SCOMM

#23:35

CHAPTER 39. POWERS OF CITIES OUTSIDE BOROUGHS.

Sec. 29.39.010. ADDITIONAL POWERS. In addition to the powers granted by ch. 48 of this title, cities outside boroughs are granted the powers specified in this chapter. Powers of this chapter which are incorporated by reference to laws governing boroughs apply to home rule cities outside boroughs only in those cases in which they are made applicable to home rule boroughs in the provisions incorporated.

Sec. 29.39.020. ASSESSMENT AND TAX COLLECTION. Home rule and first class cities outside boroughs may assess, levy and collect a general property tax. A property tax if levied must be assessed, levied and collected as provided by ch. 45 of this title for boroughs. Cities outside boroughs may levy and collect sales and use taxes as provided by ch. 45 of this title for boroughs.

move back to taxing material

Sec. 29.39.030. DIFFERENTIAL TAX ZONES. Cities may by ordinance establish, alter and abolish differential tax zones to provide and levy property taxes for services not provided generally within the city or a different level of service than that provided generally within the city.

Sec. 29.39.040. EDUCATION. Home rule and first class cities outside boroughs constitute city school districts and establish, maintain, and operate a system of public schools as provided by AS 29.36.040 for boroughs.

****Sec. 29.39.050. PLANNING AND LAND USE REGULATION. (a) Home rule and first class cities outside boroughs shall, and second class cities outside boroughs may, provide for planning, platting and land use regulation within their boundaries as provided by AS 29.42.010 - 29.42.245 for boroughs.

(b) Home rule and first class cities within third class boroughs shall, and second class cities within third class boroughs may provide for planning, platting and land use regulation, as provided by AS 29.42.010 - 29.42.150 for boroughs.

****Sec. 29.39.060. EXTENSION OF CURFEWS OUTSIDE CITIES. Repeal.

****Sec. 29.39.070. ENFORCEMENT OF CURFEWS. Repeal.

****Sec. 29.39.080. PENALTY FOR VIOLATION OF CURFEW. Repeal.

Proofed (12-3)

CHAPTER 39. POWERS OF CITIES OUTSIDE BOROUGHS.

Sec. 29.39.010. ADDITIONAL POWERS. In addition to the powers granted by ~~ch. 48~~ of this title, cities outside boroughs are granted the powers specified in this chapter. Powers of this chapter which are incorporated by reference to laws governing boroughs apply to home rule cities outside boroughs only in those cases in which they are made applicable to home rule boroughs in the provisions incorporated.

Sec. 29.39.020. ASSESSMENT AND TAX COLLECTION. Home rule and first class cities outside boroughs may assess, levy and collect a general property tax. A property tax if levied must be assessed, levied and collected as provided by ch. 45 of this title for boroughs. Cities outside boroughs may levy and collect sales and use taxes as provided by ch. 45 of this title for boroughs.

Sec. 29.39.030. DIFFERENTIAL TAX ZONES. Cities may by ordinance establish, alter and abolish differential tax zones to provide and levy property taxes for services not provided generally within the city or a different level of service than that provided generally within the city.

Sec. 29.39.040. EDUCATION. Home rule and first class cities outside boroughs constitute city school districts and establish, maintain, and operate a system of public schools as provided by AS 29.36.040 for boroughs.

****Sec. 29.39.050. PLANNING AND LAND USE REGULATION. (a) Home rule and first class cities outside boroughs shall, and second class cities outside boroughs may, provide for planning, platting and land use regulation within their boundaries as provided by AS 29.42.010-29.42.245 for boroughs.

(b) Home rule and first class cities within third class boroughs shall, and second class cities within third class boroughs may provide for planning, platting and land use regulation, as provided by AS 29.42.010 - 29.42.150 for boroughs.

****Sec. 29.39.060. EXTENSION OF CURFEWS OUTSIDE CITIES. Repeal.

****Sec. 29.39.070. ENFORCEMENT OF CURFEWS. Repeal.

****Sec. 29.39.080. PENALTY FOR VIOLATION OF CURFEW. Repeal.

DRAFTED CHANGES RECOMMENDED BY THE TECHNICAL COMMITTEE
06 December 1980

Sec. 29.39.010. PLANNING AND LAND USE REGULATION. (a) Home rule and first class cities outside ~~first and second class~~ boroughs shall, and second class cities outside ~~first and second class~~ boroughs may ~~in whole or part~~, provide for planning, platting and land use regulation within their boundaries, as provided by AS 29.42.010-29.42.245 for boroughs.

(b) Home rule and first class cities within third class boroughs shall, and second class cities within third class boroughs may ~~in whole or part~~ provide for planning, platting and land use regulation, as provided by AS 29.42.010-29.42.150 for boroughs.

EXPLANATION; Clarifies that a city may only plan for the area within its boundary. ~~Adds the provision that second class cities may plan "in whole or part" as provided for boroughs, so that it is clear that they are not forced into an all or nothing situation.~~

on list of unfinished policy questions
How to encourage planning w/out forcing them into complex & expensive procedures.

DRAFTED CHANGES RECOMMENDED BY THE TECHNICAL COMMITTEE
06 December 1980

Sec. 29.39.060. EXTENSION OF CURFEWS OUTSIDE CITIES. Repeal.

Sec. 29.39.070. ENFORCEMENT OF CURFEWS. Repeal.

Sec. 29.39.080. PENALTY FOR VIOLATION OF CURFEW. Repeal.

EXPLANATION: It is felt that these provisions are unnecessary and would be properly placed in the criminal code. (NOTE: These were in the criminal code as AS 11.60.250, 11.60.260, and 11.60.270 and moved to Title 29 effective January 1, 1980.)

CHAPTER 39. POWERS OF CITIES OUTSIDE BOROUGHS

(CHAPTER 43. POWERS OF CITIES OUTSIDE BOROUGHS

Sec. 29.39.010. ~~(Sec. 29.43.010.)~~ ADDITIONAL POWERS. In addition to the powers granted by ~~(~~ch. 48~~)~~ of this title, cities outside boroughs are granted the powers specified in this chapter. Powers of this chapter which are incorporated by reference to laws governing boroughs apply to home rule cities outside boroughs only in those cases in which they are made applicable to home rule boroughs in the provisions incorporated.

Sec. 29.39.020. ~~(Sec. 29.43.020.)~~ ASSESSMENT AND TAX COLLECTION. Home rule and first class cities outside boroughs may assess, levy and collect a general property tax. A property tax if levied must be assessed, levied and collected as provided by ch. 45 ~~(ch. 53)~~ of this title for boroughs. Cities outside boroughs may levy and collect sales and use taxes as provided by ch. 45 ~~(ch. 53)~~ of this title for boroughs.

Sec. 29.39.030. (Sec. 29.53.405) DIFFERENTIAL TAX ZONES. Cities may by ordinance establish, alter and abolish differential tax zones to provide and levy property taxes for services not provided generally within the city or a different level of service than that provided generally within the city.

Sec. 29.39.040. (Sec. 29.43.030.) EDUCATION. Home rule and first class cities outside boroughs constitute city school districts and establish, maintain, and operate a system of public schools as provided by AS 29.36.040 ~~(AS 29.33.050)~~ for boroughs.

Sec. 29.39.050. (Sec. 29.43.040.) PLANNING AND ZONING. (a) Home rule and first class cities outside first and second class boroughs shall, and second class cities outside first and second class boroughs may, provide for planning, platting and zoning, as provided by AS 29.42.010-29.42.245 (AS 29.33.070-29.33.245) for boroughs.

(b) Home rule and first class cities within third class boroughs shall, and second class cities within third class boroughs may, provide for planning, platting and zoning, as provided by AS 29.42.010-29.42.150 (AS 29.33.070-29.33.245) for boroughs.

DELETE

Sec. 29.39.060. (Sec. 29.43.100.) EXTENSION OF CURFEWS OUTSIDE CITIES. The provisions of a curfew ordinance enacted by a city of any class concerning minors shall be imposed in the total area within 20 miles of the limits of that city. If a given area lies within 20 miles of two or more cities with conflicting curfew ordinances, the provisions of the curfew ordinance of the city having the largest population prevails as to the overlapping area.

Sec. 29.39.070. (Sec. 29.43.105.) ENFORCEMENT OF CURFEWS. (a) The municipal peace officers shall enforce the provisions of the ordinance inside the city limits. Under AS 29.39.060-29.39.080 (AS 29.43.100 - 29.43.110) the state peace officers shall enforce the provisions of the ordinance in the area outside the city limits.

(b) In an area where state peace officers are not available, the municipal peace officer may enforce the provisions of the ordinance in the area outside the city limits if the enforcement responsibilities are delegated by contract between the state and the municipality.

Sec. 29.39.080. (Sec. 29.43.110.) PENALTY FOR VIOLATION OF CURFEW. The penalty for violation of AS 29.36.060-29.36.080 (AS 29.43.100 29.43.110) is as prescribed by the curfew ordinance of the city, and a fine so paid shall be paid to the city when the violation takes place in the city. Otherwise the fine shall be paid to the state. However, the penalty shall not exceed a fine of $300, or imprisonment for 30 days, or both.