

CITY OF UNALASKA
UNALASKA, ALASKA

ORDINANCE 2026-08

AN ORDINANCE OF THE UNALASKA CITY COUNCIL AMENDING UNALASKA CODE OF ORDINANCES TITLE 2 (ADMINISTRATION), TITLE 3 (PERSONNEL), TITLE 6 (REVENUE AND FINANCE), TITLE 8 (PLANNING AND LAND USE DEVELOPMENT), TITLE 9 (BUSINESS LICENSES AND REGULATIONS), TITLE 12 (ANIMAL CONTROL), TITLE 13 (PUBLIC PEACE, MORALS, WELFARE, AND SAFETY), TITLE 14 (VEHICLES AND TRAFFIC), AND TITLE 18 (PORT AND PORT FACILITIES) TO SUBSTITUTE “UNALASKA POLICE DEPARTMENT” AND “CHIEF OF POLICE” FOR “UNALASKA DEPARTMENT OF PUBLIC SAFETY” AND “DIRECTOR OF PUBLIC SAFETY” CONSISTENT WITH ORDINANCE 2018-11, AND TO MAKE OTHER CORRESPONDING CHANGES, AND TO REPEAL AND REPLACE CHAPTER 2.44 AND SECTION 14.08.080

WHEREAS, Ordinance 2018-11 created a standalone Fire Department, separate from the Department of Public Safety; and

WHEREAS, the creation of a standalone Fire Department renders the Department of Public Safety a Police Department, which was recognized at the time by specifying that the Chief of Police was the head of the Department of Public Safety (UCO 2.44.010); and

WHEREAS, for the reasons stated above, it is now desirable to formally rename the department, which is consistent with the City’s management of separate police and fire departments since 2018; and

WHEREAS, the Unalaska Department of Public Safety has had a recurring issue in which potential police officer candidates do not apply for posted job listings at the Department, because they are under the belief that employment with a Department of Public Safety may involve firefighting or duties other than law enforcement; and

WHEREAS, this ordinance modifies the current use of and reference to “Department of Public Safety” to “Police Department” and makes other conforming changes to City code; and

WHEREAS, certain changes to Title 12 contained in Ordinance 2025-11 already made changes in conformity with the substance of this ordinance; and

WHEREAS, Per UCO § 1.20.045(B), copies of the existing text of Chapter 2.44 DEPARTMENT OF PUBLIC SAFETY, and Section 14.08.080 VEHICLE CHAINS, which will be repealed and replaced by Section 4 and Section 39 of this ordinance, are attached hereto; and

WHEREAS, this ordinance makes other minor substantive changes which are desirable to maintain consistency with current law and to generally update the Unalaska Code of Ordinances.

NOW, THEREFORE, BE IT ENACTED BY THE UNALASKA CITY COUNCIL, as follows:

Section 1: Classification. This is Ordinance is a Code ordinance.

Section 2: Amendment of Section 2.04.020. Section 2.04.020, OATH OF OFFICE, of the Unalaska Code of Ordinances is hereby amended to read as follows: [additions are underlined, deletions are ~~everstruck~~]

§ 2.04.020 OATH OF OFFICE.

City officers, before taking office, shall affirm in writing that they will honestly, faithfully, and impartially perform their duties. The oath shall be filed with the City Clerk. The following city officials are required to sign the oath:

- (A) All elected officials;
- (B) Planning Commission members;
- (C) City Manager;
- (D) Assistant City Manager;
- (E) City Clerk;
- (F) Director of Finance;
- (G) Police Department ~~Public safety~~ employees identified in 2.44.050 ~~2.44.100~~;
- (H) Fire and emergency medical services employees identified in 2.46.040; and
- (I) City Attorney.

Section 3: Amendment of Section 2.40.030. Section 2.40.030, DUTIES OF THE DIRECTOR OF PLANNING, of the Unalaska Code of Ordinances is hereby amended to read as follows: [additions are underlined, deletions are ~~everstruck~~]

§ 2.40.030 DUTIES OF THE DIRECTOR OF PLANNING.

Under the supervision of the City Manager, the Director of Planning shall have the following duties:

...

- (E) Issue, or in conjunction with the Police Department ~~of Public Safety~~, cause to be issued, citations for minor offenses and notices of other violations of the city's planning and zoning laws; and

...

Section 4. Repeal and replacement of Chapter 2.44. Chapter 2.44, DEPARTMENT OF PUBLIC SAFETY, of the Unalaska Code of Ordinances is repealed in its entirety and replaced as follows:

§ 2.44.010 POLICE DEPARTMENT.

There is created a Police Department, the head of which shall be the Chief of Police.

§ 2.44.020 CHIEF OF POLICE.

The Chief of Police shall be appointed by the City Manager and shall hold office at the discretion of and be supervised by the City Manager. The Chief of Police shall fulfill the duties and have the responsibilities as set forth in the employee’s job description, and shall perform other such duties as specified in this Code or by the City Manager.

§ 2.44.030 DUTIES OF POLICE DEPARTMENT.

The police department is responsible for maintaining public safety and order within the city, consisting of enforcing state statutes and city ordinances as well as providing aid and assistance to residents and visitors.

§ 2.44.040 SUCCESSION TO THE CHIEF OF POLICE.

Should the Chief of Police position become vacant or should the Chief of Police be absent or unable to perform the duties of the position, the Deputy Chief of Police shall succeed the Chief of Police on an interim basis.

§ 2.44.050 OATH OF OFFICE.

The following members of the Police Department will be required to take and sign an Oath of Office prior to assuming duties of the position:

- (A) Chief of Police;
- (B) Deputy Chief of Police;
- (C) Police Sergeant;
- (D) Police Officer;
- (E) Corrections Sergeant; and
- (F) Corrections Officer.

Section 5: Amendment of Section 2.96.010. Section 2.96.010(B), INTENT AND PURPOSE, of the Unalaska Code of Ordinances is hereby amended to read as follows: [additions are underlined, deletions are ~~overstruck~~]

§ 2.96.010 INTENT AND PURPOSE.

...

- (B) The Unalaska Department of Fire and Emergency Medical Services ~~Public Safety~~ shall be the coordinating agency for all activity in connection with emergency preparedness and other disaster operations. It will be the instrument through which the Emergency Preparedness Director and the Coordinator of Emergency Management may exercise the authority and discharge the responsibilities vested in them by AS 26.20 and AS 26.23.

...

Section 6: Amendment of Section 3.04.050. Section 3.04.050, POLICE STANDARDS ACT, of the Unalaska Code of Ordinances is hereby amended to read as follows: [additions are underlined, deletions are ~~overstruck~~]

§ 3.04.050 POLICE STANDARDS ACT.

The Police Department of ~~Public Safety~~ shall be covered by this title and the applicable provisions of AS 18.65 and by the rules and regulations of the State of Alaska Police Standards Council.

Section 7: Amendment of Section 3.40.040. Section 3.40.040, PAY RANGE MATRIX,

of the Unalaska Code of Ordinances is hereby amended to read as follows: [additions are underlined, deletions are ~~overstruck~~]

§ 3.40.040 PAY RANGE MATRIX.

WAGE RANGES - ANNUAL

...					
120	Office Manager	Public Works or <u>Police Department</u> Public Safety	\$90,342.01	\$99,376.21	\$126,478.82
...					
155	Deputy Police Chief	<u>Police Department</u> Public Safety	\$157,735.82	\$173,518.21	\$220,821.36
...					
160	Police Chief	<u>Police Department</u> Public Safety	\$173,518.21	\$190,861.23	\$242,934.28
...					

WAGE RANGES – SEMIMONTHLY

...					
120	Office Manager	Public Works or <u>Police Department</u> Public Safety	\$3,764.25	\$4,140.68	\$5,269.95

...

155	Deputy Police Chief	<u>Police</u> <u>Department</u> Public Safety	\$6,572.33	\$7,229.93	\$9,200.89
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...

160	Police Chief	<u>Police</u> <u>Department</u> Public Safety	\$7,229.93	\$7,952.55	\$10,122.26
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WAGE RANGES - HOURLY

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120	Office Manager	Public Works or <u>Police</u> <u>Department</u> Public Safety	\$43.43	\$47.78	\$60.81
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155	Deputy Police Chief	<u>Police</u> <u>Department</u> Public Safety	\$75.83	\$83.42	\$106.16
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160	Police Chief	<u>Police</u> <u>Department</u> Public Safety	\$83.42	\$91.76	\$116.80
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Section 8: Amendment of Section 6.36.070. Section 6.36.070, COLLECTION BY DISTRAINT AND SALE, of the Unalaska Code of Ordinances is hereby amended to read as follows: [additions are underlined, deletions are ~~overstruck~~]

§ 6.36.070 COLLECTION BY DISTRAINT AND SALE.

...

(B) DISTRAINT: The lien of personal property taxes may be enforced by distraint and sale of the personal property of the person assessed. The procedure shall be as follows:

...

- (1) If no payment is made within the time specified, the City Clerk or designee shall issue a warrant directed to the Police Department of ~~Public Safety~~ directing it to seize, levy, distrain, and sell by public auction such personal property of the person or entity assessed upon which the tax was levied upon. If the expected sale proceeds are not sufficient to satisfy the tax, penalty, interest, costs, and expenses of sale, such warrant may authorize the seizure, levy, distraint and sale of such other personal property of the person or entity against whom the tax was assessed as may be sufficient to satisfy such tax, penalty, interest, costs and expenses of sale.

...

Section 9: Amendment of Section 8.12.170. Section 8.12.170, GENERAL PROVISIONS, of the Unalaska Code of Ordinances is hereby amended to read as follows: [additions are underlined, deletions are ~~overstruck~~]

§ 8.12.170 GENERAL PROVISIONS.

...

(O) Adult-oriented business.

...

- (1) Authorized representatives of the City of Unalaska Police ~~Public Safety~~ Department shall have the authority to enter any adult- oriented business at all reasonable times to inspect the premises for the purpose of determining compliance with the terms and conditions of applicable permits, codes, regulations and laws. At a minimum, reasonable times shall include the operating hours of the business.

Section 10: Amendment of Section 9.12.010. Section 9.12.010, DEFINITIONS, of the Unalaska Code of Ordinances is hereby amended to read as follows: [additions are underlined, deletions are ~~overstruck~~]

§ 9.12.010 DEFINITIONS

...

(F) "Police Department" ~~"Department of Public Safety"~~ or "Department" means the Unalaska Police Department of ~~Public Safety~~.

(G) "Chief ~~Director~~ of the Unalaska Police Department of ~~Public Safety~~" or "Chief" ~~"Director"~~ means the Chief of Police or ~~his or her~~ designee.

...

Section 11: Amendment of Section 9.12.040. Section 9.12.040, APPLICATION AND RENEWAL PROCESS - TAXICAB PERMIT, of the Unalaska Code of Ordinances is hereby amended to read as follows: [additions are underlined, deletions are ~~overstruck~~]

§ 9.12.040 APPLICATION AND RENEWAL PROCESS - TAXICAB PERMIT.

(A) In order to apply for an initial taxicab permit, the applicant shall complete the form supplied by the City Clerk's office and shall file:

...

(2) With the Police Department of ~~Public Safety~~:

(a) 1. A full and complete set of fingerprints of the applicant, and of its owner(s), partners, officers, directors, and of members or shareholders owning twenty percent (20%) or more of the outstanding shares or membership interests of the entity, if the applicant is not a natural person, taken by the Police Department ~~Unalaska Department of Public Safety~~ or a copy of the applicant's current chauffeur's license; and

...

Section 12: Amendment of Section 9.12.060. Section 9.12.060, VEHICLE EQUIPMENT AND INSPECTION of the Unalaska Code of Ordinances is hereby amended to read as follows: [additions are underlined, deletions are ~~everstruck~~]

§ 9.12.060 VEHICLE EQUIPMENT AND INSPECTION.

...

(C) The Police Department of ~~Public Safety~~ may require and conduct additional inspections at such times as may reasonably appear to be necessary due to accidents, repairs, or when there is reasonable cause to believe that conditions of the vehicle assigned to a permit adversely affect the safety of the vehicle or the vehicle no longer conforms to the requirements of this Chapter.

Section 13: Amendment of Section 9.12.065. Section 9.12.065, METER EQUIPMENT AND INSPECTION, of the Unalaska Code of Ordinances is hereby amended to read as follows: [additions are underlined, deletions are ~~everstruck~~]

§ 9.12.065 METER EQUIPMENT AND INSPECTION.

...

(B) Mandatory Meter Inspections. Prior to issuance of a taxicab permit, and prior to the renewal of a taxicab permit, or upon replacement of a meter, the permit holder must have conducted and the vehicle assigned to the permit passed, a meter inspection conducted by the Chief of Police or designee ~~Director of Public Safety~~. The inspection shall determine if the meter is accurate and calibrated correctly, is sealed, and otherwise complies with the requirements of this Chapter.

(C) The Chief of Police or designee ~~Director of Public Safety~~ shall inspect all meters prior to their use and shall have the right to inspect any meter installed in a vehicle assigned to a permit at any time as may reasonably appear to be necessary due to accidents, repairs, or when there is reasonable cause to believe that the meter attached to a

vehicle assigned to a permit no longer conforms to the requirements of the Chapter.

- (D) It is unlawful for any person other than the Chief of Police or designee ~~Director of Public Safety~~ to break the meter seal of a taxicab without providing notice and a reasonable opportunity to inspect the meter to the Chief of Police ~~Director of Public Safety~~.

Section 14: Amendment of Section 9.12.070. Section 9.12.070, PROCESSING OF TAXICAB PERMIT HOLDER APPLICATION, of the Unalaska Code of Ordinances is hereby amended to read as follows: [additions are underlined, deletions are ~~everstruck~~]

§ 9.12.070 PROCESSING OF TAXICAB PERMIT HOLDER APPLICATION.

- (A) After review of the new or renewal application, and investigation of any facts or circumstances relating to the applicant, including any background checks by the Unalaska Police Department, and following inspection of the vehicle and meter for renewal applications, the Chief of Police ~~Director of Public Safety~~ shall endorse the application with a recommendation of eligibility for approval or for denial and forward the application and the Chief's ~~Director's~~ recommendation to the City Manager.
- (B) The City Manager shall review the application, the recommendation of the Chief of Police ~~Director~~ and any related documents supplied by the Chief ~~Director~~ identified in conjunction with their investigation and make a determination as to whether or not to approve or deny the application. If the City determines that the applicant is not eligible for a permit, the City Manager or ~~their~~ designee shall issue a Notice of Noncompliance pursuant to § 9.12.130(A) and proceed in accordance with § 9.12.130.
- (C) Where there is more than one applicant whose application is approved by the City Manager, and the successful application must be chosen by lot per § 9.12.030(B) or (C), the Chief of Police ~~Director of Public Safety~~, shall compile the list of eligible candidates who shall then be chosen by lot by the City Clerk at a publicly advertised drawing.

...

Section 15: Amendment of Section 9.12.090. Section 9.12.090, ASSIGNMENT OF VEHICLE TO PERMIT, of the Unalaska Code of Ordinances is hereby amended to read as follows: [additions are underlined, deletions are ~~everstruck~~]

§ 9.12.090 ASSIGNMENT OF VEHICLE TO PERMIT.

- (A) NEW OR RENEWAL PERMIT. Upon issuance of a taxicab permit, the permit holder must identify a vehicle to be assigned by the City to the taxicab permit. The vehicle to be assigned to a permit must comply with all vehicle equipment and inspection requirements of this Chapter as well as with any laws of the State of Alaska. A permit holder shall make application to the City Clerk for assignment of a vehicle to their permit within forty-five (45) days of issuance of the permit or earlier request a voluntary suspension of the permit pursuant to § 9.12.110. The application shall include identification of the vehicle, identification of the interest of the permit holder in the vehicle, proof of insurance required by this Chapter under § 9.12.040 and verification from the Police ~~Department of Public Safety~~ that the vehicle complies with the vehicle

marking requirements of § 9.12.160(A) and has passed a vehicle safety and meter inspection which shall constitute a completed application. Upon receipt of a completed application, the City Clerk shall take such action as may be necessary to assign the vehicle to the permit. Failure to make timely application or to apply for and receive a voluntary suspension extending the time by which a vehicle shall be assigned shall result in immediate revocation of the taxicab permit. Only one vehicle may be assigned to a permit at any time.

- (B) LOSS OR DAMAGE: Immediately upon the destruction, substantial damage, or loss of a motor vehicle assigned to a taxicab permit the permit holder shall notify the Chief of Police ~~Director of Public Safety~~ in writing of the loss or damage, and of the permit holder's plan for continuing vehicle-for-hire services to the public. If a damaged vehicle is not repaired and placed back in service, or replaced within forty-five (45) days after substantial damage, the taxicab permit for the vehicle shall be revoked. If the permit holder provides the Chief of Police ~~Director of Public Safety~~ with a written statement from an automobile repair shop, auto parts supply business, or car dealer advising that required parts are not available, the Chief of Police ~~Director of Public Safety~~ may extend the time to repair the vehicle for a period not to exceed an additional ninety (90) days. Approval of extension will be provided to permit holder in writing.
- (C) SALE OR REPLACEMENT: The permit holder shall make application to the City Clerk to change the vehicle assigned to a permit. The application shall be filed with the City Clerk and include identification of the replacement vehicle, identification of the interest of the permit holder in the vehicle, proof of insurance required by this Chapter under § 9.12.040, and verification from the Police Department ~~of Public Safety~~ that the vehicle complies with the vehicle marking requirements of § 9.12.160(A) and has passed a vehicle safety and meter inspection which shall constitute a completed application. Upon receipt of a completed application the City Clerk shall take such action as may be necessary to assign the new vehicle to the permit. Upon reassignment of a replacement vehicle to a permit, it shall be a violation of this Chapter to continue to operate the prior-assigned vehicle as a vehicle-for-hire in the City.

Section 16: Amendment of Section 9.12.100. Section 9.12.100, ADDITIONAL RESPONSIBILITIES OF A TAXICAB PERMIT HOLDER, of the Unalaska Code of Ordinances is hereby amended to read as follows: [additions are underlined, deletions are ~~overstruck~~]

§ 9.12.100 ADDITIONAL RESPONSIBILITIES OF A TAXICAB PERMIT HOLDER.

...

- (B) The permit holder shall maintain a written record of all dispatches of the vehicle operated under the taxicab permit, including the names of all chauffeurs and the dates and hours during which each chauffeur utilized the vehicle. The records shall be made available for inspection, during reasonable business hours, within forty-eight (48) hours of demand by the City Clerk or the Chief of Police ~~Director of Public Safety~~, and the record shall be maintained and preserved by the permit holder for a period of six (6) years.

...

Section 17: Amendment of Section 9.12.110. Section 9.12.110, VOLUNTARY SUSPENSION, of the Unalaska Code of Ordinances is hereby amended to read as follows: [additions are underlined, deletions are ~~overstruck~~]

§ 9.12.110 VOLUNTARY SUSPENSION.

(A) The Chief of Police ~~Director of the Department of Public Safety~~, upon application by a permit holder, may authorize a voluntary suspension of the permit for a single period not to exceed three (3) months in any consecutive twelve (12)-month period if the Chief ~~Director~~ determines that the suspension, when considered in connection with any other suspension of operation of other permits, is justified by reduced seasonal passenger traffic, or will not adversely affect the public convenience and necessity, and that suspension is reasonably necessary for the economic welfare of the permit holder.

...

Section 18: Amendment of Section 9.12.120. Section 9.12.120, GROUNDS FOR DENIAL, SUSPENSION OR REVOCATION OF TAXICAB PERMIT OR APPLICATION, of the Unalaska Code of Ordinances is hereby amended to read as follows: [additions are underlined, deletions are ~~overstruck~~]

§ 9.12.120 GROUNDS FOR DENIAL, SUSPENSION OR REVOCATION OF TAXICAB PERMIT OR APPLICATION.

A taxicab permit, an application for a taxicab permit, or an application for transfer of a permit may be denied, suspended or revoked for any of the following reasons:

...

(N) Breaking the seal on a taxi meter without the prior authorization from the Chief of Police ~~Director of the Department of Public Safety~~, or allow a taxi to be operated for hire when the seal is broken.

Section 19: Amendment of Section 9.12.130. Section 9.12.130, PROCEDURE FOR DENIAL, REVOCATION OR IMMEDIATE SUSPENSION OF TAXICAB PERMIT OR CHAUFFEUR'S LICENSE, of the Unalaska Code of Ordinances is hereby amended to read as follows: [additions are underlined, deletions are ~~overstruck~~]

§ 9.12.130 PROCEDURE FOR DENIAL, REVOCATION OR IMMEDIATE SUSPENSION OF TAXICAB PERMIT OR CHAUFFEUR'S LICENSE.

(A) NOTICE OF NON-COMPLIANCE. Prior to initiation of any proceeding to deny eligibility for or to revoke a taxicab permit or a chauffeur's license the City Manager, in the case of a taxicab permit, or the Chief of Police ~~Director of the Department of Public Safety~~, in the case of a chauffeur's license, shall issue to the applicant, permit holder or licensee a notice of noncompliance with the requirements of this Chapter. The notice shall identify the basis for action or decision against the applicant, permit holder, or license and shall specify a period of time, not to exceed thirty (30) days, within which the applicant, permit holder, or licensee may demonstrate compliance with the requirements of this Chapter.

- (B) IMMEDIATE SUSPENSION. If the City Manager or Chief of Police Director makes a determination that the permit holder or licensee has failed to maintain insurance required by § 9.12.040(B) or that the permit holder, licensee or use of a permitted vehicle presents an immediate threat to the health and safety of the public, the City Manager or Chief of Police Director may issue a written notice of noncompliance stating the reasons for the immediate suspension, that the suspension shall be effective immediately, and that the permit holder or licensee has a right to request a hearing on the decision of immediate suspension before the City Manager to be held within three (3) business days of that request. The City Manager may extend the time for the date of holding the hearing at the request of the licensee or permit holder, or upon good cause shown by the Chief of Police Director. A determination that the permit holder or a licensee presents an immediate threat to the health or safety of the public shall be based upon reasonable cause that the vehicle assigned to a permit fails to comply with applicable vehicle safety codes or that a condition creates an immediate and substantial risk of harm to passengers or the public if the vehicle is used for hire or if the licensee were to continue to operate a vehicle for hire. After the hearing, the City Manager shall issue a decision as to whether to uphold or to rescind the immediate suspension. The suspension shall remain in effect until the permit holder or licensee presents evidence to the City Manager demonstrating that the required insurance is in place, that there is not a substantial risk of harm to passengers or the public and shall remain in place through any subsequent process to revoke the subject permit or license. A permit holder or licensee may appeal the decision of the City Manager after hearing to the City Council pursuant to division (D), below.
- (C) NOTICE OF INTENT TO REVOKE. Where the City Manager or the Chief of Police Director of the Department of Public Safety is not satisfied that the applicant, permit holder or licensee has presented sufficient evidence or information to demonstrate compliance with the requirements of this Chapter, the City Manager or the Chief of Police Director may issue a notice of intent to deny the application or to revoke a permit or license. Notice by City Manager, in the case of a taxicab permit, or by the Chief of Police Director of the Department of Public Safety, in the case of a chauffeur's license, notifying an applicant, permit holder, or licensee that the City intends to revoke their permit or license or to deny their application shall be served on the applicant, permit holder, or licensee via first-class mail, postage pre-paid or in person. The notice shall state the reasons for the proposed action and that the proposed action shall take effect upon the expiration or thirty (30) days unless earlier appealed by the applicant, permit holder or licensee to the City Council.
- (D) APPEAL. An appeal of a notice of intent to deny or revoke or of an immediate suspension shall be made no later than thirty (30) days from the date of the notice issued by the City Manager or the Chief of Police Director. The time for appeal shall be computed pursuant to § 1.12.060(C). Upon receiving a timely notice of appeal, the City Clerk shall put the appeal on the agenda for a public hearing at a regular meeting of the City Council to be held within thirty (30) days of receipt of notice of appeal from the applicant, permit holder, or licensee. The Council shall hear the appeal *de novo* and the parties to the appeal may be represented by counsel and present witnesses and evidence on their own behalf and shall have the right to cross examine witnesses and rebut evidence against them. The hearing shall be memorialized by an electronic recording. After the close of the hearing, the Council shall issue written findings affirming, rescinding, or modifying the decision of the City Manager or of the Chief of Police Director.

...

Section 20: Amendment of Section 9.12.160. Section 9.12.160, REGULATION OF FREQUENCY MONITORING DEVICES, of the Unalaska Code of Ordinances is hereby amended to read as follows: [additions are underlined, deletions are ~~overstruck~~]

§ 9.12.160 REGULATION OF FREQUENCY MONITORING DEVICES.

...

(B) A taxicab shall not be equipped with, nor may a person possess in such a vehicle, or allow another to operate, a device capable of monitoring the FCC assigned frequencies of the Unalaska Police Department ~~of Public Safety~~.

(C) A taxicab may not be equipped with, nor may a person possess in a vehicle for hire, or allow another to operate, any device not licensed by the Federal Communication Commission and approved by the Unalaska Police Department ~~of Public Safety~~.

...

Section 21: Amendment of Section 9.12.200. Section 9.12.200, APPLICATION AND RENEWAL PROCESS - CHAUFFEUR'S LICENSE, of the Unalaska Code of Ordinances is hereby amended to read as follows: [additions are underlined, deletions are ~~overstruck~~]

§ 9.12.200 APPLICATION AND RENEWAL PROCESS - CHAUFFEUR'S LICENSE.

(A) In order to apply for an initial application for a chauffeur's license, the applicant shall complete the form provided by the Police Department ~~of Public Safety~~ and shall file the following, which information shall together consist of a completed application. Incomplete applications will be rejected.

- (1) Two (2) passport photographs accurately portraying the applicant's present physical appearance;
- (2) Two (2) sets of fingerprints taken by the Police Department ~~of Public Safety~~; and
- (3) A completed medical examination report, certified by a licensed physician or a physician's aide, on a form provided by the Police Department ~~of Public Safety~~.
- (4) A copy of a current criminal history obtained within thirty (30) days prior to the date of application reflecting the criminal history of the applicant.
- (5) A non-refundable application fee to be set by ordinance.
- (6) The signature of the applicant.

...

Section 22: Amendment of Section 9.12.210(A). Section 9.12.210, QUALIFICATIONS OF APPLICANT - CHAUFFEUR'S LICENSE, of the Unalaska Code of Ordinances is hereby amended to read as follows: [additions are underlined, deletions are ~~overstruck~~]

§ 9.12.210 QUALIFICATIONS OF APPLICANT - CHAUFFEUR'S LICENSE.

(A) An applicant for a chauffeur's license shall:

- (1) Be at least twenty-one (21) years of age;
- (2) Possess a valid State of Alaska driver's license for the type of vehicle being operated, and demonstrate familiarity with the traffic laws of the City of Unalaska and State of Alaska;
- (3) Pass a written or oral locations test for the City of Unalaska administered by the Police Department of ~~Public Safety~~ in English without the assistance of an interpreter;

...

Section 23: Amendment of Section 9.12.220. Section 9.12.220, PROCESSING CHAUFFEUR LICENSE APPLICATIONS, of the Unalaska Code of Ordinances is hereby amended to read as follows: [additions are underlined, deletions are ~~overstruck~~]

§ 9.12.220 PROCESSING CHAUFFEUR LICENSE APPLICATIONS.

(A) Upon receipt of a completed application for an initial or renewal of chauffeur's license, accompanied by the required fee, the Chief of Police ~~Director of Public Safety~~ shall determine if the applicant meets the qualifications. Upon determination of qualifications, within ten (10) business days, the application will be approved or denied by the Chief of Police ~~Director of Public Safety~~. If the Chief of Police ~~Director of Public Safety~~ denies the application, the applicant will be notified within five (5) days of the decision. If the Chief of Police ~~Director of Public Safety~~ denies the application, the denial may be appealed according to the provisions of § 9.12.130.

...

Section 24: Amendment of Section 9.12.240. Section 9.12.240(S), UNLAWFUL ACTIVITIES, of the Unalaska Code of Ordinances is hereby amended to read as follows: [additions are underlined, deletions are ~~overstruck~~]

§ 9.12.240 UNLAWFUL ACTIVITIES.

It is a minor offense for a person to commit any of the following acts:

...

(S) Change the size of the wheels or tires of any taxicab, or the gears operating the meter, or to change the meter from one taxicab to another, unless such meter is reinspected and approved by the Chief of Police ~~Director of Public Safety~~ before it is used; or

...

Section 25: Amendment of Section 9.36.030. Section 9.36.030(A), INSPECTION, of the Unalaska Code of Ordinances is hereby amended to read as follows: [additions are underlined, deletions are ~~everstruck~~]

§ 9.36.030 INSPECTION.

- (A) Any person that owns, operates, manages or maintains an adult-oriented business or their agents or employees shall permit representatives of the Police Department ~~Public Safety Department~~, Planning Department, or other City departments or agencies to inspect the premises of an adult-oriented business for the purpose of ensuring compliance with the law, at any time it is occupied or open for business.

...

Section 26: Amendment of Section 11.32.040. Section 11.32.040, ENHANCED EMERGENCY REPORTING EQUIPMENT OR SERVICES, of the Unalaska Code of Ordinances is hereby amended to read as follows: [additions are underlined, deletions are ~~everstruck~~]

§ 11.32.040 ENHANCED EMERGENCY REPORTING EQUIPMENT OR SERVICES.

...

- (B) If the enhanced 911 system is to be provided for an area that is included in more than one telephone company service area, the City Police Department of ~~Public Safety~~, with the approval of the City Manager, may enter into agreements necessary to establish and operate the system.

Section 27: Amendment of Section 12.04.010. Section 12.04.010, DEFINITIONS, of the Unalaska Code of Ordinances is hereby amended to read as follows: [additions are underlined, deletions are ~~everstruck~~]

§ 12.04.010 DEFINITIONS.

In this chapter, unless the context otherwise requires:

- (A) "Animal Control Officer" means any person appointed by the Chief of Police ~~Director of the Department of Public Safety~~ to impound animals within the city. The Animal Control Officer may be any Police ~~Public Safety~~ Officer when enforcing the regulations of this chapter.
- (B) "Animal Shelter" means any premises designated by the City Manager for the purpose of impounding and caring for animals.
- (C) "Confined" means restricted or enclosed within a secure fence, enclosure, or building.
- ~~(D) "Director" means the Chief of Police or his or her designee.~~
- (D) ~~(E)~~ "Neutered male" is any male dog which has been operated upon so as to prevent it from being fertile.
- (E) ~~(F)~~ "Owner" or "Person" means any person, group of persons, partnership, firm, trust

or corporation owning, having an interest in, or having control, custody or possession of any animal.

(F) ~~(G)~~ "Restraint" means:

- (1) Physical control of an animal, as by a secure leash, chain, or cable; provided, if the physical control is by leash, chain or cable held by a person, the person must have the mental and physical ability to control the animal by such means;
- (2) Competent voice or signal control of a service animal by its owner; or
- (3) With the owner physically present, the competent voice control of an animal
 - (a) on the animal owner's property; or
 - (b) the private property of another, after receiving permission.

(G) ~~(H)~~ "Service animal" has the same meaning used by the Americans with Disabilities Act, generally defined as "dogs that are individually trained to do work or perform tasks for people with disabilities." Animals whose sole function is to provide comfort or emotional support do not qualify as service animals.

(H) ~~(I)~~ "Spayed female" is any female dog which has been operated upon to prevent the possibility of conception.

(I) ~~(J)~~ "Stray" means any dog whose owner is unknown or which no one seeks or claims.

Section 28: Amendment of Section 12.04.040. Section 12.04.040, CONTROL OF DOGS; IMPOUNDMENT, of the Unalaska Code of Ordinances is hereby amended to read as follows: [additions are underlined, deletions are ~~overstruck~~]

§ 12.04.040 CONTROL OF DOGS; IMPOUNDMENT.

(A) It shall be the duty ~~duty~~ of the Chief of Police ~~Director of the Department of Public Safety, or his or her~~ or designee, to attempt to impound any animal or animals found in violation of this chapter.

...

Section 29: Amendment of Section 12.04.050. Section 12.04.050, REDEMPTION OF IMPOUNDED DOGS FROM ANIMAL SHELTER, of the Unalaska Code of Ordinances is hereby amended to read as follows: [additions are underlined, deletions are ~~overstruck~~]

§ 12.04.050 REDEMPTION OF IMPOUNDED DOGS FROM ANIMAL SHELTER.

...

(C) A dog not subject to redemption under subsection (A) of this section will, at the discretion of the city, be made available for adoption or will be destroyed in a humane manner. Prior to adoption or destruction of such a dog, the Animal Control Officer shall issue a written notice to the owner of the dog, if known, stating that the dog will be

made available for adoption or will be destroyed seven days from the date of the notice. The notice shall describe the owner's right to a hearing on the matter with the Chief of Police ~~Director~~ or his or her designee.

- (D) An owner aggrieved by this section may, within five days of the date of the notice provided by the Animal Control Officer under subsection (C) of this section, apply for a hearing before the Chief of Police ~~Director~~ or his or her designee. Upon timely application for a hearing, the Chief of Police ~~Director~~, or his or her designee, shall hold a hearing to determine whether the dog may be redeemed under this section. The decision of the Chief of Police ~~Director~~, or his or her designee, is final and may be appealed only to the Superior Court.

Section 30: Amendment of Section 12.04.100. Section 12.04.100, BITING DOGS; RABIES CONTROL, of the Unalaska Code of Ordinances is hereby amended to read as follows: [additions are underlined, deletions are ~~overstruck~~]

§ 12.04.100 BITING DOGS; RABIES CONTROL.

- (A) Every dog which bites a person shall be promptly reported to the Police Department ~~of Public Safety~~ and shall upon capture be securely quarantined for a period of 10 days. Such dog shall not be released from quarantine, except by permission of the Chief of Police or designee ~~Director~~. The quarantine may, at the sole discretion of the Chief of Police or designee ~~Director~~, be on the premises of the owner, at the premises of the owner, at the animal shelter or, at the owner's option and expense, in a veterinary hospital of his or her choice. In the case of stray dogs, such quarantine shall be at the animal shelter.

...

- (D) When the Chief of Police's ~~Director's~~ report gives a positive diagnosis of rabies, the city may recommend an areawide quarantine. After public notice of an areawide quarantine is given by the City Manager, no animal shall be taken into the streets or permitted to be in the streets during such period of quarantine. During such quarantine, no animal may be taken or shipped from the city without written permission of the Chief of Police or designee ~~Director~~.
- (E) In the event there are additional positive cases of rabies occurring during the period of the quarantine, the period of areawide quarantine may be extended for whatever additional period in the judgment of the Chief of Police or designee ~~Director~~ such quarantine is needed.
- (F) No person shall kill or cause to be killed any rabid animal or any animal suspected of having been exposed to rabies, except as herein provided, nor shall any person remove such animal from the city without the permission of the Chief of Police or designee ~~Director~~.
- (G) The carcass of any dead animal exposed to rabies shall upon demand be surrendered to the Police Department ~~of Public Safety~~.

(H) The Chief of Police or designee ~~Director~~ shall direct the disposition of any animal found to be infected with rabies.

...

Section 31: Amendment of Section 12.04.180. Section 12.04.180, DISPOSAL OF DOGS AT OWNER'S REQUEST, of the Unalaska Code of Ordinances is hereby amended to read as follows: [additions are underlined, deletions are ~~overstruck~~]

§ 12.04.180 DISPOSAL OF DOGS AT OWNER'S REQUEST.

Upon execution of a consent agreement holding the city harmless from any liability, an owner of an animal may request the Police Department of ~~Public Safety~~ to dispose of the animal. Upon execution of such agreement, the animal becomes the property of the city and, at the option of the city, may be disposed of by adoption or by destruction of the animal in a humane manner.

Section 32: Amendment of Section 13.22.020. Section 13.22.020, AUTHORITY OF THE DEPARTMENT OF PUBLIC SAFETY, of the Unalaska Code of Ordinances is hereby amended to read as follows: [additions are underlined, deletions are ~~overstruck~~]

§ 13.22.020 AUTHORITY OF THE UNALASKA POLICE DEPARTMENT OF PUBLIC SAFETY.

Officers of the Unalaska Police Department of ~~Public Safety~~ are hereby authorized to enforce the fish and game laws, regulations, and ordinances adopted herein.

Section 33: Amendment of Section 13.24.010. Section 13.24.010, NOTIFICATION OF TRANSPORT THROUGH THE CITY, of the Unalaska Code of Ordinances is hereby amended to read as follows: [additions are underlined, deletions are ~~overstruck~~]

§ 13.24.010 NOTIFICATION OF TRANSPORT THROUGH THE CITY.

Before any explosive Class A or B, or more than 50 pounds of Explosives Class C or blasting agents are transported through the City of Unalaska, the transporter must notify the Unalaska Police Department of ~~Public Safety~~ of the type, amount, mode of transportation, route, and time of movement.

Section 34: Amendment of Section 13.24.050. Section 13.24.050, PLACARDING OF STORAGE MAGAZINES, of the Unalaska Code of Ordinances is hereby amended to read as follows: [additions are underlined, deletions are ~~overstruck~~]

§ 13.24.050 PLACARDING OF STORAGE MAGAZINES.

All storage locations for explosive materials shall be placarded using the NFPA 704 marking system or other suitable marking system as approved by the Police Department of ~~Public Safety~~.

Section 35: Amendment of Section 13.24.070. Section 13.24.070, NOTIFICATION OF MAGAZINE LOCATIONS, of the Unalaska Code of Ordinances is hereby amended to read as follows: [additions are underlined, deletions are ~~overstruck~~]

§ 13.24.070 NOTIFICATION OF MAGAZINE LOCATIONS.

The Police Department of ~~Public Safety~~ shall be notified of the location of all storage magazines for explosives and/or blasting agents, and shall be notified of any changes in location.

Section 36: Amendment of Section 13.24.080. Section 13.24.080, BLASTING LOCATIONS, of the Unalaska Code of Ordinances is hereby amended to read as follows: [additions are underlined, deletions are ~~overstruck~~]

§ 13.24.080 BLASTING LOCATIONS.

The Police Department of ~~Public Safety~~ shall be notified, before blasting within the City of Unalaska, of the time and location of each blast.

Section 37: Amendment of Section 14.04.010. Section 14.04.010, DEFINITIONS, of the Unalaska Code of Ordinances is hereby amended to read as follows: [additions are underlined, deletions are ~~overstruck~~]

§ 14.04.010 DEFINITIONS.

...

Unless otherwise expressly stated in this title:

- (A) "ABANDONED VEHICLE" means a motor vehicle left unattended in violation of § 14.12.020 of this chapter.
- (B) "CHIEF OF POLICE" means the Chief of the Unalaska Police Department and any designee of the Chief of Police.
- (C) ~~(B)~~ "COMMERCIAL MOTOR VEHICLE" means a self-propelled or towed vehicle:
 - (1) Used to transport passengers or property for commercial purposes;
 - (2) Used upon a public highway or right-of-way; and
 - (3) That:
 - (a) Has a gross vehicle weight rating or gross combination weight rating greater than 12,000 pounds;
 - (b) Is designed to transport more than 15 passengers, including the driver; or
 - (c) Is used in the transportation of materials found by the United States Secretary of Transportation to be hazardous for purposes of 49 U.S.C. 5101 - 5127;
 - (4) Except that the following vehicles meeting the criteria in division (C)~~(B)~~(1) through (3) of this section are not commercial motor vehicles:
 - (a) Emergency or fire equipment that is necessary to the preservation of life or property;

- (b) School buses;
- (c) Vehicles owned and operated by the federal government unless the vehicle is used to transport property of the general public for compensation in competition with other persons who own or operate a commercial motor vehicle subject to AS 19.10.310 through 19.10.399, and except to the extent that regulation of vehicles operated by the federal government is permitted by federal law; and

(d) Vehicle used exclusively for purposes other than commercial purposes;

(D) ~~(C)~~ "COMMERCIAL PURPOSES" means activities for which a person receives direct monetary compensation or activities for which a person receives no direct monetary compensation but that are incidental to and done in furtherance of the person's business.

(E) ~~(D)~~ "DEPARTMENT" means the Unalaska Police Department of ~~Public Safety~~.

~~(E) "DIRECTOR OF PUBLIC SAFETY" means the Chief of Police and any designee of the Chief of Police.~~

...

Section 38: Amendment of Section 14.04.040. Section 14.04.040, AUTHORITY OF THE DEPARTMENT OF PUBLIC SAFETY, of the Unalaska Code of Ordinances is hereby amended to read as follows: [additions are underlined, deletions are ~~overstruck~~]

§ 14.04.040 AUTHORITY OF THE UNALASKA POLICE DEPARTMENT ~~OF PUBLIC SAFETY~~.

(A) Officers of the Police Department of ~~Public Safety~~ are hereby authorized to direct all traffic by voice, hand, or signal in conformance with traffic laws, regulations, and ordinances.

(B) In the event of a fire or other emergency, or to expedite traffic or safeguard pedestrians, officers of the Police Department of ~~Public Safety~~ may direct traffic as conditions may require notwithstanding the provisions of the traffic laws, regulations, and ordinances.

Section 39: Repeal and replacement of section 14.08.080. Section 14.08.080, VEHICLE CHAINS, of the Unalaska Code of Ordinances is repealed in its entirety and replaced as follows:

§ 14.08.080 VEHICLE CHAINS.

No person may operate a truck-tractor unit with chains attached to the tires on any paved highway in the city, except when the city has issued an emergency order authorizing the use of tire chains due to weather or road conditions. The decision to issue an emergency order shall be within the discretion of the Director of Public Works or designee and shall state the effective time period for the chain authorization. The Director of Public Works may extend or renew the emergency order for additional time periods. Each emergency

order shall be published to the community. An emergency order adopted under this section is not subject to AS 44.62 (Administrative Procedure Act).

Section 40: Amendment of Section 14.12.050. Section 14.12.050, REMOVAL OF ABANDONED VEHICLES, of the Unalaska Code of Ordinances is hereby amended to read as follows: [additions are underlined, deletions are ~~overstruck~~]

§ 14.12.050 REMOVAL OF ABANDONED VEHICLES.

- (A) An officer or representative of the Police Department ~~of Public Safety~~ may remove or have removed to a place of storage a vehicle presumed to be abandoned under § 14.12.020 of this chapter.
- (B) An officer or representative of the Police Department ~~of Public Safety~~ may remove a motor vehicle, not otherwise presumed to be abandoned under this chapter, when that motor vehicle has been involved in a collision, is involved in a police investigation, is unsafe to drive, is being operated by an incapacitated driver, is being driven recklessly, or is being driven negligently.

...

Section 41: Amendment of Section 14.12.060. Section 14.012.060, ABATEMENT AND REMOVAL PROCEDURES, of the Unalaska Code of Ordinances is hereby amended to read as follows: [additions are underlined, deletions are ~~overstruck~~]

§ 14.12.060 ABATEMENT AND REMOVAL PROCEDURES.

...

- (B) The notice shall consist of a notice of intent to remove and impound on a form and content prescribed the Chief of Police ~~Director of Public Safety~~ which shall be attached to the abandoned vehicle.
- (C) An abandoned vehicle may be removed and impounded by the Chief of Police or designee ~~Director of Public Safety~~ no sooner than ten days after notice is given pursuant to this section.

Section 42: Amendment of Section 14.12.070. Section 14.12.070, NOTICE OF REMOVAL, of the Unalaska Code of Ordinances is hereby amended to read as follows: [additions are underlined, deletions are ~~overstruck~~]

§ 14.12.070 NOTICE OF REMOVAL.

The person or company who stores an abandoned or junked vehicle at the direction of the Chief of Police ~~Director of Public Safety~~ shall within 30 days of impoundment, give notice, in the manner prescribed for the giving of notice under AS 28.05.121, to the vehicle owner of record and to lien holders of record, stating the grounds for impoundment and the location of storage of the vehicle. If the vehicle is not registered in the state or the name and address of the registered or legal owner or lien holder cannot be ascertained, notice shall be given by publication in the manner prescribed in the rules of the court for service of process by publication.

Section 43: Amendment of Section 18.08.010. Section 18.08.010, PORT DIRECTOR, of the Unalaska Code of Ordinances is hereby amended to read as follows: [additions are underlined, deletions are ~~overstruck~~]

§ 18.08.010 PORT DIRECTOR.

...

(C) The utilization of any city owned or city operated mooring facility or waters within the city's limits shall be deemed a grant of authority to the Port Director, Harbormaster and members of the Police Department of ~~Public Safety~~ to board the vessel for the purpose of enforcing municipal ordinances and to move the vessel if it is moored in violation of a provision of this title or if required by an emergency or other conditions as set forth in this title.

...

Section 44: Amendment of Section 18.12.060. Section 18.12.060, REPORTING VIOLATIONS, of the Unalaska Code of Ordinances is hereby amended to read as follows: [additions are underlined, deletions are ~~overstruck~~]

§ 18.12.060 REPORTING VIOLATIONS.

Complaints of any violations of the foregoing prohibited acts shall be made to the Harbormaster or his designated representatives or, in their absence, to the Police Department of ~~Public Safety~~ for the City of Unalaska.

Section 45: Effective Date. This ordinance is effective upon passage.

PASSED AND ADOPTED by a duly constituted quorum of the Unalaska City Council on April 14, 2026.



Vincent M. Tutiakoff, Sr.
Mayor

ATTEST:



Estkarlen P. Magdaong, CMC
City Clerk



MEMORANDUM TO COUNCIL

To: Mayor and City Council Members
From: Marjie Veeder, Deputy City Manager
Through: Abner L. Hoage, Interim City Manager
Date: March 24, 2024
Re: Ordinance 2026-08: Amending Unalaska Code of Ordinances Title 2 (Administration), Title 3 (Personnel), Title 6 (Revenue and Finance), Title 8 (Planning and Land Use Development), Title 9 (Business Licenses and Regulations), Title 12 (Animal Control), Title 13 (Public Peace, Morals, Welfare, and Safety), Title 14 (Vehicles and Traffic), and Title 18 (Port and Port Facilities) to substitute “Unalaska Police Department” and “Chief of Police” for “Unalaska Department of Public Safety” and “Director of Public Safety” consistent with Ordinance 2018-11, and to make other corresponding changes, and to Repeal and Replace Chapter 2.44 and Section 14.08.080

SUMMARY: This ordinance updates the Unalaska Code of Ordinances to reflect the City’s current organizational structure for police services. In 2018, Council adopted Ordinance 2018-11 separating the Fire Department from the Department of Public Safety and establishing the Department of Fire and Emergency Medical Services as an independent department. As a result, the remaining Department of Public Safety now functions solely as the City’s police department. Ordinance 2026-08 formally renames the Department of Public Safety as the Unalaska Police Department and changes the title Director of Public Safety to Chief of Police throughout the code. The ordinance also makes several related updates, including revising Chapter 2.44 governing the Police Department and aligning certain code provisions with current operational practices. Staff recommends adoption.

PREVIOUS COUNCIL ACTION: Prior to December 2018, the Unalaska Department of Public Safety consisted of the Police Department and the Fire Department, the head of which was the Chief of Police, also referred to as the Director of Public Safety.

On December 11, 2018, Council adopted Ordinance 2018-11, reorganizing the Department of Public Safety and creating the Department of Fire and Emergency Medical Services, separate from the Department of Public Safety, with the Fire Chief and Chief of Police reporting directly to the City Manager.

BACKGROUND: In 2018, Council created a standalone Fire Department, separate from the Department of Public Safety. This change effectively left the Department of Public Safety functioning solely as the City’s police department. Staff recommends formally renaming the department to the Unalaska Police Department, aligning with the City’s management of separate police and fire departments since 2018.

Staff has also identified a potential recruitment impediment. Some prospective police officer candidates have expressed uncertainty about whether employment with a “Department of Public Safety” would involve firefighting or other non-law-enforcement duties. Renaming the department may help eliminate this confusion and improve recruitment efforts.

DISCUSSION: The majority of Ordinance 2026-08 consists of amendments that replace “Department of Public Safety” with “Police Department” and “Director of Public Safety” with “Chief of Police.” These changes are in ordinance Sections 2-3, 6-12, 14-38, and 40-44.

Council’s attention is directed to the substantive changes in Sections 4, 5, 13 and 39:

1. Section 4 is a repeal and replacement of UCO Chapter 2.44. Chapter 2.44 as it presently exists is attached to this memo. Section 4 of the ordinance proposes a repeal and replacement of 2.44.
 - a. The new chapter contains the following sections:
 - i. 2.44.010 Police Department
 - ii. 2.44.020 Chief of Police
 - iii. 2.44.030 Duties of Police Department
 - iv. 2.44.040 Succession to the Chief of Police
 - v. 2.44.050 Oath of Office
 - b. Sections removed: Establishment of the Division of Police Services; duties of the Deputy Chief of Police; Duties of the Division of Police Services; Application of state law to police and correctional officers; and the Code of Ethics.
 - c. Section 2.44.030 sets out Duties of Police Department, which is comparable to section 2.44.080 in the current code, duties of the Division of Police Services. The language has been significantly reduced as laying out the duties of the police department in great detail within the code of ordinances is not necessary, nor recommended. For instance, code presently lists the duty to “suppress all affrays”. Aside from defining affray, we don’t want to be obligated by law to suppress “all” of anything; it’s simply too absolute and overly broad. Police must retain discretion in allocating resources. There may be another task that is deemed more important at the time than to suppress an affray. The code should not create competing obligations. Another example is the obligation to “educate the public about animal welfare issues”. If education is not completed due to short staffing, the police department could be interpreted as failing to comply with the code. The city attorney has reviewed the code for other mid-sized cities with reputable police departments, and the updates are in line with what is more standard state-wide.
 - d. Section 2.44.040, Succession to the Chief of Police. The order of interim succession is to the Deputy Chief of Police. If another successor is needed, the City Manager already has this power of appointment.
 - e. The previous section citing the duties of the Deputy Police Chief is not necessary in the code of ordinances and is covered in the position’s job description.
 - f. The section citing application of state law to police and correctional officers is not necessary; nor is the reference to the Code of ethics needed. State law applies regardless of whether it is restated in municipal code and therefore unnecessarily lengthens the code.
2. Section 5 dealing with § 2.96.010, designates the Department of Fire and Emergency Medical Services as the coordinating agency for all activity in connection with emergency

preparedness and other disaster operations. This change aligns the code with current operational practices.

3. Section 13 dealing with § 9.12.065, taxi meter equipment and inspection, changes Director of Public Safety to Chief of Police, and adds Chief of Police or designee. The Police Chief often delegates this authority, and this change aligns code with operational practices.
4. Section 39 is a repeal and replacement of Section 14.08.080 Vehicle Chains. The current version is attached to this memo. Due to numerous recommended changes, the section was rewritten. The most substantive change authorizes the Director of Public Works or designee to issue tire chain authorizations based on weather or road conditions. Additionally, because the Public Safety Advisory Line is no longer in use, that reference was removed. The rewrite of this section aligns with operational practices.

Throughout the ordinance, references to “his or her designee” have been simplified to “designee” (e.g., “the Chief of Police or designee”) to streamline language.

ALTERNATIVES: Council may choose to adopt the ordinance as presented; to amend it; or to decline adoption.

FINANCIAL IMPLICATIONS: Financial impacts are limited and primarily consist of updating patches, stationery, and other incidental materials. Existing badges, uniforms, and vehicle markings do not require modification. Staff time will also be required to notify the Alaska Police Standards Council, other Alaska law enforcement agencies, training organizations, and relevant vendors. Attorney fees were incurred in drafting the ordinance.

LEGAL: The city’s attorneys prepared the ordinance and have been consulted throughout.

STAFF RECOMMENDATION: Staff recommends adoption.

PROPOSED MOTION: First reading: I move to introduce Ordinance 2026-08 and schedule it for public hearing and second reading on April 14, 2026.

Second reading: I move to adopt Ordinance 2026-08.

CITY MANAGER COMMENTS: This ordinance is a comprehensive code-alignment update that brings the Unalaska Code of Ordinances into full consistency with the organizational structure established by Council in 2018. Since the creation of a standalone Fire and EMS Department, the remaining Department of Public Safety has functioned solely as the City’s police department. Renaming it as the Unalaska Police Department and updating the title to Chief of Police formalizes the structure that has been in place for several years.

The ordinance also modernizes related sections of code to reflect current operational practices, streamline language, and remove provisions that are no longer necessary or appropriate to include in municipal code. These updates improve clarity, reduce ambiguity, and align Unalaska’s code with common standards used by comparable police departments statewide.

The changes are administrative in nature and do not alter the duties, authority, or reporting structure of the department. Staff recommend adoption to ensure the code accurately reflects the City’s current organization and practices.

ATTACHMENTS:

1. UCO Chapter 2.44, in reference to Ordinance Section 4, Repeal and replacement of Chapter 2.44
2. UCO Section 14.08.080, in reference to Ordinance Section 39, Repeal and replacement of section 14.08.080

CHAPTER 2.44: DEPARTMENT OF PUBLIC SAFETY

Section

- 2.44.010 Department of Public Safety
- 2.44.020 Director of Police
- 2.44.030 Duties of the Chief of Police
- 2.44.040 Succession to the Chief of Police
- 2.44.050 Division of Police Services
- 2.44.060 Deputy Chief of Police
- 2.44.070 Duties of the Deputy Chief of Police
- 2.44.080 Duties of the Division of Police Services
- 2.44.090 Application of state law to police and correctional officers
- 2.44.100 Oath of Office
- 2.44.110 Code of Ethics

§ 2.44.010 DEPARTMENT OF PUBLIC SAFETY.

There is created a Department of Public Safety, the head of which shall be the Chief of Police.

(Am. Ord. 2004-04, passed 3-9-04; Am. Ord. 2009-14, passed 7-28-09; Am. Ord. 2014-15, passed 7-8-14; Am. Ord. 2018-11, passed 12-11-18)

§ 2.44.020 DIRECTOR OF POLICE.

The Chief of Police shall be appointed by the City Manager and shall hold office at the discretion of the City Manager. The Chief of Police shall also serve as the Sergeant at Arms during City Council meetings.

(Am. Ord. 2004-04, passed 3-9-04; Am. Ord. 2009-14, passed 7-28-09; Am. Ord. 2014-15, passed 7-8-14; Am. Ord. 2017-11, passed 12-12-17; Am. Ord. 2018-11, passed 12-11-18)

§ 2.44.030 DUTIES OF THE CHIEF OF POLICE.

Under the supervision of the City Manager, the Chief of Police shall have the following duties:

(A) Supervise all activities of the Department;

(B) Establish a set of rules and regulations governing the discipline, training, and operation of the Department, including the standard operating guidelines necessary to govern the discipline, training, and operation of the Division of Police services;

(C) Direct and manage dispatch services;

(D) Direct and manage the community contract jail;

(E) Direct and manage contract DMV services;

(F) Report department status and activities to the City Manager; and

(G) Perform other such duties as may be specified in this Code or by the City Manager.

(Am. Ord. 2004-04, passed 3-9-04; Am. Ord. 2009-14, passed 7-28-09; Am. Ord. 2014-15, passed 7-8-14; Am. Ord. 2018-11, passed 12-11-18)

§ 2.44.040 SUCCESSION TO THE CHIEF OF POLICE.

Should the Chief of Police position become vacant or should the Chief of Police be absent or unable to perform the duties of the position, the order of interim succession of the Chief of Police shall be as follows:

(A) The Deputy Chief of Police; and

(B) The Police Sergeants in order of seniority.

(Ord. 2014-15, passed 7-8-14; Am. Ord. 2018-11, passed 12-11-18)

§ 2.44.050 DIVISION OF POLICE SERVICES.

There is created a Division of Police Services, the head of which shall be the Deputy Chief of Police.

(Ord. 2014-15, passed 7-8-14)

§ 2.44.060 DEPUTY CHIEF OF POLICE.

The Chief of Police shall hire and supervise a Deputy Chief of Police to administer the Division of Police Services.

(Ord. 2014-15, passed 7-8-14; Am. Ord. 2018-11, passed 12-11-18)

§ 2.44.070 DUTIES OF THE DEPUTY CHIEF OF POLICE.

Under the supervision of the Chief of Police, the Deputy Chief of Police shall have the following duties:

- (A) Manage the budget, operation and personnel of the Division of Police Services;
- (B) Direct and manage all activities of the Division;
- (C) Direct and manage Animal Control;
- (D) Report Division status and activities to the Chief of Police; and

(E) Perform other such duties as may be necessary to ensure compliance with the requirements of applicable Alaska Statutes and Alaska Administrative Code, or as required by the Chief of Police.

(Ord. 2014-15, passed 7-8-14; Am. Ord. 2018-11, passed 12-11-18)

§ 2.44.080 DUTIES OF THE DIVISION OF POLICE SERVICES.

It shall be the duty of the Division of Police Services to do the following:

(A) Provide comprehensive police services, including community patrols, emergency responses and criminal investigations;

(B) Attempt to apprehend, arrest, and bring to justice all violators of federal, state, or City law;

(C) Attempt to suppress all riots, affrays, and unlawful assemblies, and generally keep the peace;

(D) Serve warrants, writs, executions, and other processes properly directed and delivered to it;

(E) Investigate all applicants for any license or permit when such application requires certification by the Department of Public Safety;

(F) Attempt to promote productive community partnerships through education, outreach and public relations programs;

(G) Manage a community contract jail which provides housing for persons being held on criminal charges, those in need of protective custody, and persons being held at the request of Federal agencies;

(H) Provide Animal Control services which enforces animal control ordinances, cares for impounded animals and educates the public about animal welfare issues;

(I) Provide a contract DMV office and employee for the community; and

(J) Perform such other duties as shall be required of the Division by the Chief of Police.

(Am. Ord. 2004-04, passed 3-9-04; Am. Ord. 2009-14, passed 7-28-09; Am. Ord. 2014-15, passed 7-8-14; Am. Ord. 2018-11, passed 12-11-18)

§ 2.44.090 APPLICATION OF STATE LAW TO POLICE AND CORRECTIONAL OFFICERS.

The hiring, employment, certification and dismissal of police and corrections employees shall be consistent with state law and regulations as defined in AS 18.65.130 - 18.65.290, and 13 AAC Chapter 85.

(Am. Ord. 2001-17, passed 9-25-01; Am. Ord. 2004-04, passed 3-9-04; Am. Ord. 2009-14, passed 7-28-09; Am. Ord. 2014-15, passed 7-8-14)

§ 2.44.100 OATH OF OFFICE.

The following members of the Department of Public Safety will be required to take and sign an Oath of Office prior to assuming duties of the position:

(A) Chief of Police;

(B) Deputy Chief of Police;

(C) Police Officers; and

(D) Corrections Officers.

(Ord. 2014-15, passed 7-8-14; Am. Ord. 2018-11, passed 12-11-18)

§ 2.44.110 CODE OF ETHICS.

Certain members of the Department of Public Safety will be required to attest and subscribe to a Code of Ethics:

(A) In accordance with 13 AAC 85.040 members required to hold a basic, intermediate, or advanced police certificate must attest and subscribe to the law enforcement Code of Ethics.

(B) In accordance with 13 AAC 85.235 members required to hold a basic, municipal correctional officer certificate must attest and subscribe to the municipal correctional officer Code of Ethics.

(Ord. 2014-15, passed 7-8-14; Am. Ord. 2018-11, passed 12-11-18)

§ 14.08.080 VEHICLE CHAINS.

No person may operate a truck-tractor unit with tires with chains attached on any paved highway in the city, except when the city has issued an emergency order providing for the permissible use of tire chains due to inclement seasonal or weather conditions. An emergency order adopted under this section is not subject to AS 44.62 (Administrative Procedure Act). The decision to issue an emergency order based on inclement weather shall be within the discretion of the Public Works Road Chief and/or the Director of Public Safety, or a designee of either officer. The order shall be published to the community on the Public Safety Advisory Line (581-6080). Each inclement weather emergency order will be in effect for a 24 hour period. The Public Works Road Chief and the Director of Public Safety or their designee may, in his or her discretion, renew the order for additional 24 hour periods.

(Ord. 2012-06, passed 6-4-12)