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1 CHAPTER 39. POWERS OF CITIES OUTSIDE BOROUGHS.

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

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

14 *move back to taxing material*
— Sec. 29.39.030. DIFFERENTIAL TAX ZONES. Cities may by ordinance
15 establish, alter and abolish differential tax zones to provide and levy
16 property taxes for services not provided generally within the city or a
17 different level of service than that provided generally within the city.

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

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

25 (b) Home rule and first class cities within third class boroughs
26 shall, and second class cities within third class boroughs may provide for
27 planning, platting and land use regulation, as provided by AS 29.42.010 -
28 29.42.150 for boroughs.

29

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

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

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

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

24 (b) Home rule and first class cities within third class boroughs
25 shall, and second class cities within third class boroughs may provide for
26 planning, platting and land use regulation, as provided by AS 29.42.010 -
27 29.42.150 for boroughs.
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1 ****Sec. 29.39.060. •EXTENSION OF CURFEWS OUTSIDE CITIES. Repeal.

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

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

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DRAFTED CHANGES RECOMMENDED BY THE TECHNICAL COMMITTEE
06 December 1980

Sec. 29.39.0~~80~~⁹⁰. 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 ~~unfamiliar~~
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

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

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

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

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

24 Sec. 29.39.050. (Sec. 29.43.040.) PLANNING AND ZONING. (a) Home rule
25 and first class cities outside first and second class boroughs shall, and
26 second class cities outside first and second class boroughs may, provide for
27 planning, platting and zoning, as provided by AS 29.42.010-29.42.245 (AS
28 29.33.070-29.33.245) for boroughs.
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1 (b) Home rule and first class cities within third class boroughs
 2 shall, and second class cities within third class boroughs may, provide for
 3 planning, platting and zoning, as provided by AS 29.42.010-29.42.150 (AS
 4 29.33.070-29.33.245) for boroughs.

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

12 Sec. 29.39.070. (Sec. 29.43.105.) ENFORCEMENT OF CURFEWS. (a) The
 13 municipal peace officers shall enforce the provisions of the ordinance
 14 inside the city limits. Under AS 29.39.060-29.39.080 (AS 29.43.100 -
 15 29.43.110) the state peace officers shall enforce the provisions of the
 16 ordinance in the area outside the city limits.

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

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