

KENAI PENINSULA BOROUGH

ORDINANCE NO. 70

AN ORDINANCE ENTITLED: AN ORDINANCE SETTING FORTH THE  
PROCEDURE FOR FILLING VACANCIES  
IN THE ASSEMBLY; REPRESENTATION  
FROM THE AREA OUTSIDE FIRST CLASS  
CITIES.

BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA  
BOROUGH:

Section 1. Title 5 of the Kenai Peninsula Borough Code  
of Ordinances is amended by adding a new chapter including  
Sections 05.11.05 to 05.11.30, to read as follows:

Section 05.11.05. Resignation from the Assembly.  
Any assemblyman elected from the area outside first  
class cities who intends to resign from the assembly  
shall, whenever possible, so indicate in writing to  
the assembly clerk at least 30 days prior to the date  
of the contemplated resignation. The resignation shall  
be effective on the date designated in the notice,  
unless the assembly shall otherwise provide.

Section 05.11.10. Notice of Nomination. Upon the  
receipt of intent to resign as provided in Section  
05.11.05 or upon the discovery of the existence of  
a vacancy in the representation outside first class  
cities, whichever is earlier, the assembly clerk  
with the advice of the chairman and borough attorney  
shall prepare a notice of nomination.

Section 05.11.15. Form. The notice of nomination  
shall be approved by the assembly and shall contain:  
A statement that a vacancy has occurred, specifying  
the assembly seat for which nominations will be  
accepted; the procedure for the petition of nomination  
of assembly candidates from outside the first class  
cities; the qualifications for borough assemblymen,  
and for those who may sign the nominating petition;  
the place for the submission of petitions which shall  
be the office of the clerk of the assembly; and the  
deadline for their submission which shall be the 14th  
day from the date of first posting; and any further  
information deemed appropriate by the assembly.

Section 05.11.20. Posting and Publication. The assembly clerk shall cause a copy of the notice of nomination to be posted in two conspicuous places in each precinct in the Borough and shall cause the notice to be published at least once in a newspaper or newspapers of general circulation in the Borough. Publication shall occur no later than three days after the day of first posting. Proff of proper publication and posting shall be obtained and submitted to the assembly by the assembly clerk at the expiration of the deadline for the submission of petitions, or as soon thereafter as practicable.

Section 05.11.25. Selection by Assemblymen Representing Areas Outside First Class Cities. Upon the expiration of the deadline for the submission of petitions, the assemblymen representing the area outside first class cities shall meet separately and recommend from the list of nominees certified to them by the clerk of the assembly one or more persons who in their opinion would best represent the constituency of the resigning assemblyman.

Section 05.11.30. Selection by the Assembly. Upon submission of the nominees selected by the assemblymen representing areas outside first class cities, the assembly as a whole shall meet, consider the recommendations of the non-city assemblymen and select a qualified acting assemblyman who shall serve the unexpired portion of the vacant seat in accordance with the provisions of AS 07.30.070.(3)

Section 2. This ordinance becomes effective immediately upon its passage and approval according to law.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH  
THIS 5 DAY OF February, 1968.



Assembly President

ATTEST:

  
Assembly Clerk