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Reviewed by: Municipal Ombudsman
Prepared by: Assembly Counsel
For reading: November 5, 2013

**ANCHORAGE, ALASKA
AO NO. 2013–**

AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE CHAPTER 2.40 PROVIDING FOR THE ESTABLISHMENT, RECOGNITION, DUTIES, AND RESPONSIBILITIES RELATED TO COMMUNITY COUNCILS IN REFERENCE TO CHARTER SECTION 8.01.

WHEREAS, a comprehensive review of community council district boundaries is required to occur at least once every ten years, following the release of the decennial U.S. Census results and after Assembly redistricting is acted upon and any court appeals are disposed of;

WHEREAS, Assembly redistricting was completed to meet municipal election deadlines and Alaska state-wide redistricting remains under court jurisdiction and review;

WHEREAS, in anticipation of review of community council district boundaries after Alaska redistricting is finalized, review of Anchorage Municipal Code Chapter 2.40 is timely and helpful;

WHEREAS, the facilitation of Community Council Bylaws and clarification of municipal code requirements are timely; now therefore,

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. Anchorage Municipal Code Chapter 2.40 is hereby amended to read as follows: *(For purposes of present code amendment, boundaries are unchanged and corresponding map inserts are unchanged and not reproduced. Language indicating no change is included for full context only.)*

Chapter 2.40 - COMMUNITY COUNCILS

2.40.010 - [ESTABLISHMENT] Community councils and procedures.

2.40.020 - Purpose of chapter.

2.40.030 - Definitions [AND RECOGNITION OF COMMUNITY COUNCILS].

2.40.035 - Recognition of community councils; special *ex officio* community council recognition for Girdwood board of supervisors.

2.40.036 - Community council bylaws.

2.40.040 - Establishment of community council districts.

2.40.050 - Functions.

2.40.060 - Municipal responsibilities to community councils.

2.40.070 - Additional citizen participation in municipal government.

2.40.080 - Capacity to sue or be sued.

2.40.090 - Community council maps.

1 **2.40.010 – [ESTABLISHMENT] Community councils and procedures.**
2

3 The establishment of community councils is recognized in §8.01 of the municipal
4 charter: *The assembly by ordinance shall provide for establishment of community*
5 *councils to afford citizens an opportunity for maximum community involvement and*
6 *self-determination. The ordinance shall include procedures for negotiation between the*
7 *local government and each community council with respect to the duties and*
8 *responsibilities of the community council.* In this chapter 2.40, the assembly
9 establishes basic community council procedures to implement self-determination and
10 maximize community involvement through independent community councils.

11
12 *Charter reference— Establishment of community councils, § 8.01*

13
14 **2.40.020 - Purpose of chapter.**

15
16 The purpose of this chapter is to implement the charter by providing [E] a direct and
17 continuing means of citizen participation in government and local affairs. Community
18 councils are intended to give:

- 19
20 A. The people a method by which they can work together for expression and
21 discussion of their opinions, needs and desires in a manner that will have an
22 impact on their community's development and services.
23
24 B. Governmental agencies a method for receiving opinions, needs, desires and
25 recommendations of residents and groups.
26
27 C. Local governing bodies an improved basis for decision-making assignment of
28 priorities for all programs affecting community development and individual well-
29 being.

30
31 *(GAAB 5.75.010)*

32
33 **2.40.030 - Definitions and [RECOGNITION OF] community council[s] membership.**

34
35 [A. COMMUNITY COUNCILS DEFINED.] These words and terms shall have meaning for
36 purposes of this chapter and community council membership as follows:

37
38 *Business owner* shall mean the record owner or agent of a professional or commercial
39 *entity currently licensed by the State of Alaska and having a physical premises located*
40 *within the boundaries of a community council.*

41 *Business owner community council memberships* are single memberships. When two
42 *or more individuals own a business, or more than one business is owned by the same*
43 *entity, the business owner shall designate a primary representative for community*
44 *council membership and may designate an alternate.*
45

1 Community council members and community council membership shall mean
2 collectively each resident and the representatives designated by the property owners,
3 business owners and nonprofit organizations, within the geographical areas
4 established as community council districts under this chapter, who attend a community
5 council meeting in their district and sign the member attendance roster. A person may
6 qualify and hold membership in more than one community council.

7
8 Council and community councils shall mean the not-for-profit voluntary, self-governing
9 associations within geographical areas designated as districts and recognized in
10 ordinance by the assembly under this chapter. A community council may, but is not
11 required to, incorporate under the Alaska Nonprofit Corporations Act.

12
13 Nonprofit community council memberships are single memberships available to
14 nonprofit organizations. The nonprofit organization shall designate a primary
15 representative for community council membership and may designate an alternate.

16
17 Nonprofit organization shall mean a not-for-profit entity having a physical premises
18 located within the council boundaries and one or more of the following: Status
19 recognized under law as a not-for-profit organization by incorporation under the Alaska
20 Nonprofit Corporations Act, or a current Alaska business license, or tax-exempt status
21 under federal law, or other bona fide affiliation.

22
23 Property owner shall mean the record owner of real property within the council
24 boundaries. Property owner community council memberships are single memberships.
25 When two or more individuals own a property, or more than one property is owned by
26 the same entity, the property owner shall designate a primary representative for
27 community council membership and may designate an alternate.

28
29 Resident shall mean each person sixteen years of age or older whose habitual,
30 physical dwelling address is within the council boundaries, and includes homeowners
31 and tenants. If more than one qualifying resident shares the same habitual, physical
32 dwelling address, each may be a community council member.

33
34 [COMMUNITY COUNCILS ARE NONPROFIT, VOLUNTARY, SELF-GOVERNING
35 ASSOCIATIONS COMPOSED OF RESIDENTS, PROPERTY OWNERS, BUSINESS OWNERS
36 AND REPRESENTATIVES FROM NONPROFIT ASSOCIATIONS AND OTHER ENTITIES
37 LOCATED WITHIN GEOGRAPHICAL AREAS DESIGNATED AS DISTRICTS BY THE ASSEMBLY.
38 RESIDENTS, FOR THE PURPOSE OF THIS CHAPTER, ARE DEFINED AS HOMEOWNERS,
39 TENANTS, OR OTHERS DWELLING WITHIN THE COUNCIL BOUNDARIES, PROPERTY
40 OWNERS AND REPRESENTATIVES FROM NONPROFIT ASSOCIATIONS AND OTHER ENTITIES
41 LOCATED WITHIN GEOGRAPHICAL AREAS DESIGNATED AS DISTRICTS BY THE ASSEMBLY.]

42
43 **2.40.035 - Recognition of community councils; special ex officio community**
44 **council recognition for Girdwood Board of Supervisors.**
45

1 A [B]. *Recognition of community councils.* Upon request of one or more voluntary
2 associations and after public notice and hearing, the Assembly may recognize
3 by ordinance any one voluntary association as the community council for a
4 given district. To qualify for and maintain recognition, an association must
5 establish that it:
6

- 7 1. Includes residents, property owners, business owners and nonprofit
8 organizations within geographical areas established as community
9 council districts under this chapter [MEETS THE DEFINITION OF A COMMUNITY
10 COUNCIL AS SET FORTH IN SUBSECTION A OF THIS SECTION];
11
- 12 2. Has a policy and practice of open membership and meetings which will
13 encourage[s] participation of persons from all segments of the
14 community;
- 15 3. Is committed to affording citizens an opportunity for maximum community
16 involvement and self-determination through community council
17 membership and does not engage in practices contrary to the provisions
18 of this chapter [CHARGE DUES, OR REQUIRE OTHER FINANCIAL CONTRIBUTION
19 AS A CONDITION OF MEMBERSHIP OR PARTICIPATION, IN EXCESS OF \$15.00 PER
20 MEMBER PER YEAR; HOWEVER, THE COUNCIL MAY WAIVE THE REQUIRED DUES IN
21 INDIVIDUAL INSTANCES IF THE COUNCIL DETERMINES THAT A HARDSHIP EXISTS; A
22 COMMUNITY COUNCIL MAY RECEIVE GIFTS, GRANTS, CONTRIBUTIONS, OR IN-KIND
23 DONATIONS FROM MEMBERS OR OTHERS TO MEET THE COSTS OF ITS
24 OPERATIONS];
25
- 26 4. Has [is], in the opinion of the Assembly, the capability to represent
27 [REPRESENTATIVE OF THE RESIDENTS IN] the community council district
28 membership;
29
- 30 5. Has held at least two meetings in the district which resulted in a
31 determination to seek recognition as a community council. Such meetings
32 must have been subsequent to public notice through publication, school
33 distribution and other means adequate to inform most, if not all, district
34 residents of the meeting; and
35
- 36 6. Has adopted and implements bylaws consistent with this chapter
37 governing the organization, operation, and proceedings of the community
38 council. [THESE BY-LAWS SHALL BE PRESENTED TO THE ASSEMBLY PRIOR TO
39 RECOGNITION AND SHALL PROVIDE FOR:
40
41 a) DEFINITION OF THE BOUNDARIES OF THE COMMUNITY COUNCIL AS SET FORTH IN
42 AMC 2.40.040.D AND AMC 2.40.090
43
44 b) DEFINITION OF MEMBERSHIP CONSISTENT WITH A OF THIS SECTION.
45
46

- 1 c) REGULAR MEETINGS OF THE COUNCIL AT PERIODIC INTERVALS, AT LEAST TWO
2 TIMES IN A CALENDAR YEAR, BUT PREFERABLY ONCE EACH CALENDAR
3 QUARTER.
4
5 d) THE ELECTION OF OFFICERS AND, IF DESIRED, AN EXECUTIVE COMMITTEE OR
6 LIKE BODY TO CONDUCT THE BUSINESS OF THE COUNCIL BETWEEN MEETINGS.
7
8 e) THE DUTIES AND RESPONSIBILITIES OF OFFICERS, THEIR REMOVAL OR
9 REPLACEMENT WHEN A VACANCY OCCURS, AND CRITERIA FOR ELIGIBILITY TO
10 HOLD AN OFFICE WITH THE COUNCIL.
11
12 f) MINUTES SHALL BE TAKEN AT ALL MEETINGS.
13
14 g) THE MANAGEMENT OF THE COUNCIL'S FINANCES INCLUDING REGULAR STATUS
15 REPORTS AND AN ANNUAL REPORT TO THE COUNCIL MEMBERS ON THE
16 COUNCIL'S FINANCES OR A COMPILATION OF TREASURER'S REPORTS.
17
18 h) THE DISSOLUTION OF THE COUNCIL, AND FOR THE DISPOSITION OF THE
19 COUNCIL'S PROPERTY UPON DISSOLUTION.
20
21 i) THAT THE LATEST EDITION OF ROBERT'S RULES OF ORDER, REVISED, SHALL
22 APPLY IN ALL INSTANCES, MATTERS, AND PROCEEDINGS NOT COVERED BY THE
23 BY-LAWS.
24
25 j) PROCEDURES FOR AMENDING THE BY-LAWS.
26
27 k) MEMBERSHIP LISTS ARE USED ONLY FOR COUNCIL BUSINESS.]
28

29 [C. GIRDWOOD IS NOT CONSIDERED A COMMUNITY COUNCIL FOR PURPOSES OF THIS
30 SECTION.]
31

32 [D. RESERVED.]
33

34 B [E]. *Girdwood [DISTRICTS] recognized; special provision.* The municipality recognizes
35 the Girdwood Board of Supervisors as the community council, ex-officio, which serves
36 the Girdwood Community Association/Land Use Committee boundary area depicted on
37 Map 10 located in section 2.40.090.
38

39 (GAAB 5.75.020; AO No. 88-85, § 1, 7-19-88; AO No. 2003-75, § 1, 7-22-03; AO No. 2003-
40 113, § 1, 8-12-03; AO No. 2005-1(S-1), § 1, 4-12-05; AO No. 2009-134, § 1, 1-12-10)
41

42 **2.40.036 – Community council bylaws.**
43

44 A. Community councils shall file bylaws through the office of municipal for
45 acceptance by the assembly:
46

- 1 1. In conjunction with community council recognition under this chapter;
- 2
- 3 2. In timely response to the requirements of this chapter and subsequent
- 4 code changes as specified in the ordinance; and
- 5
- 6 3. Within 45 days of a change in the bylaws.
- 7

8 B. *Pre-approved bylaw provisions.* Community council bylaw provisions meeting
9 the requirements of this chapter are set out for the convenience and use of
10 community councils in Exhibit A. Exhibit A provisions may be adopted by
11 individual councils. Revisions and adaptations of Exhibit A provisions consistent
12 with this chapter may be adopted by a community council subject to acceptance
13 by the Assembly.

14
15 [INSERT EXHIBIT A: Pre-approved Community Council Bylaw Provisions]

16
17 C. Bylaws adopted by the community council and submitted to the municipal clerk's
18 office will be reviewed by the Assembly Rules Committee, the ombudsman, or
19 other assembly designee for conformity with this chapter 2.40 prior to
20 acceptance by the assembly, and the community council will be notified of any
21 nonconformity requiring correction.

22
23 D. Bylaws in conformity with this chapter 2.40 will be submitted by the municipal
24 clerk to the assembly by assembly information memorandum at the next
25 assembly meeting following submission by the community council, or as soon as
26 practicable after receipt by the office of municipal clerk.

27
28 E. Community council bylaws shall include provisions consistent with these
29 requirements:

- 30
- 31 1. Definition of the boundaries of the community council as set forth in
- 32 2.40.040.D and 2.40.090; identification of boundaries by code reference
- 33 and associated map number under 2.40.040 is sufficient and preferred.
- 34
- 35 2. Definition and eligibility for community council membership consistent
- 36 with affording residents maximum community involvement and self-
- 37 determination under the charter and meeting the requirements of this
- 38 chapter.
- 39
- 40 3. Regular meetings of the council at least four times in a calendar year and
- 41 at least once each calendar quarter; special meetings at the call of
- 42 designated officers or executive board members, and by petition from a
- 43 designated number of council members, to address community council
- 44 business, including the accommodation of community council
- 45 responsibilities under municipal code 21.03.020.C.
- 46

- 1 4. The election of officers, term of service, and the designation of an
2 executive board to receive notice and conduct the business of the council
3 between meetings. Community council officers and executive board
4 members with financial or fiduciary responsibility must be 18 years of age
5 or older at the time of service. A community council, in its discretion, may
6 designate non-fiduciary and non-signatory roles to younger members for
7 leadership training.
- 8
- 9 5. The duties and responsibilities of officers, their removal or replacement
10 when a vacancy occurs, and criteria for eligibility to hold an office with the
11 council.
- 12
- 13 6. A record shall be made by minutes or an electronic recording of all
14 regular and special meetings. Upon request, the record will be made
15 available within a reasonable time determined by the community council.
- 16
- 17 7. The management of the council's finances including regular status
18 reports and an annual report to the council members on the council's
19 finances or a compilation of treasurer's reports.
- 20
- 21 8. The dissolution of the council, and for the disposition of the council's
22 property upon dissolution.
- 23
- 24 9. Notice to the office of municipal clerk of a change in the designated
25 contact for direct notice to the community council or a change in legal
26 status of the community council.
- 27
- 28 10. That the latest edition of Robert's Rules of Order, Revised, shall apply in
29 all instances, matters, and proceedings not covered by the bylaws.
- 30
- 31 11. Procedures for amending the bylaws.
- 32
- 33 12. Meeting and member attendance rosters shall be used only for council
34 business.
- 35
- 36 13. Eligibility to vote.
- 37
- 38 a. For the election of officers and executive board members,
39 community council bylaws may require prior attendance at one but
40 no more than two community council meetings in the preceding 12
41 months prior to election. Prior attendance is demonstrated by the
42 meeting and member attendance roster. Bylaws shall not
43 otherwise restrict eligibility to vote by members in attendance.
- 44
- 45 b. Only one vote shall be granted to any member: Each resident,
46 property owner, business, and non-profit organization shall have

1 one vote. If a person meets the qualification of member in more
2 than one category or for more than one property, the member shall
3 have one vote.
4

5 14. Conflict of interest. Community councils shall not endorse a candidate
6 for federal, state or municipal elected office.
7

8 15. The community council shall not charge dues, or require other financial
9 contribution as a condition of membership or participation. A community
10 council may receive gifts, grants, contributions, or in-kind donations from
11 members or others to meet the costs of its operations, including voluntary
12 dues, provided that membership, participation, and voting privileges shall
13 not be predicated upon payment.
14

15 **2.40.040 – Establishment of community council districts.**
16

17 A. Standards. The assembly shall define community council districts so as to group
18 residents within natural communities and so as to recognize community desires
19 as to boundaries. Natural communities are defined as areas within the
20 municipality that are divided one from another by physical or traffic barriers, and
21 that have common interests, and that have or are achieving a distinct identity by
22 reason of geography, history, population, transportation and other factors.
23 Population is not a criterion.
24

25 B. Procedures for changes in districts. Review and amendment of community
26 council district boundaries shall adhere to the standards for defining district
27 boundaries set forth in subsection A. above, and follow a public process.
28 Reviews shall occur periodically to ensure that community council district
29 boundaries adjust through decades of neighborhood growth and change, and
30 continue to reflect and represent actual neighborhoods, as follows:
31

32 1. Initiation and timing of boundary reviews. Review of community council
33 district boundaries and the number of districts shall occur upon assembly
34 or planning and zoning commission initiative or at the request of the
35 mayor or one or more community councils; however, a comprehensive
36 review of district boundaries and the number of districts shall occur at
37 least once every ten years, following the release of decennial U.S.
38 Census results and after assembly redistricting is acted upon and any
39 court appeals are disposed of.
40

41 2. Public review process. For any review of one or more district boundaries,
42 the planning department shall obtain public input and the participation of
43 community councils on possible changes to community council district
44 boundaries, and shall submit to the planning and zoning commission and
45 assembly a report and recommendations on district boundaries. The
46 planning and zoning commission shall review the report, and after

1 conducting a public hearing, forward its recommendation to the
2 assembly. Upon receipt of the recommendation, the assembly shall
3 conduct a public hearing and by ordinance may adjust community council
4 district boundaries. The assembly and the planning and zoning
5 commission shall each solicit and consider the recommendations of
6 community councils concerning changes in community council district
7 boundaries.
8

9 C. Initial districts. Initially, the suggested district boundaries were those described
10 in appendix A to GAAB 5.75.030.B, a copy of which is available in the office of
11 the municipal clerk.
12

13 D. Districts recognized. The municipality recognizes the following community
14 council districts, which serve areas depicted on maps located in section
15 2.40.090_

- 16 1. Abbott Loop;
- 17 2. Airport Heights;
- 18 3. Basher;
- 19 4. Bayshore/Klatt;
- 20 5. Bear Valley;
- 21 6. Birchwood;
- 22 7. Campbell Park;
- 23 8. Chugiak;
- 24 9. Downtown;
- 25 10. Eagle River;
- 26 11. Eagle River Valley;
- 27 12. Eklutna Valley;
- 28 13. Fairview;
- 29 14. Glen Alps;
- 30 15. Government Hill;
- 31 16. Hillside East;
- 32 17. Huffman/O' Malley;
- 33 18. Mid-Hillside;
- 34 19. Mountain View;
- 35 20. Midtown
- 36 21. Northeast;
- 37

38 Note to Revisor: Municipal Code was amended in AO 2004-27 to add Midtown Community
39 Council, effective February 27, 2004. Revisor to renumber remaining listings.
40

- 41 22[1]. North Star;
- 42 23[2]. Old Seward/Oceanview;
- 43 24[3]. Portage Valley;
- 44 25[4]. Rabbit Creek;
- 45 26[5]. Rogers Park;
- 46 27[6]. Russian Jack Park;

- 1 28[7]. Sand Lake;
- 2 29[8]. Scenic Foothills;
- 3 30[29]. South Addition;
- 4 31[0]. South Fork;
- 5 32[1]. Spenard;
- 6 33[2]. Taku/Campbell;
- 7 34[3]. Tudor Area;
- 8 35[4]. Turnagain;
- 9 36[5]. Turnagain Arm;
- 10 37[6]. University Area.

11 (GAAB 5.75.030; AO No. 2003-75, § 2, 7-22-03)

12
13 **2.40.050 - Functions.**

14
15 Community councils shall have the following advisory functions:

16
17 A. In regard to the Anchorage comprehensive plan **and its adopted elements as**
18 **described in municipal code 21.01.080 and listed in Table 21.01-1:**

- 19
- 20 1. Evaluate compliance with the plan, alerting municipal officials to, or
- 21 proposing appropriate action regarding any inconsistencies with the plan;
- 22 and
- 23
- 24 2. Conduct a continuing review and study of the plan to determine its
- 25 workability in each district and to advise municipal officials of, or propose
- 26 any appropriate action regarding proposed modifications or additions to
- 27 the plan.
- 28

29 B. Assume leadership and propose action in regard to enforcement of existing laws

30 or ordinances, pursuit of rights under existing laws or ordinances, desired or

31 opposed changes in or additions to laws or ordinances, or any matter of policy

32 regulation.

33

34 C. Respond to local government proposals submitted to community councils

35 pursuant to section 2.40.060.

36

37 D. Work with local government and other governmental entities, as well as with

38 persons and groups outside the government, to accomplish district goals,

39 including goals which may have an areawide impact.

40

41 E. Receive and review notices to community councils from municipal departments

42 including notice under:

- 43
- 44 1. 2.30.120.C. (Alcohol Beverage Control Board license applications);
- 45
- 46 2. 10.55.030 (permits for teen nightclubs and cultural performance venues);

3. 21.03.020.H. (land use proposals);
4. 24.35.020 (national security road closures);
5. 25.30.025.E. (disposal of municipal land requiring voter approval);
6. other code provisions deemed appropriate by a municipal department.

F. Participate in the community meeting process under municipal code 21.03.020.C when notice from a developer is timely.

G. Advise the assembly of the community council’s annual priority list of capital improvement projects by filing with the municipal clerk within the timeframe established by the administration, a copy of the list as submitted to the administration. The municipal clerk will prepare an assembly information memorandum to submit the community council annual priority lists to the assembly. The assembly information memorandum will be presented at the next assembly meeting following the end of the submission period, or as soon as practicable after receipt by the municipal clerk.

(GAAB 5.75.040)

2.40.060 - Municipal responsibilities to community councils.

A. Notice and submission of proposals for review by community council. In supplement to the community council functions in section 2.40.050 and except where action must be taken on an emergency basis, the mayor shall be responsible for giving to community councils an opportunity to participate in the formulation of, and to review and comment upon, all land use, social and economic proposals which in the opinion of the mayor, the assembly, or the agency head involved, will have a significant impact on all or a substantial portion of district residents. [, PROVIDED THAT] Such procedures shall [DO] not [DELAY OR] preempt community councils from timely notice under existing procedures with regard to the processing, [AND] hearing, and appeal of applications for rezoning, special exceptions, variances, conditional use, and building permits.

1. Such opportunity for participation shall be afforded community councils in the initial stages of planning as well as in subsequent stages of proposal development.

2. Where municipal ordinance or resolution requires the giving of mailed notice to adjacent or nearby residents or property owners with respect to a proposed permit application, rezoning, or land use change, the planning department shall timely send a copy of the same notice to the chairman of any community council whose boundaries contain land described in

1 Tables 1 and 2 of this subsection, or to such other officer or contact
2 designated by the council for receiving such notice.
3

4 [INSERT]: Table 2.40.060A.-1: Community Council Notice Requirements For Land Use
5 Changes Proposed on Public Lands and Facilities
6

7 [INSERT]: Table 2.40.060A.-2: Community Council Notice Requirements for Land Use
8 Proposals on Private Property
9

10 B. On and after January 1, 2014, land use notice to community councils shall meet
11 or exceed the requirements for community council notice specified in municipal
12 code 21.03.020.H and summarized in Table 21.03-1.
13

14 C. Response to community councils. In the event of a written communication from
15 a community council requesting information, recommending municipal action
16 such as, but not limited to, inclusion of items on the Capital Improvement Project
17 list, or modification of municipal law or policy, or acting upon a municipal
18 proposal submitted pursuant to subsection A of this section, the appropriate
19 municipal officials shall issue an informative response within thirty days or such
20 shorter time as may be [A] reasonable [TIME]. The response shall include the
21 reasons for the municipal position. [IF THE MUNICIPAL OFFICIALS CANNOT COMPLY
22 WITH THE REQUEST OR DO NOT AGREE WITH THE POSITION TAKEN BY A COMMUNITY
23 COUNCIL, THE REASONS THEREFOR SHALL BE STATED].
24

25 D. Safeguarding fair, efficient and equitable community council relations and
26 practices. The assembly may request review and recommendation from the
27 office of the ombudsman or other assembly designee to assist in maintaining
28 appropriate procedures and support with respect to community council duties
29 and responsibilities. Such request may be from the assembly chair, the
30 Assembly Rules Committee, or by action of the assembly. Bylaw review and
31 items relating to actions or inactions of community councils and community
32 council officers may be referred to the Assembly Rules Committee.
33

34 *(GAAB 5.75.050; AO No. 2003-75, § 3, 7-22-03)*
35

36 **2.40.070 - Additional citizen participation in municipal government.** 37

38 Nothing contained in this chapter is intended to deny or limit in any manner the right of
39 persons individually or in groups to petition the assembly or otherwise participate in
40 municipal government under existing procedures and practices.
41

42 *(GAAB 5.75.060)*
43
44

1 **2.40.080 - Capacity to sue or be sued.**
2

3 Neither this chapter nor section 8.01 of the Charter shall be interpreted to empower, to
4 authorize or to provide legal capacity to community councils to sue or be sued in any
5 court.
6

7 *(AO No. 92-45)*
8

9 **2.40.090 - Community council maps.**
10

11 A. Purpose. The community council maps of this chapter have the following
12 purposes:
13

- 14 1. Provide residents of the municipality with a clear and accurate set of
15 descriptions for all community council districts and their boundaries,
16 together in one accessible document, and in a consistent format;
17
- 18 2. Ensure that residents can easily read, understand, and define their
19 community council district boundaries;
20
- 21 3. Document future changes to community council district boundaries in this
22 section.
23

24 B. Map interpretations. The community council maps in this chapter shall be
25 interpreted as follows:
26

- 27 1. A community council district boundary line on the map that follows a
28 street, highway or railroad or the meanderings of a river or creek on the
29 map shall be interpreted as following the centerline of the street, highway,
30 railroad, river, or creek.
31
- 32 2. A community council district boundary line on the map that follows a
33 property line or section line on the map shall be interpreted as falling on
34 that property or section line as it existed on the 22nd day of July, 2003.
35
- 36 3. A community council district boundary line on the map that follows the
37 boundary of a public land or facility that is shaded on the map shall be
38 interpreted as falling on the boundary of that public land or facility.
39
- 40 4. Where a community council district boundary line on the map does not
41 follow a road, stream, property boundary, or section line, and instead
42 follows some other prominent physical feature such as a ridgeline
43 between watershed valleys, the community council district boundary shall
44 be interpreted as falling on the feature that is labeled alongside the
45 boundary line.

1 5. The boundary of a community council that abuts, adjoins or is adjacent to
2 either Turnagain Arm or Knik Arm of Cook Inlet extends seaward to mean
3 low or lower water.
4

5 C. Specific community council maps adopted.
6

7 1. The community council district maps prepared by the department of
8 planning, dated June 17, 2003, embodying the recommendations of the
9 Federation of Community Councils' Boundary Review Committee, dated
10 June 4, 2003, for Map Nos. 1–12, modifying the maps prepared by the
11 department of planning to implement the recommendations of the
12 Anchorage Planning and Zoning Commission, December 9, 2002,
13 adopted by the Assembly on July, 22, 2003:
14

- 15 a. Map 1 — Northern Chugiak-Eagle River;
- 16 b. Map 2 — Central Chugiak-Eagle River;
- 17 c. Map 3 — Northeast Anchorage Bowl;
- 18 d. Map 4 — East-central Anchorage Bowl;
- 19 e. Map 5 — Northwest Anchorage Bowl;
- 20 Map 5a — Northwest Anchorage Bowl: Bootleggers Cove Vicinity;
- 21 Map 5b — Northwest Anchorage Bowl East Downtown Vicinity;
- 22 f. Map 6 — Midtown Anchorage;
- 23 Map 6a — Midtown Anchorage: Spenard Lake Vicinity;
- 24 Map 6b — Midtown Anchorage: West Fireweed Lane Vicinity;
- 25 g. Map 7 — Sand Lake and Taku/Campbell;
- 26 h. Map 8 — Southwest Anchorage Bowl;
- 27 i. Map 9 — Hillside Anchorage;
- 28 Map 9a — Hillside Anchorage Section 36/Bear Valley Elementary
29 Vicinity;
- 30 j. Map 10 — Turnagain Arm;
- 31 k. Map 11 — Chugiak-Eagle River;
- 32 l. Map 12 — Anchorage Bowl.
- 33

34 2. The planning department shall maintain, for inspection by the public,
35 maps showing the community council district boundaries.
36

37 (*AO No. 2003-75, § 4, 7-22-03; AO No. 2004-27, § 2, 2-17-04*)
38

39 [INSERT MAPS]
40

- 41 Map 1 — Northern Chugiak-Eagle River
- 42 Map 2 — Central Chugiak-Eagle River
- 43 Map 3 — Northeast Anchorage Bowl
- 44 Map 4 — East-Central Anchorage Bowl
- 45 Map 5 — Northwest Anchorage Bowl
- 46 Map 5a — Northwest Anchorage Bowl: Bootleggers Cove Vicinity

- 1 Map 5b —Northwest Anchorage Bowl East Downtown Vicinity
- 2 Map 6 — Midtown Anchorage
- 3 Map 6a — Midtown Anchorage: Spenard Lake Vicinity
- 4 Map 6b — Midtown Anchorage: West Fireweed Lane Vicinity
- 5 Map 7 — Sand Lake and Taku-Campbell
- 6 Map 8 — Southwest Anchorage Bowl
- 7 Map 9 — Hillside Anchorage
- 8 Map 9a — Hillside Anchorage Section 36/Storck Park/Bear Valley Elementary Vicinity
- 9 Map 10 — Turnagain Arm
- 10 Map 11 — Chugiak-Eagle River
- 11 Map 12 — Anchorage Bowl

12
 13 **Section 2.** To implement this ordinance, each community council shall file with the
 14 Municipal Clerk’s Office new or amended bylaws in conformity with the requirements of
 15 chapter 2.40, as amended by this ordinance, for acceptance by the Assembly. Bylaws
 16 submitted to the Municipal Clerk’s Office will be reviewed by the Ombudsman for conformity
 17 with this chapter 2.40 prior to the Municipal Clerk’s submission to the Assembly. To facilitate
 18 Assembly acceptance, the Ombudsman will notify a community council of any nonconformity
 19 requiring correction. Bylaws deemed by the Ombudsman in conformity with Chapter 2.40 will
 20 be presented by assembly information memorandum from the Municipal Clerk at the next
 21 assembly meeting following notification from the Ombudsman, or as soon as practicable.

22
 23 **Section 3.** The filing period for new or amended bylaws is 120 days from the effective date
 24 of this ordinance, subject to an automatic extension for up to 90 additional days upon the
 25 community council filing written notice to the Municipal Clerk. In the absence of new or
 26 amended bylaws timely filed with the Municipal Clerk, the bylaws in Exhibit A shall be deemed
 27 in effect until acceptance of new or amended bylaws by the Assembly. In place of a
 28 provision not accepted by the Assembly, a comparable bylaw provision in Exhibit A may be
 29 substituted by the Assembly in the acceptance.

30
 31 **Section 4.** This ordinance shall become effective immediately upon passage and approval
 32 by the Assembly.

33
 34 PASSED AND APPROVED by the Anchorage Assembly this _____ day of
 35 _____, 2013.

36
 37
 38 _____
 Chair

39 ATTEST:
 40 _____
 41 Municipal Clerk