Section 10.4 All elections of city officers are nonpartisan elections. The Council shall provide by ordinance for all matters necessary for the holding of city elections.

TIE VOTE

Section 10.5 In event of a tie vote, the Council shall determine the successful candidate by lot. Such determination shall be final.

CHAPTER XI

MUNICIPAL BORROWING

GENERAL AUTHORIZATION TO BORROW MONEY

Section 11.1

(a) The City has the power to borrow money for any public purpose and to issue its evidences of indebtedness therefor. Such evidence of indebtedness shall include, but are not limited to those enumerated in the following three categories:

- (1) Bonds for capital improvements authorized by the Council and ratified by a majority of the electors qualified under Section 10.3(b) and who vote thereon, voting at any regular or special election;

(a) General obligation bonds, the principal and

interest of which are payable from taxes levied upon the taxable real and personal property in the city, and from any other sources of revenue and for the payment of which the full faith and credit of the city are pledged without limitation as to rate or amount;

(b) Special assessment bonds, which are issued in anticipation of the payment of special assessments, or any combination of two or more special assessment district or districts and a general obligation of the city;

(c) General obligation bonds which are also secured by the revenue from a revenue-producing utility, such bonds being issued for the acquisition, construction, or improvement of the utility;

(2) Revenue bonds which are secured only by the revenue-producing public utilities and do not constitute a general obligation or debt of the city. Such revenue bonds shall be authorized by the Council and ratified by a majority of the electors qualified under Section 10.3(a);

(3) Those bonds and other obligations which may be authorized by the Council and do not require ratification by the qualified electors of the city;

(a) Revenue or tax anticipation notes which may be issued in anticipation of the collection of any revenues, including taxes, in or during the current fiscal year of the city, for the purpose of meeting appropriations during the year;

(b) Disaster bonds or notes to be issued in case of fire, flood, wind, explosion, war damage, volcanic action, earthquake, or other calamity for the preservation and rehabilitation of municipal capital improvements, in a sum not to exceed two per cent of the assessed value of all the real and personal property in the city, and due in not more than ten years;

(c) Notes for loans from accumulated reserves of the city on a definite plan for the repayment thereof and of interest thereon as provided by the Council.

(b) Bonds or notes on which a vote of the electorate is not required may be authorized by the Council. No such bonds or notes shall be issued, however, until not less than thirty days have passed from the date of Council authorization, so that the electors of the city may have an opportunity to exercise their right of referendum. Disaster bonds or notes may be issued immediately upon receipt of proper authorization by the Council.

(c) Each bond or other evidence of indebtedness shall contain on its face a statement specifying the purpose for which it is issued. No officer of the city shall use the proceeds thereof for any other purpose, except that whenever the proceeds of any bond issue or a part thereof remain unexpended and unencumbered for the purpose for which said bond issue was made, the Council may authorize the use of such unexpended and unencumbered funds only in accordance with the following order or priority:

- (1) for the retirement of such bond issue;
- (2) if such bond issue has been fully retired, then for the retirement of other bonds or obligations of the city;
- (3) for any other public improvement purpose or purposes of a like nature;
- (4) in any other manner determined by the Council.

(d) No bond or other evidence of indebtedness of the city, regardless of type or purpose, shall bear interest, either directly or indirectly, at a rate exceeding the maximum permitted by law.

(e) All bonds and other evidences of indebtedness of the city shall be signed by the Mayor and countersigned by the Clerk under the seal of the city. Interest coupons shall be executed with the facsimile signature of the Clerk.

(f) A complete and detailed record of all bonds and other evidences of indebtedness shall be kept by an officer designated in the code. Upon the payment of any bond or other evidences of indebtedness, the same shall be marked "Paid", or otherwise canceled on its face.

LIMITATIONS UPON BORROWING POWER

Section 11.2

(a) The outstanding general obligation indebtedness of the city incurred for all public purposes shall not at any time exceed fifteen per cent of the assessed value of all the real and personal property in the city. General obligation bonds issued in excess of ten per cent of the assessed value of all the real and personal property must be approved by sixty-five per cent of all the qualified voters voting thereon. The restrictions imposed by law on contracting debt shall not apply to debt incurred through the issuance of revenue bonds when the only security is the revenues of the enterprise, nor to bonded indebtedness to be paid from special assessments on benefited property, nor to refunding indebtedness. In determining the debt limit of the city, there shall be deducted from the amount of the outstanding bonded indebtedness any amounts credited to or on deposit for debt retirement and any portion of reserve funds or accounts pledged to the payment of the principal amount of any outstanding bonded indebtedness. Money may be borrowed for reasons of disaster, provided in Section 11.1 (a)(3)(b), beyond the limit imposed by this section, and the Council shall, at the time of the authorization of such indebtedness, provide for the fulfillment of other requirements of law relative to incurring such indebtedness.

(b) Except when delay is caused by litigation, or when a bond issue has been authorized to be issued in two or more parts or series, if any bonds are not sold, the authorization of any unsold bonds may be voided at any time by a Council resolution. If any bonds are not sold within ten years after authorization, such authorization shall be null and void as to the bonds which remain unsold.

CHAPTER XII

CONTRACTS

AUTHORITY OF COUNCIL

Section 12.1

(a) The Council may authorize the making of contracts on behalf

of the city.

(b) All contracts, except as provided in Section 12.2 hereof, shall be authorized by the Council and shall be signed on behalf of the city by the Mayor and the City Clerk, after having been approved as to form by the City Attorney.

PURCHASE AND SALE OF PERSONAL PROPERTY

Section 12.2 The Council shall establish by ordinance the procedure for the purchase and sale of personal property by the City. Such procedures shall include a provision for centralized purchasing on behalf of the City. The procedures shall also provide the dollar limit within which purchases and sales of personal property may be made without securing competitive bids, and the dollar limit within which purchases may be made without specific Council approval. Such procedures shall also provide for the making of emergency purchases and contracts which shall not be subject to Section 12.3(c) of this charter.

LIMITATIONS ON CONTRACTUAL POWER

Section 12.3

(a) Any contract other than a franchise or one relating to interests in real property, which will not be fully executed within a period of five years shall first receive the approval of a majority of the qualified electors of the city who vote thereon. This restriction shall not apply to any contract for services with a public utility or with other governmental units, nor to contracts for debt secured by the bonds or notes of the city.

(b) The Council shall provide in the code the procedure whereby the city may purchase, sell, lease, or dispose of real property. No action of the Council to sell, lease, or dispose of any city interest in real property shall be final until the resolution to do so has been on file in the office of the City Clerk for thirty days and notice of such filing published concurrently on the official bulletin board as designated by the Council.

(c) Except as authorized by Section 12.2, each contract for the construction of public improvements or for the purchase or sale of personal property shall be let only after opportunity for competitive bidding and after appropriate notice thereof has been given for not less than two weeks. All bids shall be opened in public at the time and place designated in the notice of letting of bids. The Council may reject any or all bids. If, after opportunity for competitive bidding, no bids are received or bids received are not satisfactory to the Council, it may negotiate for a contract in the open market. The Council may waive any and all irregularities.

(d) The Council may approve contracts for engineering, architectural, legal, medical, and other professional services for the city without competitive bidding. Such contracts shall not exceed two years, except for completion of work in progress under architectural or engineering contracts.

BUSINESS DEALINGS WITH CITY

Section 12.4 The Council shall provide in the code a procedure whereby an officer or employee of the city, who intends to have business dealings with the city whereby he may derive income or

benefits other than those provided as remuneration for his official duties or the duties of his employment, shall file with the City Clerk a statement, under oath, setting forth the nature of such business dealings and his interest therein, not less than ten days before the date when action may be taken by the Council or by any officer or agency of the city upon the matter involved. If the Council approves of the transaction, such statement shall be sufficient for continuing transactions of a similar or like nature for one year from the date of its filing.

CHAPTER XIII

PUBLIC UTILITY SERVICES

GENERAL POWERS RESPECTING MUNICIPAL UTILITIES

Section 13.1 The city shall have all the powers not prohibited by law to acquire, own, operate, promote, and regulate public utilities, either within or beyond its corporate limits, and may also sell utility services beyond its corporate limits.

RATES

Section 13.2

(a) The Council may provide by ordinance for the acquisition, construction and operation of municipally owned utilities, including the rates to be charged for the services furnished, the regulations under which the utilities shall be operated and the services furnished.

(b) Rates for services furnished outside the City by municipally owned utilities shall not be lower than, but may be higher than those charged for the same service inside the City.

(c) Complete books of account shall be kept for each municipally owned utility which shall conform with the uniform system of accounts prescribed by the Public Service Commission of the State of Alaska for the respective utilities. Such accounts shall be audited annually. Both the auditors and the manager of each such utility shall make annual reports to the Council showing the financial condition and results of operation.

DISPOSAL OF MUNICIPAL UTILITY PLANTS AND UTILITY PROPERTY

Section 13.3 The Council may sell, lease, or otherwise dispose of a municipally owned utility or of property and interests in property used or useful in the operation of a utility only after a proposition to do so is approved by three-fifths of the electors of the city voting on the proposition.

PUBLIC UTILITY FRANCHISES

Section 13.4

(a) The city may grant a franchise to any person for the use of the streets, alleys, bridges and other public places of the city for the furnishing of any public utility service to the city and its inhabitants. Public utility franchises and renewals, amendments, and extensions thereof shall be granted only by contract. With respect to any public utility franchise granted after the effective date of this charter, whether or not so provided in the granting contract, the

city may:

- (1) terminate the same for the violation of any of its provisions, for the misuse or non-use thereof, for failure to comply with any provision thereof, or any regulation imposed under authority of this charter of of the code;
- (2) impose other regulations determined by the Council to be conducive to the health, safety, welfare, and convenience of the public;
- (3) require the public utility to pay any part of the cost of improvement or maintenance of streets, alleys, bridges, easements, and public places, that arises from its use thereof, and to protect and save the city harmless from all damages arising from such use; and
- (4) require the public utility to file with the City Clerk reports concerning the utility and its financial operation and status and to file with the City Clerk such drawings and maps of the location and nature of its facilities as the Council may request.

(b) To the extent that a state or federal agency does not have exclusive jurisdiction over the following subjects with respect to private utilities, or any jurisdiction over a particular private utility, the Council may by ordinance:

- (1) regulate the rates, tolls and charges which such utilities may charge for a service, which rates, charges and tolls shall be reasonable, fair and just;
- (2) grant exclusive or non-exclusive franchises for furnishing utility services within the City upon such terms as are mutually agreeable to the parties. In granting such franchises, the Council shall require such provisions as it deems necessary with respect to:
 - (a) the term of the franchise which shall not exceed twenty years;
 - (b) termination;
 - (c) proceedings for the establishment, suspension and amendment of rates to be charged by the utility;
 - (d) extension of facilities to new customers;
 - (e) standards of efficiency required;
 - (f) standards of service and quality of products;
 - (g) prevention of discrimination;
 - (h) interruptions of service;
 - (i) location of facilities on the public streets and other public places;
 - (j) repair of damage to streets and other public places caused by construction and repair of facilities;
 - (k) standards of safety and prevention of damage;
 - (l) joint use of facilities with and of other utilities;
 - (m) protection of the City from liability arising from use of City property by the utility and its activities;
 - (n) filing of annual reports with the City showing the financial condition of the holder of the franchise and the results of its operations;
 - (o) paying the costs of improving streets and other public places occupied by the holder of the franchise, which arise because of such use.

(c) No franchise shall be effective until and unless approved by the affirmative vote of three-fifths of all eligible voters voting at either a regular or special election. No election shall be held on such proposition until and unless the grantee of the franchise has accepted the terms and conditions thereof, a public hearing has been held thereon and the grantee has paid to the City Clerk the estimated costs of any special election held for that purpose. The costs shall be estimated by the Clerk and any overcharge shall be refunded after the costs are known.

PROCEDURE FOR GRANTING FRANCHISES

Section 13.5 All franchises and any renewals, extensions and amendments thereto, shall be granted only by ordinance. Every contract granting a franchise, license or right to occupy or use streets, alleys, bridges, public places, or easements, shall remain on file with the City Clerk for public inspection, in its final form for at least thirty days before the final approval thereof, or the approval thereof for referral to the electors of the city. In the case of renewals of franchises for terms of ten years or longer, the renewal of said franchise must be approved by a majority of all qualified voters two years before the expiration date of such franchise.

SALE OR ASSIGNMENT OF FRANCHISES

Section 13.6 The grantee of a franchise may not sell, mortgage, assign, sublet, or allow another to use the same, unless the Council gives its consent. Consent shall not be unreasonably withheld. In the event of foreclosure of a mortgage, the purchaser shall have the same right to operate under the terms of the franchise as did the mortgagor.

PLANS OF FACILITIES IN STREETS AND PUBLIC PLACES

Section 13.7 The Council may require in the code that, as a condition to the placing or installment thereof, each public utility conducting a business in the city shall file with the City Clerk a duplicate copy of layout plans of pipes, conduits, wires, and other facilities and appurtenances which are to be placed on, under, or above the surface of the city's streets, alleys, bridges, easements, and public places.

CHAPTER XIV

REVISION AND AMENDMENT

REVISION OF CHARTER

Section 14.1 This charter may be revised in the manner provided by law.

AMENDMENT OF CHARTER

Section 14.2 This charter may be amended by proceedings commenced by the vote of four members of the Council or by an initiatory petition.

AMENDMENT OF CHARTER BY COUNCIL ACTION

Section 14.3 When an amendment is proposed by the Council it shall be submitted at the time of any election to be held in the city not less than sixty days after its proposal by the Council, or at a special election called by the Council for the purpose of voting thereon. Such amendment of the charter shall become effective if approved by a majority of qualified voters voting on the question.

AMENDMENT OF CHARTER BY INITIATORY PETITION

Section 14.4 An initiatory petition for the amendment of this charter shall state the proposed amendment, shall set forth all sections of the charter to be amended thereby in full, shall be signed by the number of electors required for the initiation of code provisions, and shall be filed with the Council. If the petition therefor is proper and in order, the Council shall submit the proposed amendment to the electors of the city at the next regular city election which is to be held after ninety days following the filing of the petition. Amendment of the charter shall become effective if approved by a majority of qualified voters voting on the question.

SCOPE OF AMENDMENTS

Section 14.5 Each proposed amendment of this charter shall be confined to one subject, but need not be limited to a single section. Should a subject embrace more than one related proposition, each proposition shall be separately stated to afford an opportunity for the electors to vote for or against each such proposition.

PUBLICATION OF PROPOSED AMENDMENTS

Section 14.6 Each proposed amendment of this charter shall be published not less than two weeks nor more than four weeks before the election on its ratification.

FILING OF RATIFIED AMENDMENT

Section 14.7 Two copies of each amendment ratified by the electors of the city shall be filed with the Secretary of State, one with the recorder of the district in which the city is located, and one in the archives of the city, and shall thereupon become a part of the organic law of the city, unless a later effective date is specified by the Council prior to the election on its ratification.

SCHEDULE

PURPOSE AND STATUS OF SCHEDULE CHAPTER

Section 1. This schedule chapter is to provide an orderly transition from a city organized and possessing powers delegated to it by statutory law, to a constitutional home rule charter city. It shall constitute a part of this charter only to the extent and for the time required to accomplish that end.

PRIOR LEGISLATION PRESERVED

Section 2. The Code of Ordinances of the City of Douglas and all resolutions and rules of the Council, to the extent that they are consistent with this charter, shall continue in full force, until repealed or amended. When this charter requires the Council to adopt or provide any code provision, any existing provision which meets such requirement shall suffice.

ELECTION TO ADOPT CHARTER

Section 3.

(a) This charter shall be submitted to a vote of the qualified electors of the City of Douglas at the city election to be held on the 4th day of October, 1966, between the hours of 8 o'clock a.m. and 8 o'clock p.m. All provisions for the submission of the question of adopting this charter at such election shall be made as provided by law and the code.

(b) If a majority of the qualified voters voting on the question is in favor of the adoption of this charter, the City Clerk shall perform all acts required by law to make this charter effective.

(c) If so adopted, this charter shall take effect and become law at 8 o'clock p.m. on the 10th day of October, 1966.

CITY OFFICERS

Section 4. Each person who is holding an elective or appointive city office on the effective date of this charter shall continue to perform the duties of his office in a manner consistent with this charter, until superseded as in this charter provided, without the requirement of any additional oath or bond. Until otherwise provided under authority of this charter, the compensation of each office shall continue under and be subject to this charter.

VESTED RIGHTS AND LIABILITIES

Section 5. No right or liability of the City of Douglas existing on the effective date of this charter shall be affected in any manner by the adoption of this charter.

IN WITNESS WHEREOF, we have subscribed our names this 21st day of July, 1966, in the City of Douglas, Alaska.

A. W. Bartlett

A. W. Bartlett, Chairman

Wm. J. Niemi

Wm. J. Niemi

Warren S. Sparks Jr.

Warren Sparks

Wm. J. Sweeney

Wm. J. Sweeney

Ralph W. Kimlinger

Ralph W. Kimlinger

Sally Craft

Sally Craft

Ethel S. Merritt

Ethel S. Merritt

Mark Jensen

William E. Boenl

William E. Boenl

CERTIFICATE

THIS CERTIFIES that the question of adopting this charter as contained in Section 3 of the Schedule was submitted to the qualified electors of the City of Douglas, Alaska at an election held October 4, 1966; and the number of voters voting in favor thereof was 219 and the number voting against the same was 57.

WITNESS my hand and the seal of the City of Douglas, Alaska, this 1st day of November, 1966.

Virginia B. Post
City Clerk