

Introduced by:

Date:

Public Hearing:

Action:

Vote:

CITY OF TOGIAK, ALASKA

ORDINANCE #20-06

AN ORDINANCE AMENDING CHAPTER 2.08 OF THE CITY OF TOGIAK CODE OF ORDINANCES TO ALLOW EMERGENCY ORDINANCES TO BE NOTICED TO THE PUBLIC ON SHORTENED TIME, WITHIN A PERIOD OF TIME PRACTICABLE UNDER THE PARTICULAR CIRCUMSTANCES

WHEREAS, the City of Togiak (the "City") desires to amend Code Section 2.08.050 of the City of Togiak Code of Ordinances (the "Code") to allow an emergency ordinance to be noticed to the public on shortened time, within a period of time practicable under the circumstances of the particular emergency ordinance.

BE IT ORDAINED by the City Council of Togiak, Alaska, that:

SECTION 1. Classification. This ordinance is permanent or general in nature and shall be placed in the City of Togiak Code of Ordinances ("Code").

SECTION 2. Amendment to Section 2.08.050. Section 2.08.050 of the Code is amended as follows (new language underlined):

2.08.050 Emergency Ordinances

The following are the requirements and procedure to pass an emergency ordinance:

- A. Every emergency ordinance must contain a statement by the council of why an emergency exists and a statement of facts about the emergency.
- B. The ordinance can be passed at the same meeting it is introduced.
- C. Emergency ordinances are effective for sixty (60) days.
- D. Notwithstanding Section 2.04.100 and Section 2.08.030(C), reasonable public notice of the council's consideration of an emergency ordinances is whatever notice is practicable under the circumstances.

SECTION 3. Application. Should any provision of this ordinance, or application thereof to any person or circumstances be declared invalid, void, or illegal, the application to other persons or circumstances shall not be affected thereby. Further, such declaration shall in no way affect, impair, or invalidate any other provision hereof, and such other provisions shall remain in full force and effect.

SECTION 4. Severability. Nothing in this ordinance shall be construed to authorize or condone actions which would violate any requirement of applicable state or federal law. This ordinance is intended to be interpreted consistently with, where possible, the Constitution of the United States, the Constitution of the State of Alaska, federal statutes and regulations, and Alaska statutes and regulations. Where it is not possible to construe a provision of this ordinance consistently with these state and federal provisions, the conflicting provision of this ordinance shall be void.

SECTION 5. Effective Date. This ordinance shall become effective upon adoption.

ENACTED THIS ___ DAY OF _____, 2020, by a vote of ___ in favor and ___ opposed.

Anna May Kasak, Mayor

ATTEST:

Patricia Wilcox, City Clerk