

PUBLIC NOTICE

NOTICE OF FILING OF
PETITION FOR ANNEXATION
BY THE CITY OF DILLINGHAM TO
LOCAL BOUNDARY COMMISSION (LBC)

The City of Dillingham (Petitioner), a first class city in the unorganized borough, has filed an annexation petition by local action with the Local Boundary Commission (LBC). The petitioner's representative is Dillingham Mayor Alice Ruby. The territory proposed by the City for annexation consists of approximately 399.08 square miles (approximately 396 square miles of water, and three miles of land (small islands)). The annexation would increase the area of the City to approximately 434.78 square miles.

The territory contemplated for annexation is generally described as follows: the Nushagak Commercial Salmon District, and the Wood River Sockeye Salmon Special Harvest Area. The legal description of the territory proposed for annexation is set out in the Petition. A map of the territory proposed for annexation can be seen at Dillingham city hall, Dillingham library, Port of Dillingham small boat office, City of Dillingham website (listed below), or Local Boundary Commission website (listed below).

Standards governing the annexation to cities are established in Article X, Constitution of the State of Alaska; AS 29.06.040 – 29.06.060; 3 AAC 110.090 – 3 AAC 110.150; and 3 AAC 110.900 – 3 AAC 110.990. Procedures governing city annexation by the local action method are set out in Article X, Section 12 of Alaska's constitution, AS 29.06.040, and 3 AAC 110.400 – 3 AAC 110.700.

The petition and related documents are available for public review at the following locations, days, and times open to the public:

Dillingham city hall, 141 Main Street, Dillingham, Monday through Friday, 8 a.m. to 5 p.m.

Dillingham library, 306 D Street West, Dillingham, Monday through Friday, 10 a.m. to 5:30 p.m., Saturday, 10 a.m. to 2 p.m., and on the 2nd and 4th Tuesday it does not open until 10:30 a.m.

Port of Dillingham small boat office, 15 Harbor Spur Road, Dillingham, Monday through Sunday 7 am – 12 am until July 31, after July 31 Monday through Sunday 7 am – 7 pm.

City of Dillingham website, <http://www.dillinghamak.us>, available anytime. Local Boundary Commission website, <http://www.commerce.state.ak.us/dca/lbc/dillingham.htm>, available anytime.

Any interested person may file with the LBC written comments regarding the annexation petition. Additionally, a person with the capacity to sue may file with the LBC a responsive brief in support of or in opposition to the petition. Responsive briefs must be filed in accordance with 3 AAC 110.480. A person who files a responsive brief (as distinguished from written comments) gains certain procedural rights and duties during the petition proceedings. The deadline for filing responsive briefs and written comments with the LBC is 4:30 p.m., October 1, 2010. See 3 AAC 110.480 and 3 AAC 110.700 for the procedural requirements to file written comments, or responsive briefs. Responsive briefs and written comments must be received in the office below by that deadline:

Local Boundary Commission staff
550 West Seventh Avenue, Suite 1770
Anchorage, AK 99501-3510
Phone: 907-269-4559
Fax: 907-269-4539
Email: LBC@alaska.gov

Comments or responsive briefs may be submitted electronically by fax or email; however per 3 AAC 110.700(d), in order to be considered "the original of a document served by electronic mail or facsimile transmission must be submitted to the commission within 10 days after the submission of the filing by either electronic method."

Questions concerning the proposed incorporation may be directed to LBC staff at the mailing address, email address, or fax number listed above. Additionally, inquiries may be directed to LBC staff by telephone at (907) 269-4559.

After the Petitioner has an opportunity to answer any responsive briefs and comments, the Alaska Department of Commerce, Community and Economic Development (Commerce) will prepare a preliminary report on the proposal. Following receipt and consideration of comments on the preliminary report, Commerce will issue its final report. Procedures governing departmental reports are set out in 3 AAC 110.530. The LBC will then hold at least one local public hearing on the proposal. If approved by the LBC, the annexation will require approval by a majority of voters residing in the annexing city, and approval by a majority of voters residing in the territory proposed for annexation.