

Proposed by:	Solid Waste Advisory Committee
Attorney Review:	05/22/2016
First Reading:	06/02/2016
Second Reading:	06/16/2016
Vote:	6 Aye    0 Nay   0 Absent

## MUNICIPALITY OF SKAGWAY, ALASKA ORDINANCE NO. 16-11

AN ORDINANCE OF THE MUNICIPALITY OF SKAGWAY, ALASKA AMENDING SMC CHAPTER 13.22 SOLID WASTE ADVISORY COMMITTEE, OF TITLE 13 PUBLIC UTILITIES, TO PROVIDE FOR ONE ALTERNATE MEMBER OF THE 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 amend SMC Chapter 13.22 Solid Waste Advisory Committee to provide for one alternate member of the committee. The Skagway Municipal Code is hereby amended (~~strike through~~) indicates text to be deleted from, and **bold** indicates text added to the current code as follows:

**Section 3. Amendment.** SMC Chapter 13.22 is hereby amended as follows:

13.22.010 Advisory committee established.

There is established a ~~five (5) 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. **The committee shall consist of five (5) members and one (1) alternate member.**

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. **The alternate member may participate in meetings, but shall abstain from voting unless replacing an absent board member. The chair of the committee shall determine such absence and alternate replacement when establishing a quorum.**

13.22.030 Terms 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, ~~one (1)~~ **two (2)** for a one (1) year term, two (2) for two (2) year terms and two (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 (1) 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.
- F. The alternate member shall not serve as the chair or vice-chair, but may serve as the secretary in the secretary's absence.**

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 (three (3))~~ **Three (3) members of the committee constitutes a quorum, and no business shall be conducted in the absence of a quorum.** The ex officio member is not counted in determining whether a quorum is present. **The alternate member may be counted in determining a quorum if a committee member is absent, pursuant to SMC 13.22.020.** 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 prevailing vote of at least three (3) members of the committee shall be required for official action.** The final vote on each action must be by a recorded roll call vote. Each voting 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.

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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 16<sup>th</sup> day of June, 2016.

  
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Mark Schaefer, Mayor

ATTEST:

  
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Emily A. Deach, Borough Clerk

(SEAL)

