

Introduced by: Mayor  
Date: March 6, 1973  
Hearing: April 3, 1973  
Adopted: April 3, 1973

KENAI PENINSULA BOROUGH

ORDINANCE 73-13

AN ORDINANCE ENTITLED: AN ORDINANCE AMENDING SECTIONS 27.25.020, 27.25.030 and 27.25.040, PROVIDING FOR AN ELECTED BOARD OF DIRECTORS FOR THE NORTH KENAI FIRE SERVICE AREA, REGULAR AND SPECIAL BOARD MEETINGS, A BOARD CHAIRMAN, TERMS OF THE DIRECTORS, VACANCIES OF THE BOARD AND CLARIFYING THE POWERS AND DUTIES OF THE BOARD.

WHEREAS, the Assembly finds that it is in the best interests of the borough and the North Kenai Fire Service Area to provide for an elected board of directors, regular and special board meetings, a board chairman, terms of the directors, vacancies of the board and to clarify the powers and duties of the board;

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

Section 1. That section 27.25.020 of the Kenai Peninsula Borough Code of Ordinances is hereby amended to read as follows:

Section 27.25.020. Board of Directors. (a) There is hereby established a board of directors for the North Kenai Fire Service Area composed of five (5) members who shall be nominated and elected by the qualified voters of the service area in the same manner as provided for areawide assemblyman in the Kenai Peninsula Borough Code of Ordinances Title 11, Elections.

(b) The board shall meet once a month at a regularly scheduled time and place designated by the board. Special meetings of the board may be called by the chairman of the board or by two (2) members upon one (1) day's notice thereof. The notice shall set forth the time and place of the meeting and shall be mailed or telephoned to each member. The attendance of a member at a meeting constitutes a waiver of notice of the meeting. All meetings are open to the public as provided in AS 29.23.580 and AS 44.62.310 and in accordance with the policies set forth in AS 44.62.312.

(c) At the first regular meeting following the certification of the election by the assembly, and annually thereafter the board shall elect by majority vote of the members and from the members a chairman who shall hold office until a successor is elected.

Section 2. That section 27.25.030 of the Kenai Peninsula Borough Code of Ordinances is hereby amended to read as follows:

Section 27.25.030. Terms and qualifications. (a) Members of the board of directors shall be qualified voters of the borough who are residents of the service area. Members shall be elected for a term of three (3) years, except that the first board shall contain members elected for lesser periods to provide for staggered terms.

(b) Vacancies on the board are created under the following conditions and upon declaration of vacancy by the board:

- (1) fails to qualify or take office within thirty (30) days after his election or appointment;
- (2) is physically absent from the service area for a ninety (90) day period, unless excused by the board;
- (3) resigns and his resignation is accepted;
- (4) is physically or mentally unable to perform the duties of his office;
- (5) is removed from office;
- (6) misses three (3) consecutive regular meetings unless excused; or
- (7) is convicted of a felony or of an offense involving a violation of his oath of office.

(c) Vacancies on the board shall be filled by majority vote of the remaining board until the next general election of the borough at which time a new member shall be elected to fill the unexpired term or for a three (3) year term if no unexpired term remains.

Section 3. That section 27.25.040 of the Kenai Peninsula Borough Code of Ordinances is hereby amended to read as follows:

Section 27.25.040. Powers and duties. Pursuant to the provisions of AS 29.63.090 the board of directors of the service area shall have the power to provide for fire protection within the service area and shall promptly furnish accurate and complete copies of the minutes of all board meetings to the mayor and the assembly.

Section 4. This ordinance becomes effective after enactment.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH  
THIS 3 DAY OF April, 1973.

  
Assembly President

ATTEST:

  
Borough Clerk

KENAI PENINSULA BOROUGH  
ORDINANCE 73-13  
PAGE 2 of 2