

**CITY OF CORDOVA, ALASKA  
ORDINANCE 1203**

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF CORDOVA, ALASKA,  
AMENDING CORDOVA MUNICIPAL CODE SECTIONS 1.04.255, 1.20.010, 2.06.030,  
2.18.050, 2.24.020, 2.56.017, 3.14.020, 3.40.090, 4.12.030, 5.12.110, 5.14.020, 5.24.040, 5.32.080,  
5.32.150, 5.36.110, 5.40.150, 10.52.030, 10.52.050, 10.54.040, 10.54.070, 11.32.050, 13.24.030,  
17.24.040, 18.68.030 AND 18.72.080 TO DEFINE THE TERMS “PUBLISH” AND  
“PUBLICATION” AND TO CLARIFY THE NOTICE AND PUBLICATION  
REQUIREMENTS UNDER THE CORDOVA MUNICIPAL CODE**

**WHEREAS**, The Alaska Open Meetings Act, AS 44.62.310 - 44.62.319, requires that “reasonable public notice shall be given” for all public meetings, and that the “notice may be given using print or broadcast media”; and

**WHEREAS**, Section 1-6(5) of the Cordova Municipal Charter defines “published” or “publication,” as used in the charter, as “appearing at least once in the city in such print or broadcast or other electronic media, or a combination thereof, that the council determines will provide the most effective notice to the public”; and

**WHEREAS**, the Alaska Supreme Court has determined that “a newspaper is one of ‘general circulation’ in a community when it “contains news of general interest to the community and reaches a diverse readership”; and

**WHEREAS**, the availability and accessibility of internet websites and publications has increased substantially in the last decade; and

**WHEREAS**, local print newspapers are not published at the same frequency or increasingly at all in many small communities, as demonstrated recently by the interruption of the Cordova Times’ print publication schedule; and

**WHEREAS**, it is in the City’s best interest to clarify that “print or broadcast or other electronic media” that provide effective notice to the public of local government affairs include internet websites and publications that contain news of general interest to the community and reach a diverse readership.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Cordova, Alaska that:

**Section 1.** The Cordova Code of Ordinances of Cordova, Alaska, is hereby amended by adding a section, to be numbered 1.04.255, which said section reads as follows:

**1.04.255 - Publish.**

**“Publish” or “publication” means to appear in an internet, print, or broadcast medium that contains news of general interest to the community and that reaches a diverse readership or audience.**

**Section 2.** Section 1.20.010 of the Cordova Code of Ordinances of Cordova, Alaska, is hereby amended to read as follows:

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1.20.010 - Publication and posting.

All rules and regulations by any administrative officer subject to approval by the council under the provisions of this code shall be **noticed** ~~published either by publishing the same one time~~ ~~one publication in a newspaper of general circulation in the city~~, or by posting a copy thereof for ten days following their approval by the Ceity Ceouncil on the city bulletin board in the city hall.

**Section 3.** Section 2.06.030 of the Cordova Code of Ordinances of Cordova, Alaska, is hereby amended to read as follows:

2.06.030 - Notice of offices to be filled.

At least 60 days and not more than 90 days before each regular election, the City Clerk shall publish ~~in at least one newspaper of general circulation within the City and post on the City's website~~, a notice of offices to be filled at the upcoming regular election, the manner of declaring candidacy, and final dates for filing for candidacy.

**Section 4.** Section 2.18.050 of the Cordova Code of Ordinances of Cordova, Alaska, is hereby amended to read as follows:

2.18.050 - Validity of election—Certification by Ceity Ceouncil.

- A. No more than forty-eight hours after the all-ballot canvassing session is complete, Ceity Ceouncil shall meet to review the certificate of returns prepared and delivered by the election board chairperson, and any election contests or applications for a recount.
- B. If Ceity Ceouncil concludes that the election was validly held, such conclusion shall be publicly announced and entered upon the minutes of the meeting. The minutes shall include the number of votes cast in the election, the names of the persons voted for and the propositions and questions voted upon, the offices and seats voted for, the number of votes cast for each candidate for each office and seat, and the number of votes for and against each proposition. If council concludes that the election is not valid, it shall order another election.
- C. Upon determination that the election was validly held and that substantial compliance with all voting procedures was affected and that no material discrepancy exists which may affect the outcome of the election, Ceity Ceouncil shall direct the Ceity Celerk to:
  1. Deliver to each candidate elected to office a certificate of election signed by the Mmayor and Ceity Celerk and authenticated by the municipal seal;
  2. Prepare a certificate of election for each approved proposition to be signed by the Mmayor and Ceity Celerk and authenticated by the municipal seal; and
  3. Prepare **and publish at least once** an official certificate of election ~~to be published at least once in a newspaper of general circulation within the city~~. In the event of an election contest or recount concerning only one office, seat or question, Ceity Ceouncil may direct that the Ceity Celerk issue a certificate for the non-contested election for the other offices, seats, and questions.

**Section 5.** Section 2.24.020 of the Cordova Code of Ordinances of Cordova, Alaska, is hereby amended to read as follows:

2.24.020 - City Celerk emergency election authority.

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- A. In an emergency, the Ceity Celerk is authorized to take action to preserve the integrity of the election, while at the same time allowing eligible voters to vote who might otherwise not get an opportunity.
- B. Actions authorized under this chapter may include, but are not limited to:
  - 1. Requesting expedited relief from a court of competent jurisdiction;
  - 2. Keeping polling locations, early voting sites, voting assistance centers, and ballot drop boxes open longer than allowed by this Code;
  - 3. Closing polling locations, early voting sites, and ballot drop boxes permanently or for a limited time regardless of the requirements in this title, while providing eligible voters other opportunities to vote;
  - 4. Accepting absentee voting applications after the deadlines in this title but before the close of the election;
  - 5. Moving polling places, early voting sites, and ballot drop boxes with as much notice as possible without jeopardizing life and safety; and
  - 6. Accepting votes not cast on official ballots.
- C. The Ceity Celerk shall take steps to maintain a record of every action taken under this chapter and, if possible, shall adequately segregate votes cast under this chapter so that a court may rule on the action taken and accurately add or subtract votes as may be necessary.
- D. If practicable, the city clerk shall **publish** ~~post public~~ notice of any changes to the election procedure as a result of this chapter, and the reasons for such changes, ~~on the city website and in a newspaper of general circulation within the city.~~ If notice is impracticable under this subsection, the Ceity Celerk shall make reasonable efforts to provide notice through other avenues and shall provide Ceity Ceouncil with an explanation of the notice provided and the reasons for it at Ceity Ceouncil's next special, regular or emergency council meeting.

**Section 6.** Section 2.56.017 of the Cordova Code of Ordinances of Cordova, Alaska, is hereby amended to read as follows:

2.56.017 - Petitions—Publication.

Promptly after the later to occur of the certification of a petition by the Ceity Celerk as legal and sufficient under Section 2.56.014 and the expiration of the seven-day period for withdrawal of petition signatures under Section 2.56.013(C), the Ceity Celerk shall publish ~~in a newspaper of general circulation in the city~~ the following information in the petition:

- A. The question presented to the voters by the petition;
- B. The name of each person whose signature appears on the petition; and
- C. The name of each sponsor of the petition.

**Section 7.** Section 3.14.020 of the Cordova Code of Ordinances of Cordova, Alaska, is hereby amended to read as follows:

3.14.020 – Public notice.

Reasonable, consistent public notice shall be given for all meetings required to be open under this chapter. The notice must include the date, time and place of the meeting, including the location of any teleconferencing facilities that will be used. **Notice of the meeting shall be published.** ~~Publication of the meeting shall be by print or broadcast media, as determined by the governmental body.~~ Notice shall

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also be posted at the principal office of the public entity or, if the public entity has no principal office, at a place designated by the governmental body and in such other locations as may be required in the code or Ceity Charter.

**Section 8.** Section 3.40.090 of the Cordova Code of Ordinances of Cordova, Alaska, is hereby amended to read as follows:

3.40.090 - Planning Commission—Powers and duties—Zoning Commission.

- A. Planning Commission to be Zoning Commission. The ~~P~~lanning Commission is designated as the Zoning Commission and the terms, method of filling vacancies, ex officio members, selection of chairman, and meeting applicable to the ~~P~~lanning Commission shall also apply to the Zoning Commission. They shall be considered as one and the same commission for the purposes of this chapter, and all actions may be taken and all records kept in the name of the ~~P~~lanning Commission.
- B. Powers and Duties. It shall be the duty of the ~~P~~lanning Commission, exercising the powers of Zoning Commission:
1. To develop, adopt, alter or revise, subject to approval by the Ceity Council, a building code, plumbing code, electrical code, and other codes and regulations that may be required from time to time to regulate building construction;
  2. To develop, alter, adopt or revise, subject to approval by Ceity Council, a plan establishing fire zones within the city;
  3. To develop, adopt, alter or revise, subject to approval by Ceity Council, a comprehensive plan designed to lessen congestion in streets, to secure safety from fires, panic and other danger, to promote health and the general welfare, to provide adequate light and air, to prevent over-crowding of land to avoid undue concentration of population, to facilitate adequate provision for transportation, water, sewage, schools, parks and other public requirements. To accomplish the above objectives, the commission is hereby empowered to:
    - a. Regulate and restrict the height, number of stories and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts and use of buildings, structures and land for trade, industry, residence or other purposes,
    - b. Condemn buildings which have become a fire or health hazard or public nuisance, and, after hearing on thirty days' notice to the owner or his agent, order or cause the removal or demolition; provided, the owner shall be given at least thirty days time after hearing within which to remove the objectionable building or buildings before the Ceity may proceed to do so. The cost incurred by the Ceity shall be chargeable to the property, first against the salvaged material, which may be sold at public auction, the balance of cost, if any, against the land, the same as taxes,
    - c. Divide the municipality into districts of such number, shape and area as may be deemed best suited to carry out the purposes of this code, and within such districts to regulate and restrict the erection, construction, reconstruction, alterations, repair or use of buildings, structures or land,
    - d. Provide for the manner in which regulations and restrictions and the boundaries of districts shall be determined, established and enforced, and from time to time amended, supplemented or changed. However, no such regulation, restriction or boundary shall become effective until after a public bearing in relation thereto at

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which parties in interest and citizens shall have an opportunity to be heard, as hereinafter provided. ~~At least fifteen days' N~~notice of the time and place of such hearing shall be published **for at least fifteen days prior to the hearing.** ~~in an official paper or a paper of general circulation in such municipality.~~ Such regulations, restrictions and boundaries may from time to time be amended, supplemented, changed, modified or repealed. In case, however, of a protest against such change, signed by the owners of twenty percent or more, either of the area of the lots included in such proposed change, or by the owners of twenty percent or more of the area of the lots immediately abutting either side of the territory included in such proposed change or separated therefrom only in an alley or street, such amendment shall not become effective except by the favorable vote of three-fourths of all the members of the council. The provisions relative to public hearings and official notice shall apply equally to all changes or amendments.

- e. Develop, adopt, alter, or revise, subject to approval by Ceity Ceouncil a coastal management element to the comprehensive plan for the community; said coastal management element shall be prepared in conformance with applicable state and federal law. To accomplish these objectives, the commission is empowered to:
  - i. Prescribe and recommend an area to be designated the Cordova coastal zone into management districts of such number, shape, and area as may be deemed best suited to carry out the purposes hereof; and within each management district, to prescribe proper and improper water and land uses and activities and policies which shall apply,
  - ii. Hear and decide upon those applications which involve uses or activities that are permissible only upon a showing of certain specified conditions; said conditions being a part of the ordinance codified in this section. When such decisions are to be heard, they shall be conducted in a manner as that prescribed in Chapter 18.60,
  - iii. Provide for a manner in which the requirements of the coastal management program may be amended including revisions to the size and areal extent of the coastal zone and extent and classification of the management districts, and the determination of proper and improper uses and policies pertaining thereto; provided such modifications shall be subject to approval by the Ceity Ceouncil and the state of Alaska,
  - iv. Hear and decide upon appeals pertaining to decisions by the planning director regarding the coastal management program. Such appeals shall be conducted in the manner set forth in Chapter 18.64.

**Section 9.** Section 4.12.030 of the Cordova Code of Ordinances of Cordova, Alaska, is hereby amended to read as follows:

#### 4.12.030 - Job announcements and publicity.

In order to ensure an adequate number of candidates for present or anticipated vacancies and to permit successful competition with other employees, the Ceity Manager will **publish** ~~have issued~~ job announcements and otherwise publicize vacancies ~~through such media which will include, but not be limited to, the a local newspaper.~~ All job announcements shall be clear and readable. They shall include the job title, salary range, job qualification requirements, examination information including the time, place and manner of completing applications, and other pertinent information. Publicity for all regular

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full-time and regular part-time job vacancies shall be conducted for a sufficient period of time in the same manner to ensure reasonable opportunity for persons to apply and be considered for employment. When a job vacancy exists for a regular full-time position, regular part-time position, temporary full-time or temporary part-time position, written notice shall be posted for ten working days. At the close of the ten day advertisement period, the Ceity will first consider only ~~city~~ applications submitted by regular full-time or regular part-time city employees who submitted an application during the first five days of the advertisement period. If the vacancy is not filled by a regular full-time or regular part-time city employee who submitted an application during the first five days of the advertisement period, the Ceity will consider all other applications made during the advertisement period.

**Section 10.** Section 5.12.110 of the Cordova Code of Ordinances of Cordova, Alaska, is hereby amended to read as follows:

5.12.110 - Solicitation and acceptance of bids.

- A. The Ceity Manager shall initiate competitive sealed bidding by issuing an invitation for bids. The invitation for bids shall state, or incorporate by reference, all specifications and contractual terms and conditions applicable to the procurement.
- B. Public notice of the invitation for bids shall be published at least once not less than fourteen days before the last day on which bids will be accepted, ~~in a newspaper of general circulation in the city.~~ The notice also shall be posted at the Cordova post office or such other place in the city designated by the council that is accessible to the public. The contents of the notice shall be sufficient to inform interested readers of the general nature of the supplies, services or construction being procured and the procedure for submitting a bid. The Ceity Manager shall mail or otherwise deliver notices to prospective bidders that have registered their names and addresses on a current bidders' mailing list maintained by the Ceity. The Ceity Manager shall keep a written record of the name of each person receiving notice and of the date and manner of delivery. The failure of any person to receive notice under this subsection shall not affect the validity of any award or contract.
- C. The terms of an invitation for bids may be modified or interpreted only by written addendum issued by the Ceity Manager. Addenda to bids shall be sent to each recipient of the original bid documents. A bid may be considered responsive only if it acknowledges receipt of all addenda except for any addendum that the Ceity Manager determines in writing would have no material effect on the terms of the bid.
- D. Sealed bids shall be submitted by mail, delivery service or in person at the place and no later than the time specified in the invitation for bids. Bids not submitted at the proper place or within the time specified shall not be opened or considered.
- E. Bids shall be opened at the time and place designated in the invitation for bids. All bid openings shall be open to the public. Bids are not open to public inspection until after the notice of intent to award a contract is issued. The Ceity Manager shall tabulate the amount of each bid and shall record such other information as may be necessary or desirable for evaluation together with the name of each bidder. The tabulation shall be open to public inspection, and a copy of the tabulation shall be furnished to each bidder. To the extent the bidder designates in writing and other provisions of law permit, trade secrets and other proprietary data contained in a bid document shall be withheld from public inspection.

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- F. Bids shall be accepted unconditionally without alteration or correction. No criteria except those set forth in the invitation for bids, including all specifications and addenda, may be used in determining the low bidder and the responsiveness of bids.

**Section 11.** Section 5.14.020 of the Cordova Code of Ordinances of Cordova, Alaska, is hereby amended to read as follows:

5.14.020 - Procedure.

Sales of property, material or equipment the estimated value of which is over one thousand dollars shall be as follows:

- A. By **publishing a notice of sale** advertising for a period not less than fourteen days prior to date of sale. **The notice of sale** Advertising shall **also be posted** ~~be in two consecutive issues of the local newspaper,~~ on the bulletin board in the City Hall, and in one other public place.
- B. Bids shall be sealed bids and accompanied by a deposit of not less than ten percent of the amount bid.
- C. No conditions of sale shall be considered except payment in full within seventy-two hours after acceptance of bid. Deposits of the three highest bidders will be held seventy-two hours or until the balance is paid on the bid of first successful bidder. If bid is not completed, sale shall be made to next highest bid or if otherwise acceptable.
- D. No bid may be withdrawn subsequent to the opening of bids, and in the event a successful bidder does not complete the purchase, the deposit shall become the property of the city as liquidated damages.

**Section 12.** Section 5.24.040 of the Cordova Code of Ordinances of Cordova, Alaska, is hereby amended to read as follows:

5.24.040 - Notice of sale - Required.

Notice of sale of impounded property shall be given all persons known to claim an interest in such property by the Ceity Manager no less than fifteen days preceding such sale. The Ceity Manager shall exercise reasonable diligence in providing actual notice in writing to known owners by certified mail or personal delivery. Notice by certified mail shall be deemed effective from the date of the posting by the Ceity Manager. In any case, notice shall be deemed sufficient upon

- 1. Publication** ~~publication~~ of notice of sale three times during three consecutive calendar weeks, one in each week, ~~in a newspaper of general circulation in the city.~~
- 2. Posting the notice of sale on the bulletin board in the City Hall, and**
- 3. Posting the notice of sale in one other public place.**

**Section 13.** Section 5.32.080 of the Cordova Code of Ordinances of Cordova, Alaska, is hereby amended to read as follows:

5.32.080 - Notice of public hearing and protest.

- A. The Ceity Manager shall forward to the council with the report on an improvement proposal a resolution creating a special assessment district for the proposed improvement. The council shall set the date and time for a public hearing on the resolution, which shall be not less than thirty days after the date on which notices will be mailed under subsection B of this section.

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- B. After the council sets the date and time for the public hearing on a resolution creating a special assessment district, the Ceity Celerk shall:
  1. Publish at least once a week for two consecutive weeks ~~in a newspaper of general circulation within the city~~ a notice of the public hearing including the following:
    - a. The time and place of the public hearing,
    - b. A description of the proposed improvement,
    - c. A map of the proposed special assessment district, and
    - d. A description of the protest procedure in subsection C of this section, and
  2. Mail, certified return receipt requested, to each record owner of real property within the proposed special assessment district a notice of the public hearing, including the information in the published notice and the following:
    - a. The legal description and city tax parcel number of the record owner's property that is proposed to be assessed, and
    - b. The estimated amount of the assessment against the property.
- C. The owner of record of real property in a proposed special assessment district may file with the Ceity Celerk a written protest of the creation of the district not later than five p.m. on the last day on which city offices are open before the date of the public hearing.

**Section 14.** Section 5.32.150 of the Cordova Code of Ordinances of Cordova, Alaska, is hereby amended to read as follows:

5.32.150 - Payment of assessments.

- A. The resolution confirming the assessment roll shall fix the date on which the special assessments are due. A special assessment may not be due before thirty days after the date of mailing of the assessment statements under subsection C of this section.
- B. The council may provide in the resolution confirming the assessment roll that assessments are payable in annual or semiannual installments over the term provided in the resolution, which may not exceed fifteen years. The resolution shall fix the dates on which special assessment installments are due, and the annual rate of interest to accrue on the unpaid principal balance of a special assessment.
- C. Within ten days after the adoption of the resolution confirming the assessment roll, the Ceity Celerk shall mail to each record owner of real property in the special assessment district an assessment statement including the following information:
  1. The legal description and city tax parcel number of the property;
  2. The amount and due date of the assessment, and if the assessment is payable in installments, the amount of each installment, the dates on which installments are due, and the annual rate of interest accruing on the unpaid balance of the special assessment;
  3. The penalty that will apply to delinquent assessments or assessment installments;
  4. That the entire assessment may be paid without interest within thirty days after the date of mailing of the assessment statement; and
  5. That the resolution confirming the assessment roll is a final decision and any person objecting to an assessment has thirty days from the date of mailing of the special assessment statement to appeal the confirmation of the assessment roll to the superior court.
- D. Within five days after assessment statements are mailed, the city clerk shall publish notice that the statements have been mailed ~~in a newspaper of general circulation within the city.~~

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**Section 15.** Section 5.36.110 of the Cordova Code of Ordinances of Cordova, Alaska, is hereby amended to read as follows:

5.36.110 - Equalization hearings—Notice required.

When all assessment notices have been mailed, the assessor shall cause to be published ~~in a newspaper of general circulation in the city~~ at least once each week for two successive weeks a notice that the assessment rolls have been completed, which notice shall state when and where the equalization hearings shall be held by the council sitting as a board of equalization, hereinafter called board. The board of equalization meetings shall be held on the third Monday each April and continue each day thereafter as it may deem necessary.

**Section 16.** Section 5.40.150 of the Cordova Code of Ordinances of Cordova, Alaska, is hereby amended to read as follows:

5.40.150 - Delinquent sales tax roll confidentiality.

- A. During the third week of June of each year, the Ceity Manager or ~~their~~his designee shall publish; ~~in a newspaper of general circulation in the city~~, a notice with the names of those sales tax accounts that are delinquent for the quarter ending March 31st; and successively in September, those sales tax accounts that are delinquent for the second quarter ending June 30th; in December, those sales tax accounts that are delinquent for the third quarter ending September 30th; in March, those sales tax accounts that have become due and delinquent for the fourth quarter ending December 31st. The manager or his designee shall include in the notice the names of those sales tax accounts which remain delinquent from any preceding quarter. For the purposes of determining delinquency for publication, an account shall be considered delinquent if the account is delinquent as defined by Section 5.40.120(B) and no agreement has been reached by the seller with the city for other means of payment. The publication of such delinquent sales tax accounts shall not be considered a disclosure within the provisions of this section.
- B. 1. All returns filed with the city for the purpose of complying with the terms of this chapter, all data obtained for such returns, and all books, papers, record or memoranda obtained under the provisions of this section are declared to be confidential, and shall be exempt from inspection of all persons except the Ceity Treasurer, Ceity Manager and Ceity Attorney, or any authorized employee thereof; provided, however, the Ceity Manager may present to the city council in executive session any return or data obtained therefrom; provided, the purpose of such presentation is informational or concerning legal action against the person whose return or tax remittance is in question.
2. All returns referred to in this chapter, and all data taken therefrom, shall be kept secure from public inspection, and from all private inspection, except as provided otherwise in this section; provided, however, nothing in this section shall be construed to prohibit the delivery to a person, or his duly authorized representative, of a copy of any return or report filed by him or her, nor to prohibit the publication of notices provided for in this section.
- C. The use of tax returns in a criminal or civil action brought to enforce the terms of this chapter against any person shall not be deemed a violation of this section, and the Ceity, in the prosecution of any such action, may allege, prove and produce any return

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therefore filed by and on behalf of any such defendant, including any data obtained from any such return or returns, other provisions of this chapter to the contrary notwithstanding.

**Section 17.** Section 10.52.030 of the Cordova Code of Ordinances of Cordova, Alaska, is hereby amended to read as follows:

10.52.030 - Notice to owners and lienholders.

- A. The Ceity shall give written notice to each record owner and lienholder of a vehicle that the Ceity has impounded by registered or certified mail, return receipt requested, or if the vehicle is not registered in the state or the Ceity cannot determine the name and address of the owner or lienholder, by **publishing publication the notice, posting the notice on the bulletin board in the City Hall, and posting the notice in one other public place, for four consecutive weeks** ~~in a newspaper of general circulation in the city.~~
- B. The notice shall include:
1. A description of the vehicle and its location when impounded;
  2. The reasons why the Ceity impounded the vehicle;
  3. The name and address of the registered owner and the vehicle identification number of the vehicle;
  4. A statement that unless within seven days after the date of the notice, either: the vehicle is released from impoundment under Section 10.52.020, or a person with an interest in the vehicle requests a hearing under Section 10.52.040, the Ceity may without further notice impound and dispose of the vehicle by sale, destruction or other disposition authorized by law.

**Section 18.** Section 10.52.050 of the Cordova Code of Ordinances of Cordova, Alaska, is hereby amended to read as follows:

10.52.050 - Disposal of impounded vehicle.

- A. Upon satisfaction of the notice and hearing requirements prescribed in this chapter, the Ceity may dispose of an impounded vehicle that is not released from impoundment under Section 10.52.020 within sixty days after the date of the notice of impoundment under Section 10.52.030 by removing it to a scrap processing yard or auto wrecker for disposal or by public auction not less than twenty days after notice of the auction is published ~~in a newspaper of general circulation in the city.~~ The notice of auction must describe the vehicle and specify the place, date and time at which it will be sold.
- B. The proceeds of any sale of an impounded vehicle shall be applied first to reimburse the Ceity for costs of disposing of the vehicle, including towing, storing and selling the vehicle, and second to satisfy any amount the payment of which would be required for the release of the vehicle from impoundment under Section 10.52.020. Any part of the proceeds remaining thereafter shall be made available to the former owner of the vehicle if claimed within thirty days from the date of sale, and if not so claimed shall become the property of the city.

**Section 19.** Section 10.54.040 of the Cordova Code of Ordinances of Cordova, Alaska, is hereby amended to read as follows:

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10.54.040 - Notice to owners and lienholders.

- A. The Ceity shall give written notice to each record owner and lienholder of a vehicle that the Ceity considers the vehicle to be abandoned. The Ceity shall give the notice by:
1. Posting on the vehicle; and
  2. By personal delivery or by registered or certified mail, return receipt requested, or if the vehicle is not registered in the state or the Ceity cannot determine the name and address of the owner or lienholder, by **publishing publication the notice, posting the notice on the bulletin board in the City Hall, and posting the notice in one other public place, at least** once a week for four consecutive weeks ~~in a newspaper of general circulation in the city.~~
- B. The notice shall include:
1. A description of the vehicle and its location;
  2. The reasons why the Ceity considers the vehicle to be abandoned;
  3. The name and address of the registered owner and the vehicle identification number of the vehicle;
  4. A statement that unless within fifteen days after the date of the notice, either: (a) the vehicle is removed and stored in a lawful manner, or (b) a person with an interest in the vehicle requests a hearing under Section 10.54.060, the Ceity may without further notice impound and dispose of the vehicle by sale, destruction or other disposition authorized by law.

**Section 20.** Section 10.54.070 of the Cordova Code of Ordinances of Cordova, Alaska, is hereby amended to read as follows:

10.54.070 - Disposal of abandoned vehicles.

- A. Upon satisfaction of the notice and hearing requirements prescribed in this chapter, the Ceity may dispose of an abandoned vehicle by removing it to a scrap processing yard or auto wrecker for disposal or by public auction not less than twenty days after notice of the auction is published ~~in a newspaper of general circulation in the city.~~ The notice of auction must describe the vehicle and specify the place, date and time at which it will be sold.
- B. The proceeds of any sale of an abandoned vehicle shall be applied first to reimburse the Ceity for costs of disposing of the vehicle, including towing, storing and selling the vehicle, and second to satisfy any fine or penalty that has been imposed for the unlawful abandonment of the vehicle. Any part of the proceeds remaining thereafter shall be made available to the former owner of the vehicle if claimed within thirty days from the date of sale, and if not so claimed shall become the property of the Ceity.

**Section 21.** Section 11.32.050 of the Cordova Code of Ordinances of Cordova, Alaska, is hereby amended to read as follows:

11.32.050 - Notice of sale.

Any vessel impounded shall be held by the City for a period of not less than thirty days during which the City shall publish ~~in a newspaper of general circulation in Cordova~~ a notice describing the vessel in general terms, including the name and/or register number, the name and address of the owner, if known, or if not known shall so state the location of the vessel and the intention of the City to sell the same at public auction, on a day and at a place and time certain, not less than ten days prior to the sale, for cash to the highest bidder. **During the thirty day period, the notice shall also be posted on the bulletin**

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**board at the City Hall, at the harbor office, and in one other public place.** At any time prior to the auction, the owner, operator or agent may redeem the vessel by a cash payment of all City charges against the vessel.

**Section 22.** Section 13.24.030 of the Cordova Code of Ordinances of Cordova, Alaska, is hereby amended to read as follows:

13.24.030 - Public hearing—Notification and publication.

The planning commission shall hold a hearing on a petition within but not more than sixty days after submittal to the commission pursuant to Section 13.24.020(C). Notice of the hearing, including when and by whom the petition was filed, its purpose, the time and place of the hearing, and a general description of the vacation being sought, shall be published once a week for one week ~~in a newspaper of general circulation in the city~~ and shall be advertised for seven days prior to the day of the hearing on the local television/cable/radio station and shall also be posted on the public bulletin boards at the city library and United States post office at least seven days prior to the day of the hearing. The Ccity Pplanner shall also mail a copy of said notice to the owners of property located within three hundred feet from any point on the outside perimeter of the proposed vacation.

**Section 23.** Section 17.24.040 of the Cordova Code of Ordinances of Cordova, Alaska, is hereby amended to read as follows:

17.24.040 - Changes and amendments.

Any regulations or provisions of this title may be changed and amended from time to time by the Ccity Council; provided, however, that such changes or amendments shall not become effective until after study and report by the Pplanning Commission and until after a public hearing has been held, public notice of which shall have been given **by publishing** ~~in a newspaper of general circulation~~ at least fifteen days prior to such hearing and posted in the City Hall.

**Section 24.** Section 18.68.030 of the Cordova Code of Ordinances of Cordova, Alaska, is hereby amended to read as follows:

18.68.030 - Appeals—Procedure.

- A. The Bboard of Aadjustment shall fix a reasonable time for hearing on any appeal taken from the Pplanning Commission if a public hearing is required or desirable.
- B. The board shall give public notice of such hearing by publishing notice thereof ~~in a newspaper of general circulation within the city~~ at least five days or not more than fifteen days prior to the date of hearing. The board shall also mail notices to the appellant and to the owners of all property affected by any appeal at least five days prior to the date of the hearing if such notice by mail was given to the planning commission. For the purpose of such notice, the affected property shall be deemed to be that area within three hundred feet from the exterior boundary of the area covered by the appeal. Notices may be sent to cover a greater area if it is deemed that the appeal affects a greater area.
- C. Upon the hearing, any party may appear in person or by agent or by the attorney.
- D. The Bboard of Aadjustment shall decide appeals within a reasonable time and shall give due consideration to the findings and recommendations of the Pplanning Commission.

**New language is bold and underlined;** ~~deleted language is stricken through~~

**Section 25.** Section 18.72.080 of the Cordova Code of Ordinances of Cordova, Alaska, is hereby amended to read as follows:

18.72.080 – Effective date.

No ordinance of the Ccity Council affecting an amendment, supplement, change or classification, repeal of regulations or restrictions, the boundaries of districts or classifications of property shall become effective until after a public hearing in relation thereto at which parties in interest and citizens shall have an opportunity to be heard. At least fifteen days' notice of the time and place of such hearing shall be published ~~in a paper of general circulation in the city~~. When the proposed amendment covers a change in the boundaries of a district, notice to owners of property shall be given in the manner above prescribed for variances.

**Section 26.** This ordinance shall be effective thirty (30) days after its passage and publication. This ordinance shall be enacted in accordance with Section 2.13 of the Charter of the City of Cordova, Alaska, within ten (10) days after its passage.

1st reading: September 7, 2022

2nd reading and public hearing: September 21, 2022

**PASSED AND APPROVED THIS 21<sup>st</sup> DAY OF SEPTEMBER 2022.**



David Allison, Mayor

ATTEST:

Susan Bourgeois, CMC, City Clerk

**New language is bold and underlined;** ~~deleted language is stricken through~~