

Local Government Informational Tutorial:

Municipal Ordinances & Resolutions



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DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT

06/12/2025

Agenda

1. Ordinances
2. Resolutions
3. Disposition List



Codification (law)

In law, **codification** is the process of collecting and restating the law of a jurisdiction in certain areas, usually by subject, forming a legal code, i.e. a codex (book) of law.

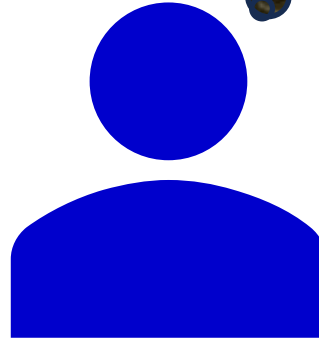
Codification is one of the defining features of civil law jurisdictions. In common law

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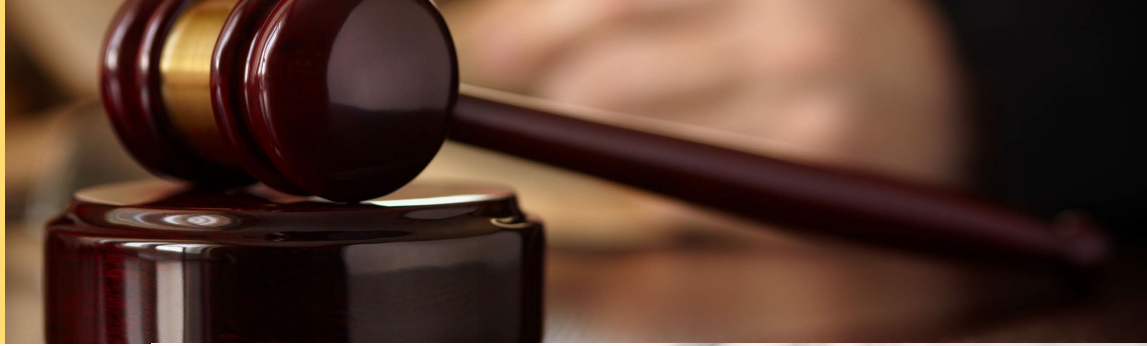
What is an Ordinance?



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WHAT IS AN ORDINANCE?



- Black's Law Dictionary Definition:
An Authoritative law or decree,
esp. a municipal regulation.
- Alaska Constitution Article X
- AS 29.25.010 – Acts required to be
by ordinance



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The Three Types of Ordinances



CODE
Ordinance



NON-CODE
Ordinance



EMERGENCY
Ordinance



3 Types of Ordinances

Code

General and permanent nature.
In effect over time.
CODIFY!

Examples?

- Election procedures
- Levying taxes
- Change regular meeting times

Non-Code

Not general or permanent.
Specific to a moment in time.
Will not be codified into law.

Examples?

- Re-zone
- Land sale or lease
- Budget

Emergency

Extreme or unusual circumstances.
Limited duration – 60 days or less.
No public hearing required.

Examples?

- Stay at home orders
- Emergency safety precautions

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Components of an Ordinance

(See your municipal code for requirements!)

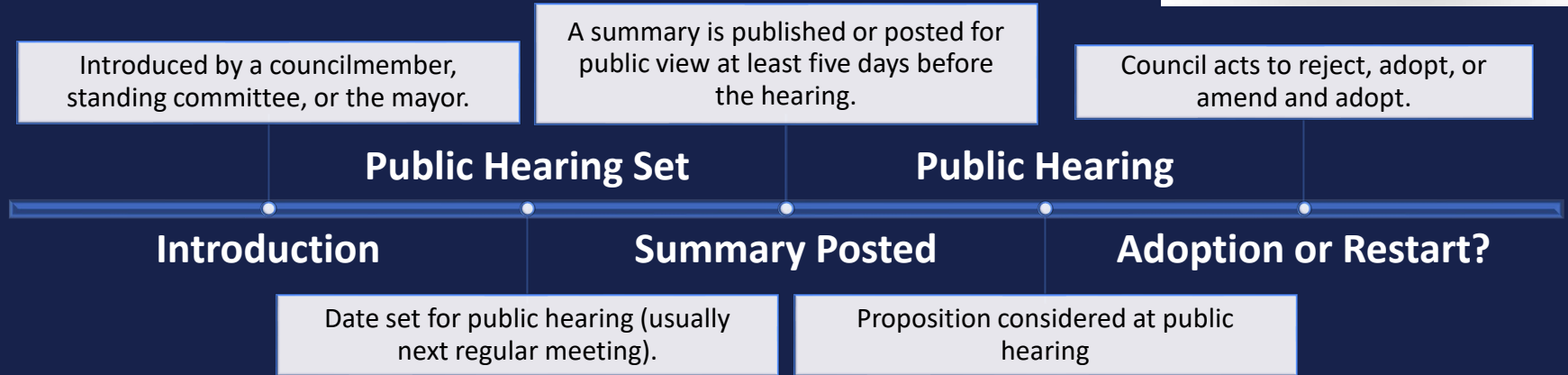
- Ordinance number: year & # within year
 - 2025.01, 2025.02...
- Title: specific & clear – what is it & what is being done
- Classification: code or non-code or emergency
- Severability clause: if partially held invalid, remainder is unaffected
- Penalty: if penalty applies... can reference another section
- Language: if code ordinance, include specific code #s
- Effective date: usually upon adoption, sometimes at a later date, sometimes upon approval in a referendum
- Introduction: date the ordinance was introduced
- Public hearing: date of public hearing
- Adoption language & date
- Signature of mayor
- Attested by clerk



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Passing an Ordinance!



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Proclamation Nation!

What is a Resolution?

A formal expression of an opinion, intention, or decision by an official body.
Meaning – not a law.

AS 29.50.060

The governing body shall provide for maintenance of a permanent file of resolutions that have been adopted.



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Components of a Resolution

(See your municipal code for requirements!)

- Resolution number: year and # within this year – 25.01, 25.02...
- Title: specific and clear on what it is & what is being done.
- Whereas clauses: an explanation of why you're doing this – because this, because this, because this...
- Therefore clause: the conclusion/action/resolve – what is being decided.
- Adoption language & date
- Signature of mayor
- Attested by clerk



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Adopting a Resolution



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Disposition List

Definition

A list of all ordinances & resolutions introduced

Components

- Whether it is an ordinance or resolution
- Date introduced
- Document number
- Title
- Disposition (adopted, not adopted, referred...)

Responsible Party

Municipal Clerk



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Codification

Compiling, arranging, and systematizing the laws of a given jurisdiction.....Putting them in the municipal code.

AS 29.25.050 requires all code ordinances to be codified after adoption.

Completed by the municipal clerk regularly.

LeGIT: June 26!



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LeGIT: Ordinances & Resolutions

Questions/Comments?

Find your LGS:

<https://experience.arcgis.com/experience/31fa8f111aca4b5499167fb63762a3d9/>

Join us June 26 for
Codification!



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