

**PETERSBURG BOROUGH, ALASKA
ORDINANCE 2024-14**

**AN ORDINANCE AMENDING PROVISIONS OF CHAPTERS 3.38, 3.40, AND 3.76
OF THE PETERSBURG MUNICIPAL CODE TO ESTABLISH THE PUBLIC WORKS
DIRECTOR AS THE HEAD OF THE BOROUGH WATER AND SEWER UTILITIES
AND CREATE AN ASSISTANT PUBLIC WORKS DIRECTOR AS AN
ADMINISTRATIVE OFFICER OF THE BOROUGH**

WHEREAS, in 2018, the Borough Assembly approved moving supervision of the water and sewer utilities to be the operation responsibility of the Utility Director; and

WHEREAS, due to the difficulty in finding a qualified replacement Utility Director, on May 6, 2024, the Assembly approved moving supervision of the water and sewer utilities back under the responsibility of the Public Works Director, and hiring an Assistant Public Works Director due to the additional Public Work responsibilities; and

WHEREAS, an Assistant Public Works Director will help manage the work load of the five divisions (water, sewer, roads, sanitation and motor pool) managed by the department.

THEREFORE, THE PETERSBURG BOROUGH ORDAINS, Chapters 3.38, 3.40 and 3.76 of the Petersburg Municipal Code are amended to provide for the water and sewer utility divisions to be the operational responsibility of the Public Works Director, and to provide for an Assistant Public Works Director position for the department.

Section 1. Classification: This ordinance is of a general and permanent nature and shall be codified in the Petersburg Municipal Code.

Section 2. Purpose: The purpose of this ordinance is to provide for the water and sewer utility divisions to be managed by the Public Works Director, and to provide for an Assistant Public Works Director position for the department.

Section 3. Substantive Provisions: Chapters 3.38, 3.40 and 3.76 of the Petersburg Municipal Code are amended as follows (language proposed for deletion is struck through, and language proposed for addition is in colored text and underlined):

A. Amendment: Chapter 3.38

Chapter 3.38 PUBLIC WORKS DEPARTMENT

3.38.010 Department established.

There is established a public works department which shall be responsible for the operation of the streets and roads division, the sanitation division and the motor pool division. The public works department shall provide assistance to other departments

and organizational units of the borough so that the most effective degree of unified action may be attained in the achievement of borough government objectives.

3.38.020 Public works director.

A. The public works director shall be the head of the public works department. The public works director is an administrative officer of the borough appointed by the borough manager, with the approval of the assembly. An employment contract with an administrative officer may be terminated only for just cause.

B. The public works director shall carry out the duties and responsibilities of the public works department under the supervision and control of the borough manager.

C. The public works director may select personnel to serve as employees of the department but all such appointments and the number thereof shall require prior approval of the borough manager.

D. The public works director may approve departmental expenditures in accordance with section 4.04.020A. of the Borough Code. Expenditures exceeding that amount shall require prior approval of the borough manager.

E. The borough manager may appoint an assistant public works director, with the approval of the assembly, to assist the director in carrying out the duties and responsibilities of the director. The assistant public works director shall work under the supervision and control of the director. The assistant public works director is an administrative officer of the borough. An employment contract with an administrative officer may be terminated only for just cause.

3.38.030 Duties and responsibilities.

The public works department, through the public works director, shall be responsible for the operation of the streets and road division, the sanitation division and the motor pool division.

A. The operation of the streets and roads division includes, but is not limited to:

1. Street maintenance;
2. Sewer and water line maintenance, ~~working in conjunction with the utility director;~~
3. Fire hydrant maintenance;
4. Development and maintenance of division safety programs and procedures; and
5. Preparation and administration of the annual budget for the division and preparation of recommendations for capital improvements.

B. The operation of the sanitation utility division includes:

1. Operation of the solid waste collection and disposal system as provided by federal, state and local laws and as set out in Chapter 14.12 of the borough code;
2. Scheduling and performing maintenance as required for proper operation;
3. Development and maintenance of division safety programs and procedures; and

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4. Preparation and administration of the annual budget for the division and preparation of recommendations for capital improvements.
- C. The operation of the motor pool division includes:
1. Operation of the motor pool division as provided by local policies and generally accepted principles of an internal service fund operation;
 2. Scheduling and performing maintenance as required for proper operation;
 3. Development and maintenance of division safety programs and procedures; and
 4. Preparation and administration of the annual budget for the division and preparation of recommendations for operation of the motor pool and capital improvements.
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B. Amendment: Chapter 3.40

Chapter 3.40 ELECTRIC UTILITY, WATER UTILITY, AND SEWER UTILITY DEPARTMENTS

3.40.010 Departments established.

There are established within the borough an electric utility department, a water utility department, and a sewer utility department, which are responsible for the proper operation of the utilities as required by state and federal law. The departments are to manage and control the operations, maintenance and expenditures of the utilities, the utility funds, rate analysis, safety programs, consultant coordination and the construction, maintenance, repair and operation of utility facilities of the borough.

3.40.020 Electric Utility director.

A. The electric utility director shall be the head of the electric, ~~water and sewer~~ utility departments, and carry out the duties and responsibilities of the department under the supervision and control of the borough manager. The utility director is an administrative officer of the borough appointed by the borough manager with the approval of the borough assembly. An employment contract with an administrative officer may be terminated only for just cause.

B. The director shall be responsible for the proper operation of the borough's electric utility, and its generation and distribution facilities, as provided by federal and state law and as set out in chapter 14.16 of the Borough Code; ~~The utility director shall carry out the duties and responsibilities of the departments under the supervision and control of the borough manager.~~

C. The utility director may select personnel to serve as employees of the departments, but all such appointments and the number thereof shall require prior approval of the borough manager.

D. The utility director may approve departmental expenditures in accordance with section 4.04.020A. of the Borough Code. Expenditures exceeding that amount shall require prior approval of the borough manager.

3.40.025 Water and sewer utility.

A. The Public Works director shall serve as the head of the water utility and the sewer utility.

B. The director is responsible for the proper operation of the borough's water utility and its facilities, as provided by federal and state law and as set out in chapter 14.04 of the Borough Code;

C. The director is responsible for the proper operation of the borough's sewer utility and its facilities, as provided by federal and state law and as set out in chapter 14.08 of the Borough Code.

3.40.030 Additional duties and responsibilities of utility directors.

The electric, water, and sewer utility department, through the utility directors shall also:

~~A. Be responsible for the proper operation of the borough's electric utility, and its generation and distribution facilities, as provided by federal and state law and as set out in chapter 14.16 of the Borough Code;~~

~~B. Be responsible for the proper operation of the borough's water utility and its facilities, as provided by federal and state law and as set out in chapter 14.04 of the Borough Code;~~

~~C. Be responsible for the proper operation of the borough's sewer utility and its facilities, as provided by federal and state law and as set out in chapter 14.08 of the Borough Code;~~

A~~D.~~ Prepare and administer the annual departmental budgets ~~for the departments~~, and prepare recommendations for capital improvements;

~~B~~E. Budget and control the spending in the utility funds, and make recommendations regarding rates;

~~C~~F. Schedule and perform maintenance of the utility ~~electric, water and sewer~~ facilities as required for proper maintenance and operation.

~~D~~G. Develop and maintain departmental safety programs and procedures ~~for the departments~~; and

~~E~~H. Provide support to consultants and contractors for facility construction projects.

C. Amendment: Section 3.76.020

Chapter 3.76 ADMINISTRATIVE OFFICERS AND APPEALS PROCESS

3.76.020 Applicability.

A. These provisions shall apply to administrative officers of the borough.

B. The following positions are administrative officers for the borough: chief of police, borough clerk, deputy borough clerk, finance director, fire/EMS director, library director, parks and recreation director, electric utility director, harbormaster, public works director, assistant public works director, Mountain View Manor elderly housing director, Mountain View Manor assisted living facility director, assisted living registered nurse, and community and economic development director. The borough assembly, by ordinance, may change, add or delete administrative positions.

Section 4. Severability: If any provisions of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected.

Section 5. Effective Date: This Ordinance shall become effective immediately upon final passage and be retroactive to July 1, 2024.

PASSED AND APPROVED by the Petersburg Borough Assembly, Petersburg, Alaska, this _____ day of August, 2024.

Mark Jensen, Mayor

ATTEST:

Debra K. Thompson, Borough Clerk

Adopted:
Noticed:
Effective: