

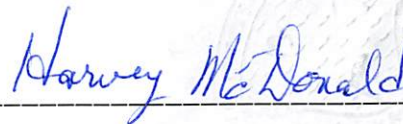
CITY OF THORNE BAY  
ORDINANCE 19-08-20-03

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 Section. Amending Title 2-Administration and Personnel, Chapter 2.36-Law Enforcement Department, is hereby amended added to the Thorne Bay Municipal Code as set forth on pages 2-3 of this ordinance.
- Section 4.** Effective Date. This ordinance shall become effective upon adoption.

PASSED AND APPROVED: August 20, 2019



Harvey McDonald

Mayor Harvey McDonald

ATTEST:



Teri Feibel, CMC

[INTRODUCTION HEARING: AUGUST 6, 2019]  
[PUBLIC HEARING: AUGUST 20, 2019]

AMENDING THORNE BAY MUNICIPAL CODE  
TITLE 2 - ADMINISTRATION AND PERSONNEL  
CHAPTER 2.36 LAW ENFORCEMENT DEPARTMENT

<b>CHAPTER 2.36 - LAW ENFORCEMENT DEPARTMENT:</b>	<b>2</b>
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**CHAPTER 2.36 - LAW ENFORCEMENT DEPARTMENT:**

**2.36.010 DEPARTMENT ESTABLISHED.**

There shall be a law enforcement department for the city. The law enforcement officer 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.**

The village public safety officer (referred to in this chapter as "VPSO") shall be the department head, serving the city in accordance with the 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.

- A. Subject to the approval of the Central Council, as provided in the agreement, the VPSO shall be appointed by the council.
- B. The Chief Administrator shall act as liaison between the VPSO and the city.
  - 1. In accordance with AS 29.20.500, the Chief Administrator shall supervise the department.
  - 2. 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.
- C. 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.
- D. In accordance with the agreement, the VPSO provides to his or her level of training a broad range of public safety services, 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.



1. Other public safety concerns or special VPSO duties may be assigned as authorized in the agreement.
- E. ~~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~~ 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. THESE REPORTS WILL 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
  - F. ~~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, The VPSO~~ shall submit a proposed department budget for the next fiscal year ANNUALLY UPON REQUEST TO ASSIST THE CITY IN PROVIDING THE VPSO NORMAL OFFICE FACILITIES IN ACCORDANCE WITH THE AGREEMENT. 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 CODE ENFORCEMENT OFFICER ~~DEPARTMENT CHIEF.~~

When the city is not party to an agreement covering the employment of a VPSO:

- A. THE CHIEF ADMINISTRATOR UPON THE APPROVAL OF THE CITY COUNCIL SHALL APPOINT A CODE ENFORCEMENT OFFICER .
  - A. ~~The Department Chief shall be appointed by the Chief Administrator, confirmed by the council, and responsible to the Chief Administrator.~~
  - B. The CODE ENFORCEMENT OFFICER 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)