

Title 17

BUILDINGS AND CONSTRUCTION

Chapters:

17.04      Administration

17.08      *(repealed)*

17.12      *(repealed)*

17.16      *(repealed)*

17.20      Local Hire

Chapter 17.04

ADMINISTRATION

Sections:

17.04.010 Building Official.

17.04.020 Powers.

17.04.010 Building Official.

A. There shall be a building official, appointed by the Borough Manager, and approved by the Borough Assembly, for an indefinite term.

B. If no building official is appointed, the Borough Manager shall be the building official.

17.04.020 Powers. The building official shall have power to enforce any uniform code adopted by the Borough and to perform any other acts or duties prescribed by this Code.

Chapter 17.20

LOCAL HIRE

Sections:

17.20.010 Local Hire.

17.20.010 Local Hire.

A. This Section applies to all construction contracts, to which the City and Borough of Yakutat and the Yakutat Borough Schools are a party, entered into after the effective date of this ordinance, in which the base price, or the price utilized in determining the low bidder, is \$100,000 or more, unless exempted by or pursuant to this Section.

B. Each construction contract entered into by the City and Borough of Yakutat and the Yakutat Borough Schools to which this Section applies shall be deemed to contain the following provision:

Contractor agrees, unless performance is waived pursuant to these provisions, to adhere to a fifty percent (50%) local hire policy in the employment of mechanics, laborers, and field surveyors, in accordance with the procedures set out below.

Not less than fifty percent (50%) of the total hours performed by mechanics, laborers, and field surveyors employed by contractor in the performance of the work under this contract shall be performed by persons who are, at the time of performance of such hours, bona fide residents of the Yakutat Borough.

The fifty percent (50%) requirements shall apply separately with respect to each major classification designed in the current "Alaska Wage Rates" published by the Alaska Department of Labor (for example, "Tilesetters"). Compliance with the local hire requirement shall be determined on the basis of the total hours performed by each such major classification of mechanics, laborers, and field surveyors during each calendar month, and the percentage thereof

performed by bona fide residents of the Yakutat Borough.

Contractor agrees to use his best efforts, by means including but not limited to, public and media announcements, advertisements, and inquiries to appropriate Borough officials, social and community organizations, to publicize the fact and nature of available jobs to bona fide residents of the Yakutat Borough.

Qualified residents shall be given preference in hiring to the extent necessary to comply with the local hire requirements.

The Mayor of Yakutat may, with regards to Borough projects and the School Board may, with regards to school projects, upon presentation of such information as he may require, waive or relax any requirement of local hire imposed by this agreement upon Contractor, upon a written finding that strict adherence to the requirement waived or relaxed is impossible or otherwise not in the public interest. Any such waiver or relaxation of the local hire requirement by the Mayor or the School Board shall be subject to the Yakutat Borough Assembly's approval at its next regularly scheduled meeting. If the Borough Assembly disapproves any such waiver or relaxation of the local hire requirement, then the Mayor's or the School Board's granting of such waiver or relaxation of the local hire requirement shall be disallowed. In no case shall any such waiver or relaxation of the local hire requirement be applied retroactively. Neither the Mayor, the City and Borough of Yakutat, the Yakutat Borough Schools, nor any officer, agent, employee or official of the City and Borough of Yakutat or the Yakutat Borough Schools be held liable for relaxation, waiver, or failure to enforce the local hire requirement.

C. This Section shall not apply where prohibited by State or Federal law, or the terms of any grant from the State or Federal government, or any agency thereof.

D. The provisions of this Section may, with respect to any contract to which it would otherwise apply, be waived in writing by the Yakutat Borough Assembly prior to the release of bid proposals by the City and Borough of

Yakutat and provided that such waiver be made known to all prospective bidders. In the event of such waiver, the contract shall not be deemed to contain the provision set out in Section B above.

E. The provisions of this Section are for the sole benefit of the City and Borough of Yakutat and the Yakutat Borough Schools, and confer no rights, at law or in equity, upon any other entity or person, including, but not limited to, the residents of the City and Borough of Yakutat.