



## CITY OF WASILLA

P. O. BOX 430  
WASILLA, ALASKA 99687  
PHONE: 376-5227

ORDINANCE SERIAL NO. 82-17

AN ORDINANCE OF THE CITY OF WASILLA, ALASKA, ESTABLISHING A CITY POLICE DEPARTMENT, JAIL FACILITY AND POLICE COMMISSION.

WHEREAS, it is provided in the Alaska Statutes (§29.48.030) that a municipality may exercise the powers necessary to provide police protection and jail facilities as a service to the public, and

WHEREAS, it is provided in the City of Wasilla Municipal Code (§1.08.050(G)) that the City of Wasilla will exercise the powers granted by the state to provide police protection and jail facilities subject to Council approval and funds available, and

WHEREAS, because of unprecedented growth and development within the City which has already occurred and which is anticipated to continue, there is now a need for the City to provide such services and facilities to the public, and

WHEREAS, it is anticipated that necessary funds to provide said services and facilities can be supplied from City revenues, and through state assistance, pursuant to the authority for the State of Alaska to provide such assistance set forth in AS 18.65.250,

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE CITY OF WASILLA, ALASKA

Section I. Classification. This ordinance is of a general and permanent nature and shall become part of the City Code.

Section II. Purpose. To establish a City Police Department, Police Commission and Jail Facility.

Section III. Amendment. Title 13 of the Wasilla Municipal Code is amended by adding Chapters 13.20 and 13.30 and Title 8 of the Wasilla Municipal Code is amended by adding Chapter 8.02, to read as follows:

## Chapter 13.20

### Police Department

#### 13.20.010 Police Department Established -- Purpose.

There is hereby established the Police Department of the City of Wasilla to provide police protection for persons and property located within the City, to enforce the criminal laws of the state and the criminal and penal provisions of the Wasilla Municipal Code, to aid and assist the Alaska State Troopers in accomplishing the purposes of the Alaska Statutes governing State Troopers (now codified in AS 18.65.020-18.65.110), and to solicit and obtain the assistance of the Alaska Department of Public Safety and the State Troopers, pursuant to the Alaska Statutes, in any police matter requiring manpower, equipment, facilities or specialized training not available within the City.

13.20.020 Powers and Duties of the Department and its Members. The Police Department of the City of Wasilla and each member of the City police force is charged with the enforcement of all criminal laws of the City and the state, and all provisions of the Municipal Code which include a penalty for non-compliance, and has the power of a peace officer of a municipality and those powers usually and customarily exercised by peace officers. Each member of the City police force may prevent crime, pursue and apprehend offenders, obtain legal evidence, institute criminal proceedings, issue citations for violations of civil ordinances, execute any lawful warrant or order or arrest, make an arrest without warrant for a violation of law committed in his presence, and shall cooperate with other law enforcement agencies in detecting crime, apprehending criminals, and preserving law and order in the City.

13.20.030 Uniforms and equipment. The City shall provide members of the City Police Department with standard uniforms, vehicles, supplies and equipment necessary to carry out the objects and purposes of AS 18.65.020-18.65.110. All of this property shall remain the property of the City.

13.20.040 Establishment of stations and headquarters. The Police Commission shall establish stations and headquarters at the places and localities which are necessary for the enforcement of the laws. The Police Department and its members may, with the approval of the City Council, have the right to use City lands and buildings for the accommodation of the Department, its members, vehicles and equipment.

3.20.0 50 Chief Administrative Officer. The Department shall be administered and supervised by a Chief Administrative Officer who shall serve under contract of employment at the pleasure of the Council. In addition to the duties specified above, the Chief Administrative Officer shall have all the powers

and duties of members of the Police Department set forth in § 13.20.011.

13.20.060 Service without Uniform. The Chief Administrative Officer may direct a member of the police to serve without wearing a uniform.

13.20.070 Personnel. The Chief Administrative Officer shall have the authority to select and/or hire, lay-off, fire or otherwise terminate the services of members of the police force and any administrative personnel employed by the Department. The Chief Administrative officer shall be responsible for developing and promulgating a Personnel Policies and Procedures Manual governing all personnel matters.

13.20.080 Standards. All persons serving as members of the police force, including the Chief Administrative Officer, shall meet or exceed the standards set forth in AS 18.65.240(a), as to training and fitness for service as a police officer.

13.20.090 Authorization of Funds; Rules and Regulations. The City Council shall, by Resolution from time to time, promulgate rules and regulations under this ordinance, putting its provisions into effect and providing for the acquisition of facilities, services, equipment and supplies necessary or convenient for the operation of the Department. The Council shall create or authorize all paid positions within the Department and shall determine by resolution all matters concerning compensation, reimbursement and benefits, if any, to be provided to the Chief Administrative Officer, administrative employees and members of the police force.

## Chapter 13.30

### Jail Facility

13.30.010 Jail Facility Established -- Purpose. There is hereby established the City of Wasilla Jail Facility to provide a safe, secure and humane facility for holding prisoners arrested under state criminal provisions or City ordinances until they can be transferred into the custody of Alaska State Troopers or other appropriate authorities or until they can be safely released.

13.30.020 Limitations. The Jail Facility herein ordained is intended to be a holding facility only, and no prisoner may be held in the jail facility more than 12 hours, unless he has been arrested on a felony or Class A misdemeanor charge and transfer of the prisoner into the custody of another authority has been delayed by act of God or other unusual

circumstances beyond the control of the jail supervisor.

13.30.030 Prisoners' Rights. Prisoners held in the jail facility shall be accorded all those rights guaranteed by the Constitution of the United States and as provided in Alaska Statute 12.25.150.

13.30.040 Establishment of Jail Quarters. The Police Commission shall designate quarters to be used as a jail in a location suited to that purpose. The Council may approve use of City lands and buildings for use as a jail.

13.30.050 Jail Administration and Supervision. The Chief Administrative Officer of the Police Department shall have the authority and responsibility for supervision of the Jail Facility and its operation. The Chief Administrative Officer may appoint a member or members of the police force to supervise and be responsible for prisoners held in the Jail Facility. Any administrative personnel employed in connection with the Jail Facility shall be employed by the Police Department.

13.30.060 Authorization of Funds; Rules and Regulations. The City Council shall, by resolution from time to time, promulgate rules and regulations under this ordinance, putting its provisions into effect, and providing for acquisition of facilities, services, equipment and supplies necessary or convenient for the operation of the jail.

## Chapter 8.02

### Police Commission

8.02.010 Police Commission Established -- Purpose. There is hereby established a Police Commission for the City of Wasilla to supervise the City Police Department and its Chief Administrative Officer and to formulate Police Department policy subject to the approval of the City Council.

8.02.020 Commission Membership. A. The Police Commission consists of three members residing within the Matanuska-Susitna Borough, at least two of whom shall be residents of the City of Wasilla.

B. Members shall be appointed by the Mayor for a term of three years, subject to confirmation by the City Council. Members first appointed shall draw lots for one-, two-, and three-year terms. Appointments to fill vacancies are for the unexpired term. The compensation and expenses of the Planning Advisory Commission and its staff are paid as directed by the Council.

8.01.030 Commission Officials. The Commission shall elect a Chairman to conduct the affairs of the Commission, a vice-chairman to serve as Chairman in his absence, a Clerk to prepare the minutes of the journal of the Commission's proceedings, and an assistant clerk to serve as Clerk in his absence.

8.01.040 Vacancies. A. A vacancy shall be declared and filled as above provided, under the following conditions:

1. If a person nominated and confirmed to membership fails to qualify and take his office within thirty days;

2. If a member departs from the City with the intent to remain away for a period of ninety or more days, or moves his residence from the area he was appointed to represent for a period of ninety (90) or more days;

3. If a member's resignation is submitted and accepted by the Council;

4. If a member is physically unable to attend Commission meetings for a period of more than ninety days; or

5. If a member misses three or more consecutive regular meetings, unless excused by the Commission.

6. If a vacancy is created pursuant to 8.02.050.

B. The Clerk shall keep attendance records and notify the Chairman when vacancies occur.

8.02.050 Disqualification of Commissioner. A Commissioner shall be disqualified and summarily dismissed from the Commission upon conviction of any felony or misdemeanor crime.

8.02.060 Meetings. A. Regular meetings shall be held at least once a month. Special meetings may be called by the Commission Chairman or shall be called by him at the request of two members.

B. The Clerk shall cause to be kept minutes and a journal of all meetings which shall be a public record. Minutes and records shall be filed with the Municipal Clerk.

C. Meetings shall be conducted under Robert's Rules of Order, and such modified or amended rules as may be adopted by the Commission.

8.02.070 Office and Staff. A. The Commission shall be provided office space suitable for its needs and adequate to file

its journals, records, reference materials, correspondence and maps, plats and charts, all of which shall constitute public records of the City.

B. The Commission shall be furnished secretarial assistance at each regular meeting to assist in preparing its journals, and as required to prepare its correspondence under the direction of the Commission Chairman and Clerk.

8.02.080 Formal Acts by Motion. All formal actions of the Commission shall be made by motion by a majority vote of those present.

SECTION IV - EFFECTIVE DATE. This Ordinance becomes effective upon passage by the City Council.

Charles Bumpus  
INTRODUCED BY

August 23, 1982  
EFFECTIVE DATE

August 9, 1982  
INTRODUCTION DATE

City of Wasilla  
ADOPTING AUTHORITY (CITY)

August 23, 1982  
HEARING AND ADOPTION DATE

*Marilee D. Harris*  
CITY CLERK

*Harold Newcomb*  
MAYOR'S SIGNATURE