

**ADDITIONS ARE CAPITALIZED**

~~Deletions are stricken~~

CITY OF THORNE BAY  
ORDINANCE 17-11-21-02

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF THORNE BAY, ALASKA,  
AMENDING TITLE 2-ADMINISTRATION AND PERSONNEL, CHAPTER 2.36 - LAW  
ENFORCEMENT DEPARTMENT, SECTIONS 2.36.010-DEPARTMENT ESTABLISHED,  
2.36.020 VILLAGE PUBLIC SAFETY OFFICER, 2.36.030 DEPARTMENT CHIEF.

BE IT ENACTED BY THE CITY COUNCIL FOR THE CITY OF THORNE BAY,  
ALASKA

Section 1. Classification. This ordinance is of a general and permanent nature, the chapter and section hereby amended shall be added to the Thorne Bay Municipal Code.

Section 2. Severability. If any provisions of this ordinance or any application thereof to any person or circumstances is held invalid, the circumstances shall not be affected thereby.


Section 3. Amendment of Chapter. Amending Chapter 2.36- Law Enforcement Department, Sections 2.36.010 - Department established, 2.36.020 Village Public Safety Officer, 2.36.030 Department Chief, is hereby amended and added to the Thorne Bay Municipal Code.

Section 4. Effective Date. This ordinance shall become effective upon adoption.

PASSED AND APPROVED November 21, 2017

*for* Harvey Mc Donald vice mayor  
James Gould, Mayor

ATTEST:

  
\_\_\_\_\_  
Teri Feibel, City Clerk

[Introduction: November 7, 2017]  
[Public Hearing: November 21, 2017]

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**Title 2 – Administration and Personnel**

**Chapter 2.36 - LAW ENFORCEMENT DEPARTMENT Sections:**

**2.36.010 Department established.**

**2.36.020 Village public safety officer.**

**2.36.030 Department chief.**

**2.36.010 Department established.** There shall be a law enforcement department for the city. The law enforcement officer, **MAYOR OR CITY ADMINISTRATOR** shall be the department head and shall administer the department as provided in AS 29.20.400. (Ord. 91-17 § 4(part), 1991)

**2.36.020 Village public safety officer. A.** The village public safety officer (referred to in this chapter as "VPSO") shall be the department head, serving **SERVE** the city in accordance with the **MOST CURRENT** village public safety officer program letter of agreement (referred to in this chapter as "agreement") between the city of Thorne Bay and the central council of Tlingit and Haida Indian Tribes of Alaska (referred to in this chapter as "central council") as long as the agreement remains in effect.

**B. 1.** Subject to the approval of the central council, as provided in the agreement, the VPSO shall be appointed by the **CITY** council.

**2. SUBJECT TO THE AGREEMENT THE VPSO SHALL WORK FOR AND BE DIRECTLY SUPERVISED BY THE CENTRAL COUNCIL.**

**C. 1.** The chief administrator shall act as liaison between the VPSO and the city.

**2.** In accordance with AS 29.20.500, the chief administrator shall supervise the **LAW ENFORCEMENT** department.

**3.** The chief administrator shall exercise care and concern in the supervision of the VPSO, shall keep the council informed about the status of the city law enforcement and performance of the VPSO, and shall consult the council in evaluating the performance of the VPSO.

**D.** For just cause and after approval by the council, the chief administrator may recommend to central council that the VPSO be removed from the position.

**E. 1.** In accordance with the agreement, **THE** the VPSO provides to his or her level of training a broad range of public safety services **AS OUTLINED IN THE MOST CURRENT AGREEMENT**, including but not limited to enforcement of municipal law. With due regard for the VPSO's training and expertise, as well as the public's safety, the chief administrator, after approval of central council and the Alaska State Troopers and consideration of the VPSO's opinions and suggestions, shall assign reasonable and authorized public safety duties to the VPSO. Such duties shall be assigned within the limits of the VPSO's standard workday and standard workweek as established in the agreement.

**2. THE VPSO MAY PROVIDE ADDITIONAL SERVICES WITH THE APPROVAL OF CENTRAL COUNCIL.** Other public safety concerns or special VPSO duties may be assigned as authorized in the agreement.

**F.** To assist the council in evaluating the VPSO's response to the needs of the city within the VPSO's area of responsibility, in accordance with the agreement, the VPSO shall make a monthly oral report at a regular council meeting, presenting pertinent current public safety information and a general review of the department's previous month's activities.



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**G.** To assist the city in providing the VPSO normal office facilities in accordance with the agreement, the VPSO annually, when requested by the chief administrator, shall submit a proposed department budget for the next fiscal year. The VPSO shall be consulted about any change to be made in the department's proposed budget before it is finalized by the chief administrator for approval of the council. (Ord. 98-01 §3(part), 1998: Ord. 91-17 §4(part), 1991)

**2.36.030 Department chief.** When the city is not party to an agreement covering the employment **APPOINTMENT** of a VPSO: **A.** The department chief shall be appointed by the chief administrator, confirmed by the council, and responsible to the chief administrator.  
**B.** The chief shall be the department head and shall administer the department.  
**C.** By ordinance or resolution the council shall establish the organization and functions of the department, after considering recommendations of the chief administrator. (Ord. 98-01 §3(part), 1998: Ord. 91-17 §4(part), 1991)