

**PETERSBURG BOROUGH
ORDINANCE #2018-10**

**AN ORDINANCE AMENDING CHAPTER 3.40 OF THE MUNICIPAL CODE, ENTITLED
“ELECTRIC UTILITY”, TO AMEND THE TITLE TO “ELECTRIC UTILITY, WATER UTILITY,
AND SEWER UTILITY DEPARTMENTS”, AND TO PROVIDE FOR THE THREE UTILITIES
TO BE THE OPERATION RESPONSIBILITY OF THE UTILITY DIRECTOR**

Whereas, the borough assembly has directed the borough manager to reduce the number of borough employees through attrition, when possible, to reduce payroll expenses in these lean financial times; and

Whereas, current municipal code provides for the public works director to be the head of the water utility; and

Whereas, with the retirement of the borough’s electric superintendent in 2017, the borough manager has proposed a restructuring plan in which a utility director would be the head of the electric, water and sewer utilities; the public works director would be the head of the public works streets and roads division, motor pool, and the sanitation utility, and the assistant public works director position would be eliminated to reduce payroll expenses; and

Whereas, to effectuate the restructuring plan, amendments to a number of Borough Code ordinances will be required, including this Chapter 3.40.

Therefore, the Petersburg Borough Ordains, Chapter 3.40, Electric Utility, is hereby amended to title the chapter “Electric Utility, Water Utility, and Sewer Utility Departments”, and to provide for the three utilities to be the operation responsibility of the utility director.

Section 1. Classification: This ordinance is of a general and permanent nature and shall be codified in the Petersburg Municipal Code.

Section 2. Purpose: The purpose of this ordinance is to title the chapter “Electric Utility, Water Utility, and Sewer Utility Departments”, and to provide for the three utilities to be the operation responsibility of the utility director.

Section 3. Substantive Provisions: Chapter 3.40 of the Petersburg Borough Municipal Code is adopted as amended (ordinance language proposed for deletion is struck through, and ordinance language proposed for addition is in colored text) and shall read as follows:

Chapter 3.40 - ELECTRIC UTILITY, WATER UTILITY, AND SEWER UTILITY DEPARTMENTS

Sections:

- 3.40.010 Department established.**
- 3.40.020 Utility Director.**
- 3.40.030 Duties and responsibilities.**

3.40.010 - Department established.

There are established within the Borough an electric utility department, a water utility department, and a sewer utility department, which are responsible for the proper operation of the utilities as required by state and federal law. The departments are to manage and control the operations, maintenance and expenditures

of the utilities, the utility funds, rate analysis, safety programs, consultant coordination and the construction, maintenance, repair and operation of utility facilities of the Borough.

3.40.020 - Utility Director.

- A. The Utility Director shall be the head of the electric, water and sewer utility departments. The Utility Director is an administrative officer of the Borough appointed by the Borough manager with the approval of the Borough Assembly. An employment contract with an administrative officer may be terminated only for just cause.
- B. The Utility Director shall carry out the duties and responsibilities of the departments under the supervision and control of the Borough manager.
- C. The Utility Director may select personnel to serve as employees of the departments, but all such appointments and the number thereof shall require prior approval of the Borough manager.
- D. The Utility Director may approve departmental expenditures in accordance with section 4.04.020A of the Borough Code. Expenditures exceeding that amount shall require prior approval of the Borough manager.

3.40.030 - Duties and responsibilities.

The electric, water, and sewer utility departments, through the Utility Director shall:

- A. Be responsible for the proper operation of the Borough's electric utility, and its generation and distribution facilities, as provided by federal and state law and as set out in Chapter 14.16 of the Borough Code;
- B. Be responsible for the proper operation of the Borough's water utility and its facilities, as provided by federal and state law and as set out in Chapter 14.04 of the Borough Code;
- C. Be responsible for the proper operation of the Borough's sewer utility and its facilities, as provided by federal and state law and as set out in Chapter 14.08 of the Borough Code;
- D. Prepare and administer the annual budgets for the departments, and prepare recommendations for capital improvements;
- D. Budget and control the spending in the utility funds, and make recommendations regarding rates;
- E. Schedule and perform maintenance of the electric, water and sewer facilities as required for proper maintenance and operation;
- F. Develop and maintain safety programs and procedures for the departments; and
- G. Provide support to consultants and contractors for facility construction projects.

Section 4. Severability: If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected.

Section 5. Effective Date: This Ordinance shall become effective immediately upon final passage.

Passed and approved by the Petersburg Borough Assembly, Petersburg, Alaska this 5th day of March, 2018.

Mark Jensen, Mayor

ATTEST:

Debra K. Thompson, Borough Clerk

Adopted: 3/5/2018
Noticed: 3/15/2018
Effective: 3/5/2018