

CITY OF DILLINGHAM, ALASKA

ORDINANCE NO. 2026-03

AN ORDINANCE AMENDING DMC 3.10.130 TO CLARIFY RETENTION OF ELECTION MATERIALS BY REFERENCE TO THE CITY'S ADOPTED RECORDS RETENTION SCHEDULE.

WHEREAS, Alaska Statute 40.21 and DMC 2.01.100 require municipalities to adopt a records retention and disposal schedule; and

WHEREAS, The Dillingham City Council adopted the State of Alaska Local Government Model General Administrative Records Retention Schedule by Resolution No. 2018-02, directing the City Clerk to manage City records in accordance with that schedule; and

WHEREAS, DMC 3.10.130 currently requires voted ballots to be retained for one year after an election, which predates adoption of the State of Alaska records retention schedule and conflicts with the retention periods set out in the adopted schedule; and

WHEREAS, The Dillingham City Council may in the future elect to adopt an updated State of Alaska records retention schedule or to adopt a City-specific records retention schedule by resolution; and

WHEREAS, It is in the best interest of the City to ensure flexibility while maintaining consistency between the Dillingham Municipal Code and the records retention schedule formally adopted by the City Council;

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF DILLINGHAM, ALASKA:

Section 1. Classification. This is a code ordinance.

Section 2. Amendment to Section 3.10.130, Preservation of Election Materials. is hereby amended to read as follows [new language underlined and emboldened and deleted text displayed in ~~strike-out font~~]:

3.10.130 Preservation of election materials.

The clerk shall preserve all precinct election certificates, petitions, and registers, all voted ballots filed for ~~one year after the election~~ **the period required under the records retention schedule adopted by the Dillingham City Council by resolution.**

All declarations of candidacy shall be preserved until ~~the term for which declarations were filed expires~~ **the retention period specified in the adopted records retention schedule.**

These election materials may be destroyed after their retention period has lapsed unless an application for a recount has been filed and not completed, or unless their destruction is stayed by an order of the court.

Certificates of the canvass committee are to be preserved as permanent records (Ord. 86-___, § ___, 1986.) **unless otherwise provided in the adopted records retention schedule.**

Section 3. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of this ordinance shall not be affected.

Section 4. Effective Date. This ordinance is effective upon adoption.

PASSED and ADOPTED by a duly constituted quorum of the Dillingham City Council on _____, 2026.

Alice Ruby, Mayor

ATTEST:

[SEAL]

Abigail Flynn, City Clerk