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Denali Borough, Alaska
Ordinance No: 03-13

Version A

Introduced by Assembly Member: Teresa Hall

AN ORDINANCE AMENDING THE DENALI BOROUGH CODE OF ORDINANCES BY THE
ADDITION OF TITLE 5, CHAPTER 37, CREATING AN ETHICS COMMISSION

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

Section 1. Classification This ordinance is of a general and permanent nature.

Section 2. Purpose The purpose of this ordinance is to amend the Denali Borough Code of Ordinances, by the addition of Title 5, Chapter 37, creating an Ethics Commission as follows:

CHAPTER 37

Ethics Commission

Sections:

- 1.) Establishment of Commission
- 2.) Jurisdiction and Powers
- 3.) Composition
- 4.) Quorum
- 5.) Expenses
- 6.) Meetings
- 7.) Record of Meetings

Section 1. Establishment of Commission

There is hereby established the Ethics Commission for the Borough to perform the functions of reviewing and making findings concerning any violation of the Denali Borough Code of Ethics Ordinance.

Section 2. Jurisdiction and Powers

- A. Jurisdiction. The commission will have jurisdiction to review and make findings concerning any alleged violation of this chapter by any person subject to these provisions. A complaint must be filed within 90 days of the alleged violation.
- B. Termination of borough officials or employee's duties. The termination of a borough official or employee's duties does not affect the jurisdiction of the commission about alleged violations occurring prior to the termination of the official or employee's official duties.

- C. Powers. The ethics advisory commission has the following powers only:
1. to establish, amend, and rescind rules and procedures governing its own internal organization and operations in a manner and form consistent with this ordinance,
 2. to meet as often as necessary to fulfill its responsibilities,
 3. to receive support from the borough staff as they reasonably request to carry out the duties of the commission,
 4. to review, index, maintain on file, and dispose of sworn statements,
 5. to make findings of fact as necessary for the disposition of a complaint,
 6. to make notifications, extend deadlines, and conduct investigations,
 7. to subpoena such witnesses and documents as the commission deems relevant, and such other powers as are specifically granted under this chapter.

Section 3. Composition

- A. Until such time as determined otherwise by ordinance, the personnel committee shall serve as the Ethics Commission.
- B. There shall be 1(one) primary Borough Assembly member on the commission and 1 (one) alternate Assembly member. Both of which would be appointed annually to serve when the Assembly reorganizes.
- C. The alternate Assembly member shall be appointed to serve only in the absence of the primary Assembly member or in the event that the complaint filed is against the primary Assembly member.
- D. The Commission shall be provided office space suitable for its needs and adequate to file its journals, resolutions, records, reference materials, correspondence, all of which shall constitute public records of the Borough.
- E. The Commission shall be furnished secretarial assistance at each meeting to assist in preparing its minutes, journals and resolutions, and as required to prepare its correspondence under the direction of the Commission Presiding Officer and Commissions Clerk.

Section 4. Quorum

A majority of voting membership constitutes a quorum. Any act of the Commission requires a majority affirmative vote of those voting members present.

Section 5. Expenses

Expenses of the Ethics Commission and its staff are paid as directed by the Borough Assembly.

Section 6. Meetings

Regular meetings may be held as needed. Special meetings may be called by the Presiding Officer or shall be called by him/her at the request of three (3) members.

Section 7. Record of Meetings

Meetings shall be public and minutes shall be kept. Minutes and records shall be filed with the Clerk of the Borough and retained as public records, with the exception of those records exempt from disclosure as outlined in Denali Borough Code of Ordinances, Title 1, Chapter 4, section 9. B.

Section 3. Effective Date This ordinance becomes effective upon adoption of the Borough Assembly and signature of the Mayor.

DATE INTRODUCED: June 11, 2003

FIRST READING: June 11, 2003

PUBLIC HEARING: _____

PASSED and APPROVED by the DENALI BOROUGH ASSEMBLY this _____ TH DAY OF _____, 2003.

Borough Mayor

ATTEST:

Borough Clerk