

Sponsored by: J. Erickson, Borough  
Manager  
Introduced: 08-06-2020  
Public Hearing Date: 08-20-2020  
Date of Approval: 08-20-2020

**CITY AND BOROUGH OF YAKUTAT, ALASKA  
ORDINANCE 20-675**

AN ORDINANCE AMENDING SECTION 2.45.025 OF THE CODE OF THE CITY AND BOROUGH OF YAKUTAT, ALASKA.

Whereas, under state regulation, an experienced police officer who otherwise meets the qualifications for advanced certification must be employed by a police department within the State of Alaska for a minimum of 12 consecutive months in order to gain such certification by the Alaska Police Standards Council (APSC); and

Whereas, Borough Code currently requires such advanced certification for the position of Police Chief, thus making it difficult for experienced law enforcement personnel from either out-of-state, or from within state but in a law enforcement position with the state or federal government , to immediately qualify for the Borough Police Chief position; and

Whereas, the Assembly determines it would be beneficial to amend the Borough Code to allow the position of Police Chief up to 13 months to obtain the required advanced certification, and to add physical and mental capability requirements in accordance with state regulation.

THEREFORE, BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF YAKUTAT, ALASKA as follows:

**Section 1. Codification.** This ordinance is of a general and permanent nature and shall be codified.

**Section 2. Purpose.** The purpose of this Ordinance is to provide a 13-month period for a police officer to obtain advanced certification in order to hold the position of Borough Police Chief, and to add physical and mental capability requirements in accordance with state regulations.

**Section 3. Substantive Provisions:**

1. **Amendment.** Section 2.45.025, *Qualifications of Police Chief*, of the Code of the City and Borough of Yakutat, Alaska, is hereby amended to read as follows (the new language is in bold and underlined, and the language proposed for deletion is in brackets and struck through):

2.45.025 Qualifications of Police Chief.

A. Minimum Qualifications. The Police Chief shall:

1. Be 21 years of age or older;
2. be a U.S. citizen, or possess a legal right to accept employment in the United States;
3. be a high school graduate or equivalent;
- 4. be certified, as required by state regulation, to be physically and mentally capable of performing the essential functions of the position;** and
- 5[4].** be of sound moral character.

B. The Police Chief shall be technically qualified through training and experience, shall have the ability to command people, and shall possess the following minimum certifications:[:]

1. Basic Life Support provider and Emergency First Aid, which meets or exceeds the State requirements; and,
2. **Within thirteen (13) months of commencing employment with the Borough, an Advanced Certificate issued by [Meet or exceed the minimum standards set forth by] the Alaska Police Standards Council (APSC)[in order to be certified as a Borough Police Officer, holding an Advanced Police Officer certificate issued by APSC], or the equivalent certification from another state or jurisdiction.**

**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 of other persons or circumstances shall not be affected.

**Section 5. Effective Date.** This Ordinance shall be effective immediately upon adoption.

PASSED AND APPROVED THIS 20<sup>th</sup> DAY OF AUGUST, 2020.

CITY AND BOROUGH OF YAKUTAT, ALASKA

*C. Bremner*

CINDY BREMNER  
MAYOR

*Alfredo Munoz Jr.*  
ALFREDO MUNOZ JR.  
BOROUGH CLERK

Yakcode/Ord283

