



## CODE REVIEW COMMITTEE MEETING

Thursday, May 14, 2026 at 5:30 PM

### AGENDA

*Our Vision. To have an infrastructure and city workforce that supports a sustainable, diversified and growing economy. We will partner with others to achieve economic development and other common goals that assure a high quality of living, and excellence in education.*

#### **MEETING INFORMATION**

CODE REVIEW COMMITTEE MEETING  
CITY HALL COUNCIL CHAMBERS  
141 Main Street, Dillingham, AK 99576 (907) 842-5212

This meeting will also be available at the following online location: Zoom

Meeting ID: 920 483 0473; passcode: 99576

#### **CALL TO ORDER**

#### **ROLL CALL**

#### **APPROVAL OF MINUTES**

- [1.](#) Minutes: 04/13/2026 Code Meeting

#### **APPROVAL OF AGENDA**

#### **UNFINISHED BUSINESS**

2. Tribal Fee Simple Exemptions (discussion)
- [3.](#) O 2026-02 discussion and proposed resolution for public notice policy
- [4.](#) Housing: Identify objectives (discussion)
- [5.](#) Street Maintenance Ordinance (discussion)

#### **NEW BUSINESS**

- [6.](#) Propose Ordinance to make updates to 4.21 and 4.22
7. Next Meeting Date

#### **PUBLIC COMMENT/COMMITTEE COMMENTS**

#### **ADJOURNMENT**



**POSTPONED FROM 04/09/2026 UNTIL 04/13/2026  
CODE REVIEW COMMITTEE MEETING**

Monday, April 13, 2026 at 5:30 PM

**MINUTES**

*Our Vision. To have an infrastructure and city workforce that supports a sustainable, diversified and growing economy. We will partner with others to achieve economic development and other common goals that assure a high quality of living, and excellence in education.*

**MEETING INFORMATION**

CODE REVIEW COMMITTEE MEETING

ORIGINALLY SET FOR 04/09/2026 THEN POSTPONED UNTIL 04/13/2026

CITY HALL COUNCIL CHAMBERS

141 Main Street, Dillingham, AK 99576 (907) 842-5212

This meeting was available at the following online location: Zoom

Meeting ID: 920 483 0473; passcode: 99576

Or dial: 1(719)359-4580 or 1(253)205-0468

**CALL TO ORDER**

- Meeting called to order at **5:30 PM** by Chair Steve Carriere

**ROLL CALL**

**Present (In Person):**

- |                  |                  |                 |
|------------------|------------------|-----------------|
| • Alice Ruby     | • Steve Carriere | • Jack Savo Jr. |
| • Kaleb Westfall | (Chair)          | • Abigail Flynn |

**Present (via Zoom):**

- Triston Chaney

**Absent (Excused):**

- Kevin McCambly

Quorum established

**APPROVAL OF MINUTES**

**1. March 10, 2026 Code Committee Minutes**

**Motion:** Ruby moved to approve the March 10, 2026 Code Committee minutes

**Second:** Flynn

**Correction:**

- Triston Chaney to be marked present (arrived late)

**Vote:**

- No objection
- **Result:** Motion carried; minutes approved as corrected

**APPROVAL OF AGENDA**

**Motion:** Ruby moved to approve the agenda

**Second:** Flynn

**Vote:**

- No objection
- **Result:** Motion carried

**UNFINISHED BUSINESS****2. Tribal Fee Simple Exemptions****Issues Discussed:**

- Tribal tax exemption framework
- Tribal governments vs nonprofit entities
- Federal trust land status
- Distinction from native allotments
- Commercial use limitations (Part 3)
- Legal sufficiency of ordinance language
- Prior coordination with tribal representatives

**Motion:** Ruby moved to direct staff to send the Tribal Fee Simple Exemption to legal for review

**Second:** Westfall

**Vote:**

- No objection
- **Result:** Motion carried

**Direction / Follow-Up:**

- Send to legal for review
- If significant changes, return to Code Committee
- If no significant changes, forward to Council

**3. Draft Ordinance to Amend Chapter 5.30 Relating to Disposal of Municipal Property to Promote Housing Development**

**Issues Discussed:**

- Purpose and intent of housing development ordinance
- Overlap with subdivision code
- City role vs developer role
- Long-term administrative obligations
- Infrastructure requirements (roads, utilities)
- Cost and staffing impacts
- Parcel vs subdivision disposal approach
- Development models (developer vs individual lots)
- Need to define committee objectives
- Planning Commission role
- Council direction and process timing

**Action:**

- No motion taken

**Direction / Follow-Up:**

- Committee to review and identify objectives
- Compare with existing subdivision code
- Invite Planner to next meeting
- Develop draft to approximately 70%
- Hold future Council workshop for direction
- Remain under Unfinished Business

**NEW BUSINESS****4. Recommendation from Finance and Budget Committee****Draft Ordinance to Update Dillingham Municipal Code 4.16.010 Business Licenses****Issues Discussed:**

- Remote sellers vs local businesses
- Physical presence definition
- Temporary vs ongoing business activity
- Sales tax reporting requirements
- Alaska Remote Sellers Sales Tax system
- Administrative clarity and enforcement
- Seasonal business operations

**Motion:** Ruby moved to recommend Council adopt Ordinance DMC 4.16.010

**Second:** Flynn

**Vote:**

- No objection
- **Result:** Motion carried

**Direction / Follow-Up:**

- Send to legal for review

- Forward to Council for introduction

## 5. Draft Ordinance to Update Dillingham Municipal Code 4.20.050(T) Exemptions

### Discussed:

- Sales tax cap retention vs removal
- Impact on local businesses
- Impact on residents
- Comparison to other Alaska communities
- Wayfair decision impacts
- Remote seller compliance challenges
- Administrative complexity
- Revenue implications

**Motion:** Ruby moved to recommend draft ordinance updating DMC 4.20.050(T)

**Second:** Flynn

### Vote (Roll Call):

- Yes: Flynn
- No: Ruby, Westfall, Carriere, Chaney, Savo
- **Result:** Motion failed (1–5)

## 6. Recommendation from Planning Commission

### Street Maintenance Ordinance

### Discussed:

- Need for street-by-street evaluation
- Cost considerations
- Timeline for completion
- Engineering and surveying requirements
- Existing inventory vs expanded evaluation
- Funding sources
- Prioritization of road improvements

### Action:

- No motion taken

### Direction / Follow-Up:

- Staff to provide estimated cost and timeline
- Return to next Code Committee meeting
- Move to Unfinished Business

## PUBLIC COMMENT / COMMITTEE COMMENTS

### Discussed:

- Public comment from Ekwok Tribe representatives
- Public comment from Choggiung representatives
- Tribal sovereignty concerns
- Opposition to Part 3 (commercial limitation)
- Distinction between tribal governments and nonprofits
- Use of revenue for tribal services
- Prior tax billing issues
- Community partnership and coordination

**ADJOURNMENT**

- Meeting adjourned at **6:59 PM**

ATTEST

\_\_\_\_\_  
Abigail Flynn, City Clerk

\_\_\_\_\_  
Approval Date

[SEAL]

## CITY OF DILLINGHAM, ALASKA

**RESOLUTION NO. 2026-XX****A RESOLUTION OF THE DILLINGHAM CITY COUNCIL ESTABLISHING A POLICY FOR SUPPLEMENTAL PUBLIC NOTICE THROUGH THE CITY WEBSITE AND/ OR OFFICIAL CITY SOCIAL MEDIA ACCOUNTS**

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WHEREAS, on May 7<sup>th</sup>, 2026 the Dillingham City Council considered but did not adopt Ordinance No. 2026-02, which would have amended DMC 1.16.010 regarding definitions related to publication and public notice; and

WHEREAS, during Council discussion and public comment, concerns were raised regarding how supplemental electronic notice would be provided under the proposed ordinance; and

WHEREAS, the City Council recognizes the importance of providing timely and accessible public notice to residents using modern communication methods in addition to legally required publication and posting requirements; and

WHEREAS, the City website and official City social media accounts provide additional opportunities to inform the public regarding meetings, hearings, procurement opportunities, elections, ordinances, and other municipal actions; and

WHEREAS, the City Council finds that website and social media posting improve transparency and public access to government information while maintaining compliance with applicable legal notice requirements; and

WHEREAS, the City Council further finds that circumstances may arise in which electronic communication systems are unavailable, unreliable, unsafe to operate, or inaccessible due to technological failures, emergencies, disasters, or other events beyond the City's reasonable control;

NOW, THEREFORE, BE IT RESOLVED BY THE DILLINGHAM CITY COUNCIL THAT:

1. City staff are directed to post public notices on the City's official website and/or official City social media accounts whenever reasonably practicable.
2. Posting on the City website and official City social media accounts is intended to supplement any publication or physical posting requirements established by the Dillingham Municipal Code or Alaska Statute and does not replace legally required notice procedures.
3. In addition to website and social media posting, the City may also provide supplemental notice through:
  - a) Electronic mailing lists;
  - b) Local radio announcements; or
  - c) Other methods reasonably calculated to inform the public.
4. Failure to provide supplemental electronic notice does not invalidate an otherwise properly noticed meeting, hearing, solicitation, ordinance, election, procurement action, or other municipal action when legally required notice has otherwise been provided.

- 5. If one or more of the following circumstances exist, posting notices in the physical posting locations required by DMC 1.16.010 or other applicable Code provisions shall be considered sufficient public notice and website and social media posting shall not be required:
  - a. Internet service outages or disruptions affecting the City;
  - b. Failure or outage of the City website, web hosting service, or related infrastructure;
  - c. Failure, outage, suspension, restriction, or inaccessibility of a social media platform or account;
  - d. Electrical outages or power failures affecting City facilities or communication systems;
  - e. Cybersecurity incidents, ransomware events, hacking incidents, or other cyber attacks affecting City systems or communications;
  - f. Failure or malfunction of City computer hardware, servers, telecommunications systems, or networking equipment;
  - g. Natural disasters, severe weather events, flooding, wildfire, earthquake, volcanic activity, or other acts of God;
  - h. War, terrorism, sabotage, civil unrest, or threats to public safety;
  - i. Electromagnetic pulse (EMP) events, solar events, or other widespread technological disruptions;
  - j. Evacuation orders, emergency declarations, or incidents requiring prioritization of emergency response operations;
  - k. Staffing shortages, illness outbreaks, or other operational disruptions that reasonably prevent electronic posting;
  - l. Circumstances where posting electronically would jeopardize public safety, cybersecurity, critical infrastructure, or confidential information; or
  - m. Any other circumstance beyond the reasonable control of the City that makes website or social media posting impossible, impracticable, unsafe, or unreliable.
  
- 6. This Resolution is intended to establish administrative policy guidance and does not create independent legal notice requirements beyond those required by the Dillingham Municipal Code or Alaska law.
- 7. Nothing in this Resolution shall be interpreted to waive or modify any publication requirement expressly required by Alaska Statute, federal law, grant conditions, bond covenants, or court order.
- 8. The City Manager or designee may establish administrative procedures for implementation of this Resolution.

PASSED and ADOPTED by a duly constituted quorum of the Dillingham City Council on \_\_\_\_\_, 2026.

\_\_\_\_\_  
Alice Ruby, Mayor

ATTEST:

[SEAL]

\_\_\_\_\_  
Abigail Flynn, City Clerk

**Mayor**  
Alice Ruby

**City Manager**  
Jack Savo Jr.



**Dillingham City Co**

Section . Item 3.

Triston Chaney  
Jean Barrett  
Steven Carriere  
Curt Armstrong  
Kaleb Westfall  
Kevin McCambly

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## MEMORANDUM TO COUNCIL

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**To:** Code Committee  
**From:** Abigail Flynn, City Clerk's Department  
**Through:** Jack Savo Jr, City Manager  
**Date:** May 11, 2026  
**Re:** Resolution 2026-XX – Supplemental Public Notice Policy

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**SUMMARY:**

Staff requests approval of Resolution No. 2026-XX establishing an administrative policy directing staff to post public notices on the City website and/or official City social media accounts whenever reasonably practicable.

The proposed resolution is intended to improve public access to City information while maintaining compliance with existing legal notice requirements contained in the Dillingham Municipal Code and Alaska law.

The resolution also establishes circumstances under which supplemental electronic posting may not be feasible or appropriate and clarifies that physical posting requirements otherwise required by Code remain sufficient when those circumstances exist.

Council action is required to adopt the resolution.

**PREVIOUS COUNCIL ACTION:**

The Council previously considered Ordinance No. 2026-02, which proposed amendments to DMC 1.16.010 regarding definitions related to publication and public notice. During Council discussion, concerns were raised regarding how supplemental electronic notice requirements would be implemented and whether operational communication practices should be placed directly into municipal code.

The Council also considered Ordinance No. 2026-05, which proposed conforming amendments related to publication and public notice definitions.

**BACKGROUND:**

Several sections of the Dillingham Municipal Code require notices to be published or physically posted. Staff has experienced operational challenges associated with newspaper publication timelines, website availability, internet disruptions, and other communication limitations affecting public notice distribution.

During prior Council and committee discussions, members expressed support for increasing transparency and improving communication with the public through

supplemental electronic methods such as the City website and official City social media accounts. Concerns were also raised regarding placing highly specific operational communication requirements directly into City code.

The proposed resolution addresses those concerns by establishing an administrative policy direction rather than creating additional codified legal notice requirements.

## **DISCUSSION:**

The proposed resolution is intended to accomplish four primary objectives:

### 1. Improve Public Access to Information

The resolution directs staff to post public notices on the City website and/or official City social media accounts whenever reasonably practicable. These additional communication methods provide residents with improved access to information regarding meetings, hearings, ordinances, procurement opportunities, elections, and other municipal actions.

### 2. Maintain Existing Legal Notice Requirements

The resolution does not replace or modify publication or posting requirements required by the Dillingham Municipal Code, Alaska Statute, federal law, grant conditions, bond covenants, or court order.

The resolution specifically states that supplemental electronic posting does not create independent legal notice requirements beyond those already required by law.

### 3. Preserve Operational Flexibility

Staff recommends that supplemental communication procedures be established at the resolution and administrative policy level rather than within municipal code.

Unlike ordinances, resolutions may be updated more efficiently as communication technology, operational practices, and public information methods evolve. This allows the City flexibility to adapt to changing technologies, communication platforms, and operational realities without requiring repeated code amendments.

Establishing operational communication procedures through resolution also avoids embedding highly detailed administrative requirements directly into municipal code where they may become outdated or difficult to administer over time.

#### 4. Establish Clear Exceptions for Emergencies and System Failures

The resolution identifies circumstances where website or social media posting may not be possible, impracticable, unsafe, or reliable, including:

- internet outages;
- website failures;
- social media platform outages;
- power failures;
- cyber attacks or ransomware incidents;
- natural disasters or severe weather;
- emergencies affecting public safety or City operations; and
- other circumstances beyond the reasonable control of the City.

Under those circumstances, physical posting requirements otherwise required by Code remain sufficient public notice.

#### **ALTERNATIVES:**

Adopt Resolution No. 2026-XX.

Amend the proposed resolution.

Decline to adopt the resolution and continue relying solely on existing notice procedures without formal supplemental notice guidance.

#### **FINANCIAL IMPLICATIONS:**

There are no anticipated significant financial impacts associated with the proposed resolution.

The City already maintains a website and social media accounts used for public communication. The resolution formalizes existing communication practices and may improve public access to information without requiring substantial additional expenditures.

#### **LEGAL:**

The proposed resolution is administrative in nature and does not modify legal notice requirements established by municipal code, Alaska law, or other applicable legal authority.

The resolution specifically preserves all existing statutory and code-required publication and posting requirements while clarifying expectations for supplemental electronic communication.

#### **STAFF RECOMMENDATION:**

Staff recommends that the Council adopt Resolution No. 2026-XX establishing a supplemental public notice policy for website and social media posting.

#### **PROPOSED MOTION:**

“I move to send to the council Resolution No. 2026-XX establishing a supplemental public notice policy directing staff to post public notices on the City website and/or official City social media accounts whenever reasonably practicable.”

**ATTACHMENTS:**

- Resolution No. 2026-XX – Supplemental Public Notice Policy

# MEMORANDUM

**TO:** Dillingham Code Committee  
**FROM:** Christopher Maines, Planning Director  
**DATE:** May 11, 2026  
**RE:** Housing Development Ordinance – Change in Approach

At the last Code Committee meeting, it became clear that the draft housing development ordinance I created was too complex to work through efficiently as a standalone document. At over 40 pages, it introduced layered new frameworks that generated more questions than direction. I apologize.

I appreciate the committee’s candor, and I agree with the implicit feedback: the approach was too ambitious in scope for where we are in the process.

## Going Forward

Rather than continue with the comprehensive draft, I am returning to the existing code and will bring forward a targeted amendment to Chapter 5.30 that addresses the most critical barriers to residential development — principally around leases and land disposition — without reconstructing the entire regulatory framework. This approach will be narrower, more legible, and more actionable.

## Planning Commission Review

Before bringing it to the Code Committee, I will route the draft amendment through the Planning Commission for review and recommendation. I anticipate bringing that recommendation to the Code Committee in **August 2026**.

I will provide the City Clerk with advance materials prior to the August meeting. Please feel free to reach out with any questions in the meantime.

**Christopher Maines**

Planning Director, City of Dillingham

# MEMORANDUM

**TO:** Dillingham Code Committee

**FROM:** Christopher Maines, Planning Director

**DATE:** May 11, 2026

**RE:** Street Maintenance Ordinance - Zero Implementation Cost, Significant Benefits

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## PURPOSE

This memo clarifies that the proposed Street Maintenance Ordinance has **no implementation cost** while providing significant value to the City of Dillingham. This is a compliance ordinance, not a new program.

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## THE PROBLEM

**The City Council passed ordinances requiring maintenance agreements but never implemented them:**

1. **Municipal Code Sections 17.23.090 and 17.23.100** require the city to formally inspect and accept streets **before** assuming maintenance responsibility.
2. **In Dillingham's entire history, only ONE formal maintenance agreement was executed:** Main Street and D Street (several years ago).
3. **Every other street the city currently maintains has no formal maintenance agreement** - in direct violation of Municipal Code.
4. **The city maintains streets it has no legal authority to maintain** while refusing to maintain other streets like Dragnet Drive and Squaw Creek Road.

**Result:** Arbitrary decisions, legal liability, budget uncertainty, and inability to access federal grants.

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## WHAT THIS ORDINANCE DOES

This ordinance brings the city into compliance with existing law by:

1. **Identifying which streets the city will maintain** (Schedule A - City-Maintained Streets)
  2. **Identifying which streets the city will NOT maintain** (Schedule B - Private-Maintenance Streets)
  3. **Providing legal basis for maintenance decisions** (formal acceptance documentation)
  4. **Clarifying property owner responsibilities** (clear and transparent)
  5. **Ending code violations** (compliance with Sections 17.23.090 and 17.23.100)
-

## WHAT THIS ORDINANCE DOES NOT DO

This ordinance does **NOT**:

- Add new streets to city maintenance (*no increased costs*)
- Change maintenance standards (*standards already exist in Chapter 17.19*)
- Create new programs or services (*clarifies existing obligations only*)
- Require additional staff or equipment (*same maintenance, clear authority*)
- Require construction projects (*identifies streets, doesn't build them*)

**This ordinance costs nothing to implement.**

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## WHY THIS MATTERS - FOUR KEY BENEFITS

### 1. BETTER BUDGETING

**Current situation:**

- Don't know which streets we're legally obligated to maintain
- Can't predict annual maintenance costs
- Budget based on informal practices, not legal obligations

**With this ordinance:**

- Clear inventory of maintenance obligations
- Predictable annual costs
- Accurate long-term budget projections
- No surprises from unclear responsibilities

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### 2. TRANSPARENCY AND FAIRNESS

**Current situation:**

- Property owners don't know if their street is city-maintained or private
- Arbitrary decisions on maintenance (some streets maintained, others not)
- No clear criteria for decisions
- Unequal treatment creates legal liability

**With this ordinance:**

- Every property owner knows their street's status

- Clear public record of all decisions
- Objective criteria applied equally
- Fair treatment of all property owners

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### 3. LONG-TERM PLANNING

#### Current situation:

- Cannot develop Comprehensive Plan transportation element without street inventory
- Cannot create Capital Improvement Program without knowing city obligations
- Cannot prioritize road improvements without clear responsibilities
- Cannot coordinate utility planning without knowing long-term street commitments

#### With this ordinance:

- Official street inventory enables comprehensive planning
- Foundation for Capital Improvement Program
- Basis for Road Priority List
- Integration with water, sewer, and utility planning

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### 4. ACCESS TO FEDERAL AND STATE GRANTS

**This is the most important benefit.**

#### Current situation:

Dillingham **cannot apply for federal transportation grants** because we cannot document which streets we formally maintain.

#### Federal requirements:

- **Statewide Transportation Improvement Program (STIP):** Requires official street inventory and documented maintenance responsibility
- **Federal Highway Administration grants:** Requires proof of city ownership/maintenance authority
- **Surface Transportation Block Grants:** Requires eligible facilities with formal acceptance
- **Alaska DOT grants:** Requires proof of long-term maintenance commitment
- **Economic Development Administration infrastructure grants:** Requires documented asset inventory

**Without formal street acceptance ordinance = ineligible for millions in federal/state funding**

**With this ordinance:**

- Can document which streets city maintains
- Can demonstrate long-term maintenance commitment
- Can prove fiscal capacity and asset management
- **Becomes eligible for federal and state transportation grants**

**LEGAL COMPLIANCE - ELIMINATING LIABILITY**

**Current violations and risks:**

1. **Municipal Code violations:** Maintaining streets without formal acceptance (Sections 17.23.090, 17.23.100)
2. **Legal liability:** City spending money on streets it has no authority to maintain
3. **Unequal treatment:** Some property owners get free maintenance, others don't - potential lawsuits
4. **Federal compliance issues:** Tribal Transportation Program claiming same streets city maintains
5. **Budget violations:** Unauthorized expenditures without legal authority

**This ordinance eliminates all these liabilities at zero cost** by documenting legal authority for current maintenance decisions.

**THE BOTTOM LINE**

<b>IMPLEMENTATION COST</b>	<b>\$0</b>
<b>Increased annual costs</b>	\$0 - same streets maintained as currently
<b>New staff required</b>	None
<b>New equipment required</b>	None
<b>Construction costs</b>	None

<b>BENEFITS</b>	<b>VALUE</b>
Legal compliance	Eliminates code violations and liability
Budget clarity	Clear annual cost projections
Transparency	Fair treatment of all property owners
Planning capability	Enables comprehensive plan and CIP
<b>Grant eligibility</b>	<b>Access to millions in federal/state funding</b>

**CONCLUSION**

**This is not a new program. This is a compliance ordinance.**

The City Council already passed ordinances requiring:

- Minimum street standards (Chapter 17.19)
- Formal maintenance agreements (Sections 17.23.090, 17.23.100)

**The city never implemented what the Council passed.**

This ordinance simply:

1. Documents which streets meet the standards
2. Formalizes the maintenance agreements already required
3. Provides the legal basis the city should have had all along

**Cost: \$0**

**Result:** Legal compliance, fair treatment, budget clarity, planning capability, and access to millions in federal grants.

The Code Committee should understand this as a **zero-cost compliance measure that protects the city from liability while unlocking significant federal funding opportunities.**

CODE ORDINANCE

Introduced: \_\_\_\_\_  
Public Hearing: \_\_\_\_\_  
Adopted: \_\_\_\_\_

CITY OF DILLINGHAM, ALASKA

**ORDINANCE NO. 2026-xx**

**AN ORDINANCE OF THE CITY OF DILLINGHAM, ALASKA, AMENDING DILLINGHAM MUNICIPAL CODE CHAPTER 4.21 AND 4.22 TO UPDATE REFERENCES TO THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP), CLARIFY REFUND DOCUMENTATION REQUIREMENTS, AND CORRECT A CROSS-REFERENCE ERROR**

WHEREAS, Chapters 4.21 and 4.22 of the Dillingham Municipal Code establish taxes on the sale of raw fish and the severance of fishery resources; and

WHEREAS, certain terminology within these chapters is outdated and should be revised to reflect current federal program names; and

WHEREAS, the City Council finds it appropriate to clarify acceptable documentation for raw fish tax and severance tax refund applications and correct an erroneous code reference;

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF DILLINGHAM, ALASKA:

**Section 1. Classification.**

This is a code ordinance.

**Section 2. Amendment to DMC 4.21.135(A)(1)(a) – Tax Refunds,**

is hereby amended to read as follows [**new language underlined and emboldened** and ~~deleted text displayed in strike-out font~~]:

4.21.135 Tax refunds.

A taxpayer from whom raw fish tax is collected and timely remitted to the city by a tax collector is eligible for a partial refund of raw fish tax, if ~~they~~ **the taxpayer** falls into one of **the following** ~~two~~ categories:

1. Low income:
    - a. Household income, assets, and financial resources ~~fall within the eligibility standards for the food stamp program under 7 U.S.C. 2011 through 2025~~ **meet the eligibility standards for the Supplemental Nutrition Assistance Program (SNAP), formerly known as the food stamp program, under 7 U.S.C. 2011 et seq., as amended, and any implementing federal regulations;** or
    - b. Who has paid a reduced price annual fee for the taxpayer's fishing permit under AS 16.43.160(d) for the calendar year during which raw fish tax was collected from the taxpayer.
- (Ord. 12-11 § 1, 2012; Ord. 12-01 § 1 (part), 2012)

**Section 3. Amendment to DMC 4.21.135(E) – Refund Documentation Requirements,**

is hereby amended to read as follows [**new language underlined and emboldened**]:

**4.21.135 Tax refunds.**

E. Any person entitled to a partial refund may obtain a partial refund from the city upon completion and submission of a refund application form to be provided by the city together with such supporting documentation as required by the city to establish eligibility for and the amount of the refund.

**1. Documentation sufficient to establish eligibility for a refund under this section may include, but is not limited to:**

- a. Documentation demonstrating eligibility for or participation in the Supplemental Nutrition Assistance Program (SNAP);**
- b. Documentation demonstrating issuance of a reduced-fee commercial fishing permit under AS 16.43.160(d);**
- c. Receipts, cancelled checks, tax statements, or other documentation demonstrating payment of real property taxes to the City of Dillingham; and**
- d. Such additional documentation as the city may reasonably require to verify eligibility for a refund.**

(Ord. 12-11 § 1, 2012; Ord. 12-01 § 1 (part), 2012)

**Section 4. Amendment to DMC 4.21.140(C) – Penalties and Interest,**

is hereby amended to read as follows [**new language underlined and emboldened** and deleted text displayed in ~~strike-out font~~]:

**4.21.140 Penalties and interest.**

C. A person who fails to apply for a certificate of registration as required by this chapter shall pay a penalty of three hundred dollars for the first offense. A purchaser of seafood products who, after notice, continues to conduct business without registering as required by Section 4.22.040 **4.21.110** is subject to a penalty of five hundred dollars for each subsequent offense. Each day the purchaser conducts business without registering shall constitute a separate offense. If the city determines that a registered purchaser has previously violated this chapter, the registered purchaser is subject to the same penalty for violations committed prior to the registration. A certificate of registration shall not be issued or renewed if the purchaser has not paid all fines, penalties, and other obligations to the city.

(Ord. 13-01 § 1, 2013; Ord. 12-01 § 1 (part), 2012)

**Section 5. Amendment to DMC 4.22.045(A) -Tax refunds,**

is hereby amended to read as follows [**new language underlined and emboldened** and deleted text displayed in ~~strike-out font~~]:

**4.22.045 Tax refunds**

A. A taxpayer from whom severance tax is collected and timely remitted to the city by a tax collector is eligible for a partial refund of severance tax if ~~they~~ **the taxpayer** falls into one of ~~two~~ **the following** categories:

## 1. Low income:

- a. Household income, assets, and financial resources ~~fall within the eligibility standards for~~

~~the food stamp program under 7 U.S.C. 2011 through 2025~~ **meet the eligibility standards for the Supplemental Nutrition Assistance Program (SNAP), formerly known as the food stamp program, under 7 U.S.C. 2011 et seq., as amended, and any implementing federal regulations;** or

b. Who has paid a reduced price annual fee for the taxpayer's fishing permit under AS 16.43.160(d) for the calendar year during which severance tax was collected from the taxpayer; or

2. Real property owner and has timely remitted real property tax.

**Section 6. Amendment to DMC 4.22.045(E) - Refund Documentation Requirements,**

is hereby amended to read as follows [new language underlined and emboldened]:

**4.22.045 Tax refunds.**

E. Any person entitled to a partial refund may obtain a partial refund from the city upon completion and submission of a refund application form to be provided by the city together with such supporting documentation as required by the city to establish eligibility for and the amount of the refund.

**1. Documentation sufficient to establish eligibility for a refund under this section may include, but is not limited to:**

- a. Documentation demonstrating eligibility for or participation in the Supplemental Nutrition Assistance Program (SNAP);**
- b. Documentation demonstrating issuance of a reduced-fee commercial fishing permit under AS 16.43.160(d);**
- c. Receipts, cancelled checks, tax statements, or other documentation demonstrating payment of real property taxes to the City of Dillingham; and**
- d. Such additional documentation as the city may reasonably require to verify eligibility for a refund.**

**Section 7. Severability.**

If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of this ordinance shall not be affected.

**Section 8. Effective Date.**

This ordinance is effective upon adoption.

PASSED and ADOPTED by a duly constituted quorum of the Dillingham City Council on \_\_\_\_\_, 2026.

\_\_\_\_\_  
Alice Ruby, Mayor

ATTEST:

[SEAL]

\_\_\_\_\_  
Abigail Flynn, City Clerk

**Mayor**  
Alice Ruby

**City Manager**  
Jack Savo Jr.



**Dillingham City Council**

Section . Item 6.

Triston Chaney  
Jean Barrett  
Steven Carriere  
Curt Armstrong  
Kaleb Westfall  
Kevin McCambly

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## MEMORANDUM TO COUNCIL

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**To:** Code Committee  
**From:** Abigail Flynn, City Clerk's Department  
**Through:** Jack Savo Jr, City Manager  
**Date:** May 11, 2026  
**Re:** Ordinance 2026-XX: an ordinance of the City of Dillingham amending Dillingham Municipal Code Chapters 4.21 and 4.22 to update references to the Supplemental Nutrition Assistance Program (SNAP), clarify refund documentation requirements, and correct a cross-reference error

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### SUMMARY:

Staff is requesting Council authorization to adopt an ordinance amending Dillingham Municipal Code (DMC) Chapters 4.21 and 4.22 to update outdated references to the federal food assistance program formerly known as the "food stamp program," clarify refund documentation requirements, and correct a code cross-reference error.

The proposed ordinance replaces obsolete terminology with the current federal program name, the Supplemental Nutrition Assistance Program (SNAP), and updates statutory references so the City may continue offering refund eligibility tied to the program if the program remains active during Fiscal Year 2027 and beyond.

The ordinance also clarifies what supporting documentation may be required when applying for a refund and corrects an inaccurate code citation within the raw fish tax chapter.

Council action is needed to adopt the ordinance.

### PREVIOUS COUNCIL ACTION:

The Council previously adopted the refund provisions contained in DMC Chapters 4.21 and 4.22 through Ordinances 12-01 and 12-11.

During ongoing code review efforts, staff identified outdated terminology, obsolete statutory references, and inconsistencies within the refund eligibility provisions and related enforcement sections.

### BACKGROUND:

Chapters 4.21 and 4.22 of the Dillingham Municipal Code provide partial tax refund opportunities for qualifying taxpayers under certain circumstances, including low-income eligibility standards tied to the federal food assistance program historically referred to as the "food stamp program."

The existing code references eligibility standards under “7 U.S.C. 2011 through 2025,” outdated and may unintentionally create ambiguity regarding eligibility if the federal program continues beyond the referenced years.

Additionally, “food stamp program” is no longer the official federal program name. The program is now formally known as the Supplemental Nutrition Assistance Program (SNAP).

Staff also identified a code cross-reference within DMC 4.21.140(C) that incorrectly references Chapter 4.22 rather than the applicable registration section within Chapter 4.21.

The ordinance further clarifies examples of documentation that may be required to verify refund eligibility. These additions are intended to improve administrative consistency and provide clearer guidance to applicants and staff.

## **DISCUSSION:**

The proposed ordinance makes four primary updates.

### 1. Updates Obsolete Federal Program Terminology.

The ordinance replaces references to the “food stamp program” with the current federal program name, the Supplemental Nutrition Assistance Program (SNAP).

The ordinance also replaces the outdated statutory citation “7 U.S.C. 2011 through 2025” with “7 U.S.C. 2011 et seq., as amended,” which allows the code to remain current if federal statutes are amended or extended in future years.

These changes are intended to ensure the City may continue offering refund eligibility tied to SNAP participation during Fiscal Year 2027 and beyond, provided the federal program remains active.

### 2. Clarifies Refund Documentation Requirements.

The ordinance adds language identifying examples of documentation that may be used to establish eligibility for refunds, including:

- proof of SNAP participation or eligibility;
- reduced-fee commercial fishing permit documentation;
- real property tax payment documentation; and
- additional supporting documentation reasonably required by the City.

These additions are intended to improve consistency in refund administration and provide clearer expectations for applicants.

### 3. Corrects a Cross-Reference Error.

The ordinance corrects a code citation within DMC 4.21.140(C) that currently references DMC 4.22.040.

The proposed amendment updates the citation to DMC 4.21.110, which is the applicable registration requirement section for the raw fish tax chapter.

4. Improves Consistency and Readability.

The ordinance includes minor wording updates intended to improve readability, consistency, and long-term usability of the code while maintaining the original intent of the refund provisions.

**ALTERNATIVES:**

1. Leave the code as it is.

**FINANCIAL IMPLICATIONS:**

Adoption of the ordinance is not expected to create additional costs.

The proposed amendments are administrative and clarifying in nature. Updating the code may reduce confusion regarding eligibility standards and improve efficiency in processing refund applications.

There are no anticipated negative financial impacts.

**LEGAL:**

The proposed amendments do not substantially change the underlying refund programs or eligibility structure established by prior ordinances.

The ordinance updates obsolete terminology, modernizes federal statutory references, clarifies administrative procedures, and corrects an inaccurate code citation.

The proposed ordinance should be forwarded to the legal team for review and suggestions prior to being sent to the council.

**STAFF RECOMMENDATION:**

Staff recommends that the Council adopt Ordinance No. 2026-XX.

**PROPOSED MOTION:**

“I move to approve to send to the legal team and then to the council Ordinance No. 2026-XX, an ordinance of the City of Dillingham amending Dillingham Municipal Code Chapters 4.21 and 4.22 to update references to the Supplemental Nutrition Assistance Program (SNAP), clarify refund documentation requirements, and correct a cross-reference error.”

**ATTACHMENTS:** none