

**City of Palmer  
Resolution No. 20-011**

**Subject:** Submitting the Question of Amending Charter Section 1.9 Penalties for violations, to the City's Qualified Voters at the October 6, 2020, City of Palmer Election

**Agenda of:** April 14, 2020

**Council Action:**     **Approved**                       **Amended:** \_\_\_\_\_  
                                   **Defeated**

**Originator Information:**

**Originator:**    City Manager

**Department Review:**

Route to:	Department Director:	Signature:	Date:
_____	Community Development	_____	_____
_____	Finance	_____	_____
_____	Fire	_____	_____
_____	Police	_____	_____
_____	Public Works	_____	_____

**Approved for Presentation By:**

	Signature:	Remarks:
City Manager		_____
City Attorney		_____
City Clerk		_____

**Certification of Funds:**

Total amount of funds listed in this legislation:    \$ 0.00

This legislation (√):

- Creates revenue in the amount of:                      \$ \_\_\_\_\_
- Creates expenditure in the amount of:                      \$ \_\_\_\_\_
- Creates a saving in the amount of:                      \$ \_\_\_\_\_
- Has no fiscal impact

Funds are (√):

- Budgeted                      Line item(s): \_\_\_\_\_
- Not budgeted

Director of Finance Signature:  \_\_\_\_\_

**Attachment(s):**

- Resolution No. 20-011

**Summary Statement/Background:**

The Palmer Charter was drafted and adopted over 50 years ago. Our fore-fathers were extremely far sighted when preparing this document. In many cases they directed actions and policy be adopted by code or ordinance which the city council as done may times throughout the city's lifetime. For other items, the charter has been specific in nature and with time has had to be updated by the citizens through the vote of the qualified citizens.

Chapter I, section 1.9 has not been modified over time and through the cost of living and inflational increases, it has come time to update this particular section.

Section 1.9 Penalties for violations has a maximum penalty of three hundred dollars without provision to be modified by code or ordinance. The City's fine schedule is established annually as part of the budget process and the maximum penalty for many violations has been 3 hundred dollars for several years without the ability to raise this amount for more serious violations.

Alaska Statue Section 29.25.070 Penalties sets a not to exceed penalty for municipal ordinance violations for \$1,000.

It is recommended that the City of Palmer amend its Charter to match AS 29.25.070 Penalties with a not to exceed fine of \$1,000.

This does not preclude the city council from setting fines at an amount lower than \$1,000 but allows the flexibility to do so over time and as necessary to promote good order in the city with future fine schedules.

**Administration's Recommendation:**

Adopt Ordinance No. 20-011

**LEGISLATIVE HISTORY**

Introduced by: City Council  
Public Hearing Date: April 14, 2020  
Action: Approved  
Vote: Unanimous

Yes:	No:
Berberich	
Best	
Carrington	
L. Combs	
S. Combs	
DeVries	
Valerius	

CITY OF PALMER, ALASKA

**Resolution No. 20-011**

**A Resolution of the Palmer City Council Submitting the Question of Amending Charter Section 1.9: Penalties for violations, to the City’s Qualified Voters at the October 6, 2020, City of Palmer Election**

WHEREAS, Section 14.2 of the Charter of the City of Palmer provides that the Charter may be amended by proceedings commenced by the vote of four members of the Council, and

WHEREAS, Section 14.3 of the Charter of the City of Palmer provides that when an amendment to the Charter is proposed by the Council, it shall be submitted to the qualified voters of the City at any election to be held in the City not less than 60 days after its proposal by the Council; and

WHEREAS, the language of Charter Section 1.9, if approved by the city’s qualified voters increases the amount of a violation of the charter, the code, or any ordinance to One Thousand Dollars; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALMER, ALASKA, that:

Section 1. At the City of Palmer election to be held on October 6, 2020, the following proposition shall be submitted to the qualified City of Palmer voters in substantially the following form:

PROPOSITION NO.

AMENDMENT OF THE PALMER CITY CHARTER, CHAPTER I,  
SECTION 1.9 Penalties for Violations

Shall Chapter I, Section 1.9 of the Charter of the City of Palmer be amended to read as follows (new language is **underlined** and **bolded** and deleted language is ~~stricken~~ and [bracketed]):

Section 1.9 Penalties for violations.

Violations of this charter, the code, or any ordinance of the city may punished by a fine which shall not exceed [~~Three Hundred Dollars~~] **One Thousand Dollars**, or imprisonment for not more than thirty days, or by both such fine and imprisonment.

PROPOSITION NO.    Yes ( )  
                                  No  ( )

Section 2. This Resolution shall take effect immediately upon its adoption. The amendment set forth in Section 1 shall become effective for terms served after the 2021 City Regular Election upon its approval by a majority of the qualified voters voting on the question at the election of October 6, 2020, and the filing of the amendment as provided in Section 1.9 of the Charter of the City of Palmer, provided that the filing may be made with the Lieutenant Governor in lieu of the Secretary of State of Alaska.

**Approved** by the Palmer City Council this 14<sup>th</sup> day of April, 2020.

\_\_\_\_\_  
Edna B. DeVries, Mayor

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Norma I. Alley, MMC, City Clerk