

Introduced by: Mayor
Date: June 18, 1974
Hearing: Failed setting for hearing
33 Yes; 100.34 No; 10.66 Absent

KENAI PENINSULA BOROUGH

ORDINANCE 74-35

AN ORDINANCE AMENDING CHAPTER 5 OF TITLE 18 OF THE KENAI PENINSULA BOROUGH CODE OF ORDINANCES PERTAINING TO ORDINANCE PROCEDURE TO DELETE REQUIREMENT FOR 25 DAY PERIOD BETWEEN INTRODUCTION AND PUBLIC HEARING ON ORDINANCES, SIMPLIFYING THE ORDINANCE ON PUBLICATION PROCEDURES AND DELETING REQUIREMENT FOR CERTIFICATION BY THE CLERK OF ACTIONS TAKEN THEREIN, AND REPEALING ALL SECTIONS THEREOF WHICH ARE CONTROLLED BY STATUTE OR OTHER ORDINANCE AND ARE MERELY REPETITIONS THEREOF, AND SETTING AN EFFECTIVE DATE.

WHEREAS, Section 18.05.05 of the Kenai Peninsula Borough Code of Ordinances provides that at least 25 days should elapse after initial introduction of an ordinance and before the public hearing and assembly vote except in case of emergency ordinances; and

WHEREAS, this period of time is not necessary for adequate publication of the ordinance pursuant to applicable statute, and at times this provision has made an extremely awkward timing problem where matters of urgency have been brought forward but no sufficient emergency exists to allow adoption of an emergency ordinance, and particularly in budgetary and appropriation matters which often come up on relatively short notice; and

WHEREAS, portions of Section 18.05.020 pertaining to publication are redundant and the requirement in subsection (b) thereof that the clerk make certification of the actions taken in carrying out publication responsibilities appears to be an additional administrative duty not required by statute and which serves little purpose and including certifications with supporting data attached makes the ordinance book more bulky; and

WHEREAS, other provisions of the chapter merely repeat requirements made by Alaska statutes which are controlling in ordinance procedures; and

WHEREAS, Section 18.05.030 pertaining to severability of ordinances merely duplicate provisions contained in Section 1.05.025

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of the Kenai Peninsula Borough Code of Ordinances; Now Therefore,

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

Section 1: The following sections and subsections of the kenai
Peninsula Borough Code of Ordinances are hereby repealed:

Sec. 18.05.05
Sec. 18.05.015
Sec. 18.05.020(a)
Sec. 18.05.020(b)
Sec. 18.05.025
Sec. 18.05.030

Section 2: This ordinance shall become effective on the day of
enactment.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH
THIS _____ DAY OF JULY, 1974.

Assembly President

ATTEST:

Borough Clerk

June 18, 1974 - Failed - setting for
hearing Vote: 33 Yes, 100.34 No. 10.66 Absent

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