

Proposed by:	Assembly
Attorney Review:	06/11/2013
First Reading:	06/20/2013
Second Reading:	07/11/2013
Vote: 6 Aye	0 Nay 0 Absent

MUNICIPALITY OF SKAGWAY, ALASKA ORDINANCE NO. 13-18

AN ORDINANCE OF THE MUNICIPALITY OF SKAGWAY, ALASKA AMENDING TITLE 13 TO ADD CHAPTER 13.22 ESTABLISHING A SOLID WASTE ADVISORY COMMITTEE.

WHEREAS, the Borough Assembly adopted Resolution No. 13-08R on April 4, 2013, approving the Solid Waste and Recycling Management Plan developed by SCS Engineers, Scenario 5 of the plan, entitled "Recycling and Composting Facilities and Close Incinerator Scenario," as the preferred scenario for solid waste management, and the Recycling Committee Recommendations dated February 12, 2013 as guidelines for implementing the Solid Waste and Recycling Management Program; and

WHEREAS, the Recycling Committee Recommendations as approved by the Assembly call for the creation of a solid waste advisory committee; and

WHEREAS, as recommended by the Recycling Committee, the solid waste advisory committee's work will include: (1) addressing policy issues in waste management, including recycling, food/yard waste, collection, transfer stations, and waste prevention; (2) advising the public works department of the advisory committee's findings and recommendations; (3) creating a yearly solid waste advisory committee work plan; and (4) creating a public outreach campaign; and

WHEREAS, it is necessary to add a new chapter to municipal code to address the formation and purpose of the solid waste advisory committee;

NOW THEREFORE BE IT ORDAINED AND ENACTED BY THE MUNICIPALITY OF SKAGWAY, ALASKA AS FOLLOWS:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the Skagway Municipal Code.

Section 2. Purpose. To establish a solid waste advisory committee by adding Chapter 13.22 to the Skagway Municipal Code.

Section 3. Addition. The Skagway Municipal Code Title 13 is hereby amended by adding Chapter 13.22 Solid Waste Advisory Committee as follows:

Chapter 13.22

SOLID WASTE ADVISORY COMMITTEE

Sections:

13.22.010 **Advisory committee established.**

13.22.020 **Appointment.**

13.22.030 **Term of office.**

13.22.040 **Officers.**

13.22.050 **Vacancies.**

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13.22.060 Quorum.

13.22.070 Meetings.

13.22.080 Record of meetings.

13.22.010 Advisory committee established.

There is established a four (4) member solid waste advisory committee for the municipality, which shall serve in an advisory role to the borough assembly and the public works department on matters of waste management policy, including recycling, food/yard waste, collection, transfer stations, and waste prevention.

13.22.020 Appointment.

Members of the solid waste advisory committee shall be appointed by the mayor, subject to confirmation of the borough assembly. A borough assembly member shall serve as the ex officio member of the board, may attend all meetings and have the privilege of the floor, shall have a vote in the event of a tie, but shall not serve as chairman or co-chairman.

13.22.030 Term of office.

- A. Members shall be appointed for a term of three (3) years; however, a committee member serves until a successor takes office. The term of office begins in October.
- B. The terms shall be staggered so that members shall be appointed each year. Terms shall be first established by drawing, 1 for a one (1) year term, 1 for a two (2) year term and 2 for three (3) year terms.
- C. Appointments to fill vacancies shall be for the unexpired term only.

13.22.040 Officers.

- A. The solid waste advisory committee shall elect annually a chair, vice-chair and secretary at its first meeting following the mayor's appointment and the assembly's confirmation of committee members.
- B. The term of office for the chair, vice-chair and secretary shall be one (1) year; however, officers may serve more than one term.
- C. The chair shall preside over the solid waste advisory committee and shall have the right to vote.
- D. The vice-chair shall perform the duties of the chair in the absence or disability of the chair.
- E. The secretary shall record the minutes of committee meetings and shall keep attendance records and notify the mayor when vacancies occur.

13.22.050 Vacancies

- A. A vacancy shall be declared and filled as above provided, when a member:
 - 1. Submits his or her resignation and the resignation is accepted by the mayor;
 - 2. Is physically or mentally unable to attend committee meetings for a period of more than ninety (90) days unless excused by the committee;
 - 3. Is convicted of a felony; or
 - 4. Any committee member may be removed with written notice by the mayor after a majority vote of the assembly at any time regardless of whether that person's term on the board has expired.

13.22.060 Quorum.

A majority of voting membership (3) constitutes a quorum. The ex officio member is not counted in determining whether a quorum is present. Members may participate by telephone in a committee meeting, and shall be counted as present for purposes of establishing a quorum, discussion, voting and attendance. Actions of the committee are adopted by a majority of those voting members present. The final vote on each action must be by a recorded roll call vote. Each member present shall vote on every question, unless required by law to abstain from voting on a question.

13.22.070 Meetings.

The solid waste advisory committee shall meet monthly, at a regularly established time, determined by the committee. Additional meetings may be called at the discretion of the chair, or shall be called at the request of three (3) members.


13.22.080 Record of meetings.

Meetings shall be public and minutes shall be kept. Minutes and records shall be filed with the borough clerk and retained as public records.

Section 4. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.


Section 5. Effective Date. This ordinance shall become effective immediately upon adoption.

PASSED AND APPROVED by a duly constituted quorum of the Borough Assembly of the Municipality of Skagway this 11th day of July, 2013.



Stan Selmer, Mayor

ATTEST:



Emily A. Deach, Borough Clerk

(SEAL)

