

CITY OF DILLINGHAM, ALASKA

ORDINANCE NO. 2026-02

AN ORDINANCE OF THE CITY OF DILLINGHAM, ALASKA, AMENDING DILLINGHAM MUNICIPAL CODE SECTION 1.16.010, DEFINITIONS, TO ADD A DEFINITION FOR “NEWSPAPER OF GENERAL CIRCULATION”, “PUBLIC NOTICE” AND “PUBLISHED” OR “PUBLICATION”.

WHEREAS, The Dillingham Municipal Code requires publication of certain notices in a “newspaper of general circulation”; and

WHEREAS, State law does not define the term “newspaper of general circulation”; and

WHEREAS, The City Council finds it appropriate to clarify and define the term consistent with modern publication practices and other Alaska municipalities, including Kenai Peninsula Borough;

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 1.16.010, Definitions, is hereby amended to read as follows [new language underlined and emboldened and deleted text displayed in ~~strike-out font~~]:

1.16.010 Definitions

...

Except as otherwise specifically defined in this code or indicated by the context, words used in the code or ordinances of the city shall have their ordinary dictionary meanings.

"By law"

denotes applicable federal law, the Constitution of the United States of America, the constitution of the state of Alaska, statutes and regulations of the state of Alaska, applicable common law and the Dillingham Municipal Code;

"City"

means the city of Dillingham, Alaska;

"Code"

means the Dillingham Municipal Code;

"Majority"

means a simple majority;

"Newspaper of general circulation"

- 1. Is published in newspaper format; and**
- 2. Is distributed in print at least twice a week for at least 50 weeks each year within the Dillingham census area, excluding a period when publication is interrupted by a labor dispute or by a natural disaster or other casualty that the publisher cannot control; and**
- 3. Has a total paid circulation or paid distribution of at least 500 copies or 10 percent of the total population of the Dillingham census area, whichever is less; and**
- 4. Holds a second-class mailing permit from the United States Postal Service;**
- 5. Is not published primarily to distribute advertising; and**
- 6. Is not intended primarily for a particular professional or occupational group.**

"Person"

includes corporations, companies, partnerships, firms, associations, organizations, business trusts and societies, and natural persons;

"Personal property"

means tangible property other than real property, such as goods and stock in trade, machinery and equipment, furniture and fixtures, motor vehicles, boats, vessels and aircraft;

"Property"

means real and personal property;

"Public Notice."

Means notice provided in accordance with the publication requirements of this Code. In addition to required publication or posting requirements, the City may provide supplemental notice by posting on the City's official website, official City social media accounts, electronic mailing lists, local radio or by other methods reasonably calculated to inform the public. The failure to provide supplemental notice does not invalidate an otherwise properly noticed action.

"Published" or "Publication"

Means appearing at least once in a newspaper of general circulation. If there is no newspaper of general circulation, publication means posting the notice in at least three public places within the City for a minimum of five days. This definition is intended to be consistent with AS 29.71.800, as amended.

"Real property"

means land and improvements and all possessory rights and privileges appurtenant to the property, and includes personal property affixed to the land or improvements; and

"State"

means the state of Alaska.

(Ord. 86-7 § 1, 1986; Ord. 84-8, 1984; Ord. 77-5 § 2 (part), 1977)

...

Section 3. Conforming References

Any reference in the Dillingham Municipal Code to "publish," "publication," or "public notice" shall be interpreted consistent with DMC 1.16.010 unless otherwise specifically provided.

Section 4. 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 5. 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

[SEAL]

ATTEST:

Abigail Flynn, City Clerk

Introduction