

DENALI BOROUGH, ALASKA

ORDINANCE NO. 05-17

INTRODUCED BY: Mayor Talerico

AN ORDINANCE OF THE DENALI BOROUGH ADOPTING THE DENALI  
BOROUGH CODE

WHEREAS, the Denali Borough has provided for the organization of the general ordinances of the Borough that have ongoing effect into a code organized by subject matter; and

WHEREAS, the Code should be adopted as the body of law of the Borough,  
Now, Therefore,

BE IT ENACTED by the Assembly of the Denali Borough that:

Section 1. There is hereby adopted a new chapter 1.01 of the Denali Borough Code to read as follows:

Section 1.01.010 Adoption, Amendment and Repeal.

(1) There is hereby adopted the Denali Borough Code which consists of the ordinances of the Borough that have ongoing effect and which have not expired according to their own terms.

(2) This Code may be cited as the Denali Borough Code.

(3) This Code may be amended by reference to Code Section without the necessity of referring to the underlying ordinance.

(4) New ordinances may be added to the Code, and if an ordinance is enacted with a numbering system that is inconsistent with the Code numbering system, the Borough Clerk is authorized to assign an appropriate code number and to codify the ordinance accordingly.

(5) The repeal of any code section does not revive the original text of the Code Section, but rather, repeal of an existing section repeals the underlying ordinance section and all of its amendments.

Section 1.01.020 Reservation of prosecutions.

The adoption of this Code shall not affect any prosecution for violations of ordinances, which violations were committed prior to the effective date of the adoption of the Denali Borough Code, nor shall the adoption of the Code be construed as a waiver of any license, fee, or penalty due and owing at the effective date of the code adoption, nor shall adoption affect the validity of any bond or cash deposited with the Borough pursuant to the terms of any ordinance, upon its codification; but rather, all rights and obligations pertaining under ordinances in effect prior to codification shall remain in full force and effect.

Section 1.01.030 Severability.

If any section, subsection, clause or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code. The Borough declares that it would have enacted this code, and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases had been declared invalid or unconstitutional.

Section 2. This Ordinance shall be in full force and effect from and after thirty (30) days of its passage and publication as provided by law.

DATE INTRODUCED: NOVEMBER 16, 2005

FIRST READING: DECEMBER 14, 2005

PUBLIC HEARING: DECEMBER 14, 2005

PASSED and APPROVED by the DENALI BOROUGH ASSEMBLY this 14<sup>th</sup> day of December, 2005.

SIGNATURE ON FILE

Mayor

ATTEST:

SIGNATURE ON FILE

Borough Clerk