

## PREFACE

The Code of Ordinances of the City of King Cove, Alaska, as herein presented derives from Ordinance No. 77-1, adopted by the City Council on August 18, 1977. In 1991, Perkins Coie, with the assistance of King Cove City Manager Gary Hennigh and City Clerk Cindy Samuelson, recodified the 1977 Code. The process involved the compilation, editing and indexing of ordinances adopted since the 1977 Code and reorganizing the original and supplemented text into a new format.

The Code is organized by subject matter utilizing an expandable three-factor decimal numbering system which is designed to facilitate supplementation without disturbing the number of existing provisions. Each section number designates, in sequence, the numbers of the title, chapter, and section. Thus, section 10.05.030 is section .030, located in chapter .05 of Title 10. Chapters and sections are numbered sequentially but with vacant positions between the numbers to accommodate future enactments. In many instances the use of articles provides a further subject grouping of sections within a chapter.

The 1991 recodification initiated the presentation of legislative history notes. In parentheses following each section are historical citations identifying the specific sources for the provisions of that section. By reference to these citations the user will be able to ascertain the ordinance/s from which the present section has been derived. The history note is arranged in chronological order, with each subsequent cite following the original entry. If a supplementing ordinance repeals and re-enacts a section, the cite is separated from the prior ordinance cite by a colon (:). If a supplementing ordinance simply amends a section, the cite is separated from the prior ordinance cite by a semicolon (;). In order to identify an ordinance section number which appears in more than one section of the Code, the designation "(part)" is used in the history notes of all Code sections in which the ordinance section appears. The section symbol "\$" is utilized consistently throughout the Code.

The Ordinance Identification and Disposition Table, following the Code text, complements the legislative history notes. The Table lists all ordinances in numerical sequence, the subject matter and where they appear in the Code (or if they are non-code ordinances), and their effective date.

The 1991 recodification further enhanced the Code by the addition of footnotes referring to applicable statutory provisions and cross-references to similar or related provisions located elsewhere in the Code. A subject-matter index locates specific Code provisions by individual section numbers.

**Gordon J Tans, Esq.**  
**JoAnne E. Yerkes, CMC**  
**PERKINS COIE**  
1029 West Third Avenue, Suite 300  
Anchorage, Alaska 99501  
Phone: (907) 279-8561  
Facsimile: (907) 276-3108

## **GUIDELINES FOR DRAFTING ORDINANCES**

Laws of a general, uniform and permanent nature shall be in the form of an ordinance (§ 2.15.210). AS 29.25.010 and King Cove § 2.15.215 sets forth those acts which must be in the form of an ordinance. And, King Cove § 2.15.220 requires that, generally, ordinances must be confined to a single subject.

The required form and content of an ordinance are addressed at § 1.10.025 and § 2.15.230. Following are some additional guidelines for drafting ordinances.

Ordinances either amend, repeal or create sections within the existing code. It is important to determine at the time of drafting how the ordinance will affect existing law and to specifically identify any code sections affected by the ordinance.

### **Ordinance Amending Existing Code Section**

Example: Section 5.05.025 of the Code of Ordinances of the City of King Cove, Alaska, is hereby amended to read as follows:

### **Ordinance Repealing Existing Code Section**

Example: Section 5.05.025 of the Code of Ordinances of the City of King Cove, Alaska, is hereby repealed.

If a section has undergone a major rewrite and, for drafting purposes, it is easier to repeal and re-enact than to amend:

Example: Section 5.05.025 of the Code of Ordinances of the City of King Cove, Alaska, is hereby repealed and re-enacted to read as follows:

### **Ordinance Adding New Code Text**

First, the drafter must determine where to locate the new material within the existing code framework. Look to the proper title, then chapter, article and section for the most appropriate placement near similar existing provisions, if any.

**A new section may be created:**

**Example:** The Code of Ordinances of the City of King Cove, Alaska, is hereby amended by addition of the following section:

**Or:** Section 5.05.027 of the Code of Ordinances of the City of King Cove, Alaska, is hereby created to read as follows:

**Or, the text may become part of an existing section.**

**Example:** Subsection C. of § 5.05.025 of the Code of Ordinances of the City of King Cove, Alaska, is hereby created to read as follows:

**If entirely new subject matter is being presented, it may be necessary to consider the creation of a new title or chapter.**

**Example:** The Code of Ordinances of the City of King Cove, Alaska, is hereby amended by addition of the following chapter:

**Or:** Title 5, Chapter 45 of the Code of Ordinances of the City of King Cove, Alaska, is hereby created to read as follows:

**Or:** Chapter 5.45, § 5.45.010 through § 5.45.255, of the Code of Ordinances of the City of King Cove, Alaska, is hereby created to read as follows:

**If you have any questions as to the proper placement of a new provision, please contact us.**