City and Borough of Wrangell
Planning & Zoning Commissionng
and Zoning Commission
AGENDA

Thursday, November 12, 2026
5:30 PM

Location: Assembly Chamber

## Work Session

a. Addressing Project - Building Number Draft Ordinance

b. Zoning Code Enforcement Memo & Standard Procedures

City and Borough of Wrangell Addressing and Street Naming Ordinance

**Administration and Enforcement Authority**

The management of addresses and street naming for the City and Borough of Wrangell shall be under the control and administration of the Economic Development Department. The Economic Development Department or its designee shall assume the duties of the Addressing Authority. It shall be the duty of the Economic Development Department to enforce the provisions of this Article.

The Economic Development Department is authorized to adopt Addressing and Road Naming Rules and Regulations for the purpose of the uniform assignment of new street address numbers, changing of street address numbers, the naming of new road names, and renaming of old road names to all properties within the City and Borough of Wrangell. The Addressing Authority shall be responsible for the administration of these Rules and Regulations and the maintenance of all maps and data related to addressing and road naming. The actions of the Addressing Authority are intended to provide more accurate 9-1-1 call routing, improve emergency services, provide for the safety of the residents, and to enhance the economic development of the City and Borough of Wrangell. The Addressing Authority reserves the right to approve or deny road names and assign new street address numbers or change street address numbers in the best interest of public safety.

**Commented [AC1]:** In this document, the Addressing Authority and the Economic Development Department are used interchangeably. We can modify as needed to reduce ambiguity.

**Purpose**

The purpose of this ordinance is to provide for a uniform, City and Borough of Wrangell-wide system for providing road names and assigning street address numbers to all dwellings, buildings, and habitable structures in the City and Borough of Wrangell, to assist fire and rescue service providers, law enforcement agencies, parcel delivery services, and other organizations in the timely and efficient provision of services to the residents and businesses within the City and Borough of Wrangell.

**Definitions**

**Commented [AC2]:** This is a stock list which can be removed, edited, or modified per the Borough's needs

The following words, terms, and phrases when used in this article, shall have the meanings attributed to them in this section, except where the context clearly indicates a different meaning:

**DRIVEWAY**

A private travel way for vehicles, which provides access to a public street or road from a parking space, garage, dwelling, structure, or use.

**DRIVEWAY ACCESS**

A roadway by which motor vehicles may enter or leave a trafficway and limited to that portion that is entirely within the confines of the trafficway.

**PARKING LANES**

A paved or gravel shoulder with a minimum of eight feet designed for use as off-street parking.

**RIGHT-OF-WAY**

Land, property, or interest therein; usually in a strip acquired for or devoted to transportation purposes.

**ROAD**

That part of a trafficway which includes both the roadway and any shoulder alongside the roadway (abbreviation RD).

**ROADWAY**

That portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive to the shoulder.

**TRAFFICWAY**

Any right-of-way open to the public as a matter of right or custom for moving persons or property from one place to another, including the entire width between property lines or boundaries (abbreviation TRWY).

**General road naming principles**

A) Any right-of-way serving [NUMBER] or more [NENA recommends 2, can allow up to 4] lots, residences, inhabitable structures, or businesses shall have a road name. Increased subdivision and development along a private right-of-way shall require the assignment of a road name when the number of addressable structures reaches [NUMBER] or more.
B) Any master development plan, subdivision plan, or site plan submitted for review shall be submitted to the Addressing Authority to review proposed road names and road name requirements.
C) All road names shall have a road name suffix and shall have the meanings ascribed in this section:

**ALLEY**

A narrow road between or behind city buildings (abbreviation: ALY).

**AVENUE**

A wide public suburban road that is heavily traveled or tree-lined (abbreviation AVE).

**BOULEVARD**

A broad road divided by an island, tree-lined or landscaped (abbreviation BLVD).

**BYPASS**

A four-lane road circling around a city (abbreviation BYP).

**CIRCLE**

A suburban road that circles back upon itself or curves into a dead-end (abbreviation CIR).

**COURT**

A single short suburban cul-de-sac or dead-end road (abbreviation CT).

**DRIVE**

A major suburban road with connector roads or a rural dead-end road (abbreviation DR).

**GRADE**

A rural road with a degree of increasing slope, importance, or use.

**HIGHWAY**

A primary state road connecting towns or cities (abbreviation HWY).

**INTERSTATE**

A primary road existing between or connecting two or more states.

**LANE**

A rural dead-end road with no other connecting roads (abbreviation LN).

**LOOP**

A road that circles back upon itself (abbreviation LOOP).

**OVERLOOK**

A rural road that has an elevated scenic view.

**PARKWAY**

A broad landscaped road (abbreviation PKWY).

**PIKE**

A primary roadway with high traffic and direct routing between towns and cities (abbreviation of PIKE).

**PLACE**

A public square, a suburban cul-de-sac (abbreviation PL).

**PLAZA**

A commercial multiple building parking lot access (abbreviation PLZ).

**ROAD**

A secondary state-maintained through-Country connector between pikes (abbreviation of RD).

**SQUARE**

An open area at the intersection of two or more roads, a parking lot (abbreviation SQ).

**STREET**

A suburban through road (abbreviation ST).

**TERRACE**

An open cul-de-sac/parking lot around a landscaped island (abbreviation TER).

**TRAIL**

A rural road primarily in a recreational community (abbreviation TRL).

**TURNPIKE**

A wide and modern rural road traversing large sections of land (abbreviation TPKE).

**WAY**

A through road that connects two separate roads (abbreviation WAY).

**Requesting approval for new road name**

A) Any individual landowner or developer prior to installing a new road name shall submit the following to Addressing Authority:
   1. A letter from the individual landowner or developer with absolute control over the road right(s)-of-way or a petition signed by at least [PERCENTAGE] of the landowners who agree with the road name request and who have access to said road.
   2. A detailed map and/or plat(s) showing the location of the roadway from its origin to its terminus, with locations of existing and proposed driveways, structures, and adjoining properties with access to said road.

**Commented [AC3]:** I have seen 75% to 100% property owner agreement.

B) The following restrictions shall apply (THE FOLLOWING LIST PROVIDES SUGGESTIONS: UPDATE ACCORDING TO LOCAL GUIDELINES):
   1. Road names shall not be abbreviated.
   2. Directional names, such as north, south, east, or west, shall not be accepted.
   3. Road names containing punctuation shall not be accepted.
   4. Road names which contain the same first word or road names spelled similarly or phonetically as a road name already in use shall not be permitted.
   5. Road names shall change at major four-way intersections and/or disjointed segments.
   6. Road names and road name street signs that have not been approved and added to the Official City and Borough of Wrangell Road Name List shall be removed to avoid conflict and confusion. [STRONGLY RECOMMEND MAINTAINING AN OFFICIAL ROAD NAME REGISTER TO AVOID APPROVING DUPLICATES]

**Requesting approval to change or remove City and Borough of Wrangell road names**

A) Any request to change the official name of any road within the City and Borough of Wrangell, whether maintained privately or by the City and Borough of Wrangell, shall submit the following to the Addressing Authority:
   1. A detailed map and/or plat(s) showing the location and present name of the road.
   2. The preferred road name and alternatives.
   3. A signed statement from a majority of at least [PERCENTAGE] of the landowners whose property adjoins the road stating the desire to have the road name changed.
   4. Supporting/explanatory information stating the reasons for the requested change.

B) The following restrictions shall apply [THE FOLLOWING LIST PROVIDES SUGGESTIONS: UPDATE ACCORDING TO LOCAL GUIDELINES]:
   1. Road names shall not be abbreviated.
   2. Road names shall not include the name of any business or living person unless approved by the Addressing Authority.
   3. Directional names, such as north, south, east, or west, shall not be accepted.
   4. Road names containing punctuation shall not be accepted.
   5. Road names which contain the same first word or road names spelled similarly or phonetically as a road name already in use shall not be permitted.
   6. Road names shall change at major four-way intersections and/or disjointed segments.
   7. Road names for roads containing four or more addressable structures shall not be removed.

C) When all requirements stated above have been fully completed, the Economic Development Department shall rename the road and forward for approval [IF ROAD RENAMING REQUIRES APPROVAL, DEFINE PROCESS HERE]
D) [AGENCY] shall be financially responsible for the replacement or removal of any road name signs associated with the approved request.

## Street Addressing for NG9-1-1

This article shall establish a uniform, City and Borough of Wrangell-wide address numbering system for numbering all structures, whether residential, educational, religious, business, agricultural, or commercial use that is occupied full- or part-time by humans. The address shall consist of a number and road name assigned to each structure. The intention of this ordinance is to support the addressing authority in its efforts to manage a City and Borough of Wrangell-wide system which is intended to facilitate efficient call routing for NG9-1-1 and public safety-first responders for emergency response and wayfinding. The Addressing Authority will assign a street address to non-structure locations as necessary (open space, parks, etc.) for public safety.

**Commented [AC4]:** Current ordinance: Every house, dwelling, structure, and commercial premises constituting the primary structure or building on each lot in the Wrangell Island Service Area shall be numbered.

### Administration

A) The Economic Development Department or its designee is the agent responsible for the administration, implementation, and enforcement of this ordinance.
B) No certificate of occupancy shall be issued until an assigned address number has been posted as specified herein. [Strongly Recommended but based on local policy]

### Numbering scheme

Structures will be numbered, both north and south, from McKinnon Street starting with the 100 block. Exceptions will be Front Street and Cow Alley which will begin at Federal Street. Structures on the water side of streets running parallel to the water will be odd numbered. Structures on the left side of streets roughly perpendicular to the waterfront will be odd numbered. Numbers will be assigned to every 25 feet of frontage.

**Commented [AC5]:** This is from the current ordinance. This may be modified and/or expanded pursuant to the findings of the field work and upcoming addressing work.

### Numbering map

The general numbering scheme is as prepared by the department of public works superimposed on a 1974 map drafted by General Telephone Company, which document will be retained at City Hall and may be inspected by the public at any time during normal business hours. The office of the borough clerk will also respond to telephone inquiries requesting house and structure numbering identification.

**Commented [AC6]:** This is from the current ordinance. Is this correct? Does this still exist at City Hall? This can be removed, modified, or expanded based on the upcoming addressing work.

### Assignment of numbers

A) The applicant shall provide to the Economic Development Department measurements in relation to other properties or such landmarks by plat as deemed necessary for the assignment of a valid address. The following shall apply:

1. Properties with multiple structures such as mobile home parks, apartment complexes, or campuses shall have road names assigned within based on the criteria defined in this ordinance. Structures will be assigned one number for each structure, and sub-addressing assigned where applicable with the appropriate of apartment, unit, or suite (e.g., 123 William St, Suite 1).
2. Single structures with multiple occupants shall have one number for the main entrance with each occupancy assigned a subaddress (e.g. APT, STE, UNIT, etc.).
3. Small lot subdivisions shall have consecutive numbers assigned to each structure. During design phase (or recordation), a preliminary number shall be assigned; however, the official address shall not be assigned until the structure is erected. [IF ASSIGNING PRELIMINARY NUMBERS IN SMALL LOT SUBDIVISIONS, KEEP INTERNAL. UPDATE TO LOCAL REQUIREMENTS].
4. Corner lots, in small lot subdivisions, with two or more possible named road frontages shall be assigned preliminary numbers for each street facing. Following the construction of the structure, a permanent number shall be assigned from the road on which the front of the structure faces.
5. Alphabetical extensions shall not be used in the numbering of structures.
6. Structure numbers that have not been assigned by Economic Development Department shall be removed.

**Requesting an address**

A) A property owner may request an address if one was not assigned during plat recordation. The following information is required:
   1. 9-1-1 Addressing Application including the following information:
      i) Building/property owners full name
      ii) Current mailing address
      iii) Parcel identification number
      iv) A plat or map showing the parcel boundaries, proposed structure location, setbacks, primary access to the structure and roadway, and any existing structures.

B) Following receipt and approval of the request, the applicant will receive notification from the Economic Development Department instructing the property owner how the numbers shall be displayed.

**Size and location of numbers**

A) Whenever any house, building, or structure is erected or located, it shall be the duty of the property owner or developer to procure the correct number or numbers for said property and affix said numbers to all occupied structures.

**Commented [AC7]:** Road names may be issued to ROWs within apartment building complexes, campuses or mobile home parks. Even if the ROW is more of a parking lot it can have a centerline with range so we do not run out of addressing.

**Commented [AC8]:** This is more appropriate for small lot subdivisions .25 acre or less. May remove if not appropriate for CBW

**Commented [AC9]:** Prefer integer addressing-Unit 1, Apartment 101, etc.

**Commented [AC10]:** This is a recommendation. Can be an online or paper form.

**Commented [AC11]:** Current ordinance: The record owner appearing on the borough's tax roles is responsible to undertake the required numbering. Numbering shall be accompanied by securing correct numbers in block form at least three inches in height of a color in appropriate contrast to the background on a prominent portion of the structure viewable from the street on which the structure fronts. In the case of buildings located on a street corner, the number shall be placed on the side of the structure facing that street to which the numbering pertains. In the case of two or more structures on a single lot being actively used for dwelling and/or commercial purposes, each such building shall have a separate number, but this shall not be construed to require duplex and apartment units to have separate numbering for each dwelling unit.

B) Address numbers for residential structures should not be less than three inches in height and shall be made of durable and clearly visible material. The number shall be conspicuously placed on, above, or at the side of the main entrance so that the number is discernible from the street. Whenever a building is more than 50 feet from the street or when the entrance is not visible from the street, the number shall also be placed along a walk, driveway, or another suitable location so that the address number is discernible from the street. Where mailboxes are not affixed to the building, street address numbers shall be shown thereon in accordance with postal regulations.
C) Address numbers or letters shall be of a contrasting color to the background on which they are mounted. Script or written numbers are prohibited.
D) All commercial and industrial structures shall display street address numbers of not less than eight inches in height as follows:
   1. When possible, the number shall be displayed over the main entrance to the structure.
   2. There shall be no other wording or numbers within two feet of the building number.
E) Structure complexes where only one number is assigned shall display such a number at the main entranceway. Said address numbers shall have a minimum height of eight inches. Using standard three-inch numbers, individual apartments, suites, or units within the complex shall have unit numbers displayed on, above, or to the side of the main doorway of each unit or establishment.

**Enforcement**

A) Whenever the agent has reason to believe there has been a violation of any provision of this ordinance, he/she shall give notice of such violation to the person failing to comply and order said property owner to take corrective measures within [30 days] from the date of notification.
B) If the property owner fails to comply with the duly issued order, the agent shall initiate necessary actions to terminate the violation through [criminal and/or civil measures].

# Zoning Code Enforcement SOP

| Responsible Department | Primary Official | Authority |
|---|---|---|
| Planning and Zoning | Zoning Administrator | WMC Titles 1 and 20 |

## 1. Purpose

This Standard Operating Procedure establishes a consistent process for investigating and enforcing zoning violations under Title 20 of the Wrangell Municipal Code. The primary purpose of enforcement is to obtain compliance. When practical, staff should first provide notice and a reasonable opportunity to correct the violation.

This SOP does not replace the Wrangell Municipal Code. If this SOP conflicts with the WMC, the WMC controls.

## 2. Types of Zoning Violations

- construction, placement, movement, alteration, or maintenance of a structure contrary to Title 20;
- failure to meet required setbacks, yards, height, lot coverage, parking, or other development standards;
- use of land or a structure for a use that is not permitted in the zoning district;
- beginning a conditional use without an approved Conditional Use Permit;
- failure to comply with conditions of an approved Conditional Use Permit;
- failure to obtain required zoning certification;
- continuing an expired or unauthorized temporary use;
- development contrary to an approved site plan or permit;
- right of way encroachment; or
- another activity prohibited by Title 20.

WMC 20.92.020 declares buildings, structures, and property uses contrary to Title 20 to be unlawful and public nuisances.

## 3. How a Case Begins

### A. Citizen Complaint

A person may submit a written complaint concerning an apparent zoning violation. The Zoning Administrator records and investigates the complaint as required by WMC 20.92.010.

- property or location;
- nature of the suspected violation;
- date or approximate duration of the condition; and
- supporting information, when available.

### B. Staff-Identified Violation

Borough staff may identify an apparent violation during normal duties, including permit review, site visits, property review, inspections, or administration of another Borough program. A staff-identified violation should generally receive the same investigation, documentation, notice, and compliance process as a citizen complaint.

# 4. Initial Screening

The Zoning Administrator should first determine whether the matter is primarily a Title 20 issue. If another chapter is the primary authority, refer the matter to the appropriate department.

| Issue | Primary Referral |
|---|---|
| Rubbish/general nuisance | Police Department under Chapter 9.08 |
| Junk vehicle | Police Department under Chapter 11.76 |
| Dangerous building | Building Official under Chapter 18.24 |
| Borough ROW encroachment | Planning Administration under Chapter 13.05 |
| Immediate life/safety concern | Building Official, Police, Fire, Borough Manager, or other appropriate emergency authority |

A condition may violate more than one title. Departments should coordinate rather than issue conflicting directions.

# 5. Priority Assignment

| Priority | Examples | Recommended Response |
|---|---|---|
| 1 - Immediate Health/Safety | Apparent dangerous building, collapse hazard, serious fire hazard, or other immediate danger. | Same day or as soon as reasonably possible. Immediately notify the official with emergency authority. |
| 2 - Significant/Continuing | Substantial impact, serious obstruction, significant prohibited use, repeated violation, or unsuccessful prior enforcement. | Begin review within approximately 3-5 business days. |
| 3 - Routine | Setback issue, unpermitted structure, permit failure, or similar violation without immediate danger. | Begin review within approximately 10 business days. |

These are administrative response targets, not Code-mandated deadlines. They may be adjusted for staffing, complexity, weather, access, or other reasonable circumstances.

# 6. Investigation

Determine whether sufficient facts exist to establish a violation. The case file should identify the specific WMC section involved.

- Borough parcel and GIS information;
- zoning district and development standards;
- recorded plats;
- permits and zoning certificates;
- Conditional Use Permits or variances;
- approved site plans;
- photographs and measurements where appropriate;

- prior correspondence and aerial imagery;
- discussions with the owner, occupant, complainant, or Borough departments; and
- site observation from lawful locations or inspection with appropriate permission or authority.

# 7. Initial Contact

For routine cases, staff may make informal contact before issuing a formal Notice of Violation when that is likely to result in prompt compliance. Explain the apparent violation, applicable Code, needed corrective action, and whether an application or permit may be available. Document the contact.

Informal contact is not required for serious, repeated, previously noticed, or otherwise appropriate formal-enforcement cases.

# 8. Notice of Violation

When staff determines that a Title 20 violation exists and informal correction has not occurred or is not appropriate, the Zoning Administrator should issue a written Notice of Violation containing:

- property address and/or parcel identification;
- responsible property owner or other responsible person;
- description of the violation;
- applicable WMC section(s);
- corrective action required;
- whether an application or permit may be available;
- compliance deadline;
- staff contact information;
- statement that failure to comply may result in further enforcement; and
- applicable information concerning penalties or referral to the Planning and Zoning Commission.

Retain the notice and method of delivery in the case file.

# 9. Compliance Period

If the WMC establishes a specific deadline, the Code deadline controls. If Title 20 does not establish a specific correction period, use a reasonable deadline based on the violation and the work needed to correct it.

| Situation | Recommended Administrative Guideline |
|---|---|
| Minor/routine correction | Approximately 15 days |
| Correction requiring an application, contractor coordination, relocation, or similar work | Approximately 30 days |
| Complex correction requiring substantial construction or removal | Longer written schedule may be approved when meaningful progress and a reasonable compliance plan are demonstrated |
| Significant continuing violation | A shorter period may be used when circumstances warrant |

A written extension may be appropriate when the responsible party is actively working toward compliance; weather or site conditions prevent correction; a required application has been timely submitted; professional services are reasonably necessary; or other circumstances justify additional time without harming the public interest. Extensions should establish a new specific deadline.

# 10. Paths to Compliance

- remove the unlawful structure or use;
- relocate or modify a structure;
- cease a prohibited use;
- obtain required zoning certification;
- submit an eligible after-the-fact Conditional Use Permit;
- submit an eligible after-the-fact variance;
- obtain another required Borough approval; or
- complete another corrective action that brings the property into compliance.

**Acceptance of an application does not guarantee approval. A variance cannot authorize a prohibited land use, and a building permit does not legalize a zoning violation.**

# 11. Reinspection and Follow-Up

| Finding | Action |
|---|---|
| Full compliance | Document correction and close case. |
| Meaningful progress | A written extension may be granted when reasonable. |
| Application pending | Case may remain open while the application is processed if continued activity does not create another violation or safety concern. |
| No meaningful compliance | Proceed to formal escalation. |

# 12. Planning and Zoning Commission Referral

WMC 20.92.010 provides that when an alleged violation continues after notice, the Zoning Administrator shall refer the matter to the Planning and Zoning Commission.

The staff report should include:

- property information;
- applicable Code sections;
- description of the violation;
- investigation findings;
- photographs or other evidence;
- Notice of Violation and compliance deadline;
- communications with the responsible party;
- corrective actions taken, if any; and
- staff recommendation.

The Commission may consider continued enforcement and provide the concurrence or recommendation appropriate to the circumstances.

# 13. Penalties

WMC 20.92.040 provides that Title 20 violations are punishable under WMC 1.20.010 and that each day a violation continues may constitute a separate violation. Before routine staff-issued zoning citations are implemented, the

Borough should confirm which staff positions are formally authorized as enforcement agents and establish a standard citation procedure consistent with Chapter 1.20.

The purpose of penalties should be to obtain compliance rather than simply accumulate fines.

## 14. Assembly and Legal Enforcement

When administrative enforcement has failed and the violation requires removal, abatement, an injunction, or another judicial remedy, staff should prepare the matter for appropriate Assembly consideration.

WMC 20.92.020 addresses removal of unlawful structures and uses. WMC 20.92.045 provides that the Assembly, with concurrence of the Planning and Zoning Commission, may take lawful action necessary to prevent or remedy a violation and may seek injunctive relief.

**Zoning Administrator → Planning & Zoning Commission → Borough Assembly → Borough Manager / Borough Attorney → Court, if necessary**

The Assembly does not itself prepare or file the court action. The Borough Attorney determines the appropriate legal filing and remedy.

## 15. Cross-Department Violations

| Combined Condition | Coordination |
|---|---|
| Zoning violation + rubbish accumulation | Planning continues the Title 20 matter while Police evaluates Chapter 9.08. |
| Zoning violation + dangerous structure | Planning handles zoning compliance while the Building Official determines whether Chapter 18.24 applies. |
| Zoning violation + ROW encroachment | Planning handles Title 20 while the appropriate Borough department administers Chapter 13.05. |

When practical, departments should coordinate notices and deadlines so the responsible person receives clear and consistent direction.

## 16. Case Record

- complaint or staff observation and date opened;
- priority classification;
- property and owner information;
- applicable Code sections;
- photographs and site notes;
- permits and approvals reviewed;
- correspondence;
- Notice of Violation and delivery record;
- compliance deadlines and extensions;
- follow-up inspection;
- P&Z staff report and action;
- Assembly action, if applicable;
- citation or penalty information;
- Borough Attorney correspondence, where appropriate; and
- final case disposition.

# 17. Case Closure

Close a case when the violation has been corrected; required approval has been obtained and conditions satisfied; investigation determines no violation exists; legal proceedings have concluded and required action has occurred; or another documented basis supports closure.

Document the closure date and reason. When a formal Notice of Violation was issued, provide written confirmation of compliance to the property owner.

# 18. Standard Workflow

| Step | Action |
|---|---|
| 1 | Complaint or Staff Observation |
| 2 | Initial Screening - Is Title 20 the primary authority? |
| 3 | Assign Priority |
| 4 | Investigate and Document |
| 5 | Determine Whether a Violation Exists |
| 6 | Informal Contact, When Appropriate |
| 7 | Issue Notice of Violation |
| 8 | Allow Compliance Period |
| 9 | Reinspect / Review |
| 10 | Close, Extend, or Refer to P&Z |
| 11 | P&Z Review / Continued Enforcement |
| 12 | If Judicial Relief Is Needed: Assembly → Borough Attorney → Court |

# 19. Guiding Principle

The Borough's objective is compliance with the municipal code. Enforcement should be fair, documented, reasonably consistent, and proportional to the nature of the violation. Immediate safety hazards require immediate attention. Routine violations should generally receive a reasonable opportunity for voluntary correction. Continued or intentional noncompliance should result in progressively stronger enforcement using remedies authorized by the Wrangell Municipal Code.

# Key Code References

- WMC Chapter 1.20 - General penalty and citation provisions.
- WMC Chapter 20.84 - Zoning administration/certification.
- WMC Chapter 20.92 - Violations, nuisances, penalties, and enforcement.
- WMC Chapter 9.08 - General nuisances (cross-department referral).
- WMC Chapter 11.76 - Junk vehicles (cross-department referral).

- WMC Chapter 13.05 - Right-of-way encroachments (cross-department referral).
- WMC Chapter 18.24 - Dangerous buildings (cross-department referral).

# Code Violations & Enforcement Procedures

## Purpose

This memorandum provides an overview of the City and Borough of Wrangell's most common property and land-use code violations, who has authority to address them, and how enforcement generally proceeds. It also recommends a separate Standard Operating Procedure (SOP) for zoning enforcement.

The Borough Code uses different enforcement processes for different problems. A zoning violation, junk vehicle, dangerous building, rubbish accumulation, and right-of-way encroachment may look similar to the public, but they are not always handled by the same official or under the same procedure.

The recommended approach is compliance first. Education, notice, and a reasonable opportunity to correct a violation should normally come before penalties or court action, unless the condition presents an immediate health or safety risk or the Code requires a different process.

## Common Types of Code Violations

### 1. Zoning Violations

Title 20 regulates how property may be used and developed. Common violations include:

- constructing, moving, expanding, or maintaining a building or structure that does not meet required setbacks or other development standards;
- using property for a use that is prohibited in the zoning district;
- starting a conditional use before obtaining Planning and Zoning Commission approval;
- failing to comply with conditions placed on an approved conditional use permit;
- constructing or altering a structure without required zoning certification or approval;
- continuing an expired or unauthorized temporary use; or
- otherwise developing or using property contrary to Title 20.

WMC 20.92.020 declares a building, structure, or use of property contrary to Title 20 to be unlawful and a public nuisance. WMC 20.92.040 provides for penalties, and WMC 20.92.050 makes the available remedies cumulative.

A building permit does not legalize a zoning violation. WMC 20.92.030 preserves the Borough's ability to enforce Title 20 even when a building permit was issued.

### 2. General Nuisances and Rubbish

Chapter 9.08 addresses general nuisances. It includes conditions that harm public health, interfere with the comfortable enjoyment of life or property, or create danger to surrounding property. The Code also addresses accumulations of junk, debris, machinery or equipment parts, lumber, garbage, rubbish, stagnant water, offensive substances, and similar materials.

Under the current language of Chapter 9.08, the Police Chief has a central role in nuisance notification and abatement. This process is different from Title 20 zoning enforcement and is an area recommended for future code review.

A property with extensive outdoor accumulation may involve more than one Code provision. Staff should identify the actual conditions present and apply each applicable enforcement track rather than treating the entire property as one violation.

**Complaint/observation → investigation → determine Chapter 9.08 violation → Police Chief notice to abate → citation/fine as applicable → compliance check → if unresolved, Borough abates/removes nuisance → Borough seeks recovery of abatement costs.**

## 3. Junk Vehicles, Boats, and Junk Property

Chapter 11.76 establishes a separate process for junk vehicles. A qualifying junk vehicle that remains in public view for the period established by Code may be declared a public nuisance. The Police Department is responsible for the notification process, and the chapter provides its own procedures for notice, hearing, disposition, and cost recovery. Because Chapter 11.76 contains a specific process, junk-vehicle complaints should normally be referred to the Police Department rather than handled only as zoning cases.

Boats, trailers, equipment, nets, gear, and other outdoor storage should not automatically be treated as junk vehicles. Planning should review the applicable zoning district to determine whether the outdoor storage is allowed. Rubbish and debris may also be addressed under Chapter 9.08.

For a residential property with accumulated rubbish, junk vehicles, boats, equipment, or similar materials, Planning and Police should coordinate their review. The notice should identify the specific conditions that violate Code and the corrective action required, such as removing rubbish, addressing identified junk vehicles, removing or properly storing prohibited outdoor storage, or ceasing an unlawful use.

**Police investigation → determination that vehicle meets junk-vehicle definition → written/posting notice → 10 days to remove from public view → citation/fine as authorized + impoundment if unresolved → hearing rights → sale/destruction/disposition → recovery of Borough costs.**

## 4. Dangerous Buildings

Chapter 18.24 governs dangerous buildings and adopts procedures for inspection, notice and orders, appeals, abatement, cost recovery, assessments, and liens. The Building Official is the primary official responsible for determining whether a structure falls under the dangerous-building provisions. The Borough Assembly serves as the Board of Appeals under this chapter.

A zoning violation and a dangerous building are not the same thing. A structure may violate zoning without being dangerous, and a dangerous structure may require action under Title 18 even if its location and use comply with zoning.

### Emergency Dangerous Buildings

When a condition creates an immediate threat to life or public safety, Chapter 18.24 provides an emergency path. Upon the written recommendation of the Building Official, the Borough Manager may authorize summary abatement when immediate action is necessary and timely advance notice cannot be provided. This authority should be reserved for genuine emergencies.

## 5. Right-of-Way Encroachments

Chapter 13.05 regulates structures and other encroachments within Borough rights-of-way. Administration of right-of-way encroachment permits is a Planning function, with applications reviewed by the Planning Administrator and permits approved by the Planning and Zoning Commission.

WMC 13.05.010 provides that qualifying encroachments may be permitted upon approval by the Planning and Zoning Commission. The Commission may establish conditions and consider impacts on public use, Borough

maintenance, public safety, future public projects, and other factors when determining whether an encroachment should be allowed.

Unauthorized encroachments are subject to the enforcement procedure in WMC 13.05.030. The owner must receive notice explaining the violation and is allowed 20 days to remove the encroachment. If it is not removed following proper notice, the Borough may remove the encroachment and recover its costs.

## Permits and Approvals

Not every project requires the same approval. Staff should first identify the activity and then determine which Borough approval applies.

| Activity | Typical Borough Review / Approval |
|---|---|
| New building, addition, alteration, moving, or repair of structure | Zoning compliance/certification and applicable building permit |
| Structure that cannot meet dimensional zoning standards | Variance, if legally eligible |
| Use listed as conditional in the zoning district | Conditional Use Permit |
| Change to property boundaries | Subdivision or replat approval |
| Structure or improvement within Borough right-of-way | Encroachment permit or other required ROW authorization |
| Dangerous structure | Building Official review under Chapter 18.24 |

An after-the-fact application may be available for some approvals, but accepting an application does not guarantee approval. A variance cannot be used to authorize a land use that is prohibited in the zoning district.

## Who Has Enforcement Authority?

| Violation | Primary Initial Authority | Typical Escalation |
|---|---|---|
| Zoning/use/setback | Zoning Administrator | Planning & Zoning Commission; Assembly/Borough Attorney when judicial relief is necessary |
| Rubbish/general nuisance | Police Chief under current Chapter 9.08 | Borough abatement/other remedies as authorized/ Coordinate with Planning when zoning/outdoor storage issues also exist |
| Junk vehicle | Police Department | Manager/hearing/abatement process under Chapter 11.76 |
| Building-code matter | Building Official | Applicable Title 18 process |
| Dangerous building | Building Official | Manager/Assembly as provided by Chapter 18.24 |
| Emergency dangerous building | Building Official + Borough Manager | Immediate action where Code |

| Violation | Primary Initial Authority | Typical Escalation |
|---|---|---|
| | | standards are met |
| ROW encroachment | Planning Administrator | Planning & Zoning Commission; Borough removal/cost recovery as authorized by Chapter 13.05 |

## Complaints, Notice, and Investigation

For zoning violations, WMC 20.92.010 allows a person to file a written complaint. The Zoning Administrator records and investigates the complaint and reports the matter as required by Code. If a violation continues after notice, the matter is referred to the Planning and Zoning Commission.

Staff may also identify an apparent violation while performing normal Borough duties. The recommended Standard Operating Procedure (SOP) treats citizen complaints and staff-observed violations consistently: screen the issue, investigate, document the facts, identify the exact Code section, provide notice, allow an appropriate opportunity to correct, and follow up.

Where the WMC establishes a specific notice period, that period controls. Where it does not, the SOP recommends reasonable administrative timelines based on severity and the work needed to correct the violation.

## Recommended Enforcement Priorities

| Priority | Description | General Response |
|---|---|---|
| Priority 1 | Immediate health or safety risk, including an apparent emergency dangerous-building condition. | Same day or as soon as reasonably possible; refer immediately to the official with emergency authority. |
| Priority 2 | Significant or continuing violation, repeated noncompliance, serious ROW obstruction, or substantial public/neighborhood impact. | Prompt investigation; shorter compliance period may be appropriate. |
| Priority 3 | Routine zoning, permit, setback, or similar violation without an immediate safety concern. | Normal investigation; emphasize education and voluntary compliance. |

Priority affects the urgency of the Borough's response. It does not determine whether the Code applies.

## Zoning Enforcement and Escalation

The recommended zoning enforcement path is:

**Complaint or Staff Observation → Investigation → Notice → Opportunity to Correct → Reinspection → Closure or Escalation**

If a Title 20 violation continues after notice, WMC 20.92.010 directs the Zoning Administrator to refer the matter to the Planning and Zoning Commission.

Title 20 provides several enforcement tools, including correction of the violation, penalties, treatment of an unlawful structure or use as a public nuisance, and judicial relief. These remedies may overlap; the Borough is not necessarily limited to only one enforcement tool.

WMC 20.92.020 directs the Borough Assembly to commence action for removal of an unlawful structure or use in the manner provided by law. WMC 20.92.045 further provides for Assembly action, with concurrence of the Planning and Zoning Commission, to prevent or remedy a violation and to seek injunctive relief.

In practice, the Assembly does not personally file a court record. Staff develops the enforcement record; P&Z reviews the unresolved zoning matter and provides the required concurrence or recommendation; the Assembly authorizes escalation when appropriate; and the Borough Attorney determines and files the appropriate civil action in court.

## Recommended Administrative Approach

- Compliance first. The normal objective is correction of the violation, not punishment.
- Complaint-based and staff-responsive. Citizen complaints should be investigated, and staff may also address apparent violations observed during normal Borough duties.
- Consistent documentation. Each case should contain the complaint or observation, investigation, applicable Code, photographs when appropriate, notices, deadlines, correspondence, inspections, and final disposition.
- Reasonable compliance periods. Code-mandated deadlines control. Otherwise, staff should set a reasonable deadline based on severity and the work required.
- Progressive enforcement. Routine cases should generally move from education and notice toward stronger remedies when compliance is not achieved.
- Cross-department coordination. The department with primary authority should lead its portion of the case.
- Clear escalation. Continuing Title 20 violations should be referred to P&Z, with Assembly and Borough Attorney involvement when judicial enforcement or abatement is necessary.

## Areas for Future Code Review

- Nuisance procedures: Chapter 9.08 contains older procedural language and a very short (not to exceed 24 hours) nuisance-abatement timeframe that may not fit ordinary property-cleanup cases.
- Overlapping nuisance provisions: zoning violations, rubbish, junk vehicles, and dangerous buildings can all be described as nuisances but follow different procedures.
- Zoning enforcement authority: Chapter 20.92 could more clearly describe the respective roles of the Administrator, P&Z, Assembly, and Borough Attorney.
- Citation authority: staff roles and authorization for issuing zoning citations should be confirmed and clearly established before routine citation procedures are implemented.
- Terminology and responsible officials: older provisions should be reviewed to ensure they match the Borough's current organization.
- Notice standards: future amendments could make general notice procedures more consistent while preserving special deadlines required for particular violations.

## Considerations for Abatement of Rubbish, Junk Vehicles, and Personal Property

Existing nuisance and junk-vehicle provisions provide authority for the Borough to remove or abate certain unlawful conditions when voluntary compliance is not achieved. However, the procedures are spread across multiple chapters and do not provide a single, clear process for entering private property, removing or disposing of rubbish, vehicles, boats, equipment, or other personal property, and recovering Borough costs. Future code amendments should clarify the required notice and opportunity to correct, hearing or appeal rights, authority to enter property and perform abatement, treatment and disposition of personal property, responsibility for abatement costs, and available methods of cost recovery. The code should also clearly identify when administrative

abatement may proceed without Assembly action and when Assembly or judicial authorization is required. Emergency authority should be preserved for conditions presenting an immediate threat to public health or safety.

## Recommendation

Staff recommends implementation of a separate Zoning Code Enforcement Standard Operating Procedure (SOP). The SOP does not change the authority established by the Wrangell Municipal Code. It provides staff with a consistent process for receiving complaints, documenting violations, providing notice, establishing reasonable compliance periods, conducting follow-up inspections, closing resolved cases, and escalating unresolved violations.

Staff further recommends that the identified code-clarity issues be considered during future updates to the Wrangell Municipal Code, with Borough Attorney review before substantive changes to enforcement authority, penalties, abatement procedures, or appeal rights are proposed.

## Key Code References

- WMC Chapter 1.20 - General penalty and citation provisions.
- WMC Chapter 9.08 - General nuisance provisions.
- WMC Chapter 11.76 - Junk vehicles.
- WMC Chapter 13.05 - Right-of-way encroachments.
- WMC Chapter 18.24 - Dangerous buildings.
- WMC 20.84 - Zoning certification/administration.
- WMC Chapter 20.92 - Zoning violations, penalties, nuisances, and enforcement.
- AS 29.25.070 - Municipal civil enforcement and injunctive relief.