

Introduced by: Mayor
Date: September 3, 1974
Hearing: October 8, 1974
Action: Enacted Oct. 8, 1974
Vote: Unanimous

KENAI PENINSULA BOROUGH

ORDINANCE NO. 74-58

AN ORDINANCE AMENDING SECTION 1.05.030 OF THE KENAI PENINSULA BOROUGH CODE OF ORDINANCES TO CORRECT AND CLARIFY PROCESS OF REPEAL, ADDITION, OR AMENDMENT OF SAID ORDINANCES AND TO ADOPT THE METHOD OF THE STATE LEGISLATURE IN WORDING OF PROPOSED AMENDMENTS SO AS TO SIMPLIFY THE STUDY THEREOF.

WHEREAS, the present provisions of Section 1.05.030 of the Kenai Peninsula Borough Code of Ordinances need correction and clarification; and

WHEREAS, it is felt desirable to provide for an amendment of said section to adopt the method used in the State Legislature for preparation of provisions to be amended so that it will no longer be necessary in studying a proposed amendment to make a word by word comparison between the section of the code to be amended and the amending section to see just what changes are proposed and the effect they would have on the language of the code; Now Therefore,

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

Section 1: Section 1.05.030 of the Kenai Peninsula Borough Code of Ordinances is hereby amended to read as follows:

Sec. 1.05.030. Additions to or Amendments of the Code or Repeal of Portions Thereof and Amendatory Language.

(1) Numbering. All additions or amendments to this code of ordinances shall be numbered in accordance with the numbering system of this code.

(2) Additions to the Code.

(a) In the event a new title, chapter, section, or subsection, not heretofore existing in the code, is to be added thereto, substantially the following language shall be used:

"That the Kenai Peninsula Borough Code of Ordinances is hereby amended by adding a new _____ (fill in "title", "chapter", "section", or "subsection") to be numbered _____ which shall read as follows:"

- (b) The new addition shall then be set out in full as desired.

(3) Amendments to the Code.

- (a) Amendments to any of the provisions of this code shall be made by amending such provisions by specific reference to the section or subsection number of this code in substantially the following language:

"That _____ (fill in the code citation of the portions to be amended) is hereby amended as follows:"

- (b) Following the above statement the portions to be amended shall be set out including all language which is to be added thereto in addition to all of the language contained therein prior to proposed amendment with the additional language, including any numerals or punctuation, to be underlined and with all language sought to be deleted therefrom, including numbers and punctuation, to be enclosed in brackets with all letters contained in said brackets to be capitalized.
- (c) In event of adoption of any such amendments, the clerk or revisor, in preparing the revised provisions for inclusion in the code, shall delete all underlining and delete all brackets and all material within the brackets so that the code will then reflect only the wording effective after the amendment.

(4) Repeal. All titles, chapters, sections, or subsections desired to be repealed shall be specifically repealed by title, chapter, section, or subsection number or other designation, as the case may be.

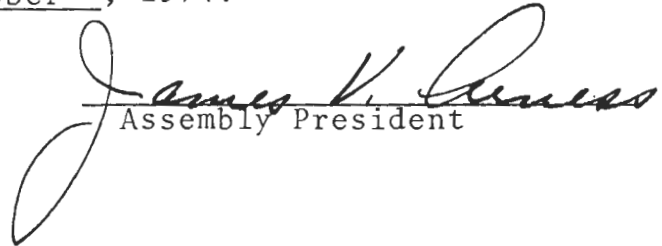
(5) Codification of Changes. In the case of additions to this code or amendments to, or repeal of, any provisions of this code by subsequent

ordinances, the clerk or other revisor shall prepare new pages of the code to be placed in the proper order to show such added provisions, to replace the amended provisions with the new provisions as amended, and to omit the repealed provisions.

(6) Codified Changes as Prima Facie Evidence. The subsequent ordinances as numbered and included, or omitted in the case of repeal, shall be prima facie evidence of such subsequent ordinances until this Code of Ordinances and subsequent ordinances numbered and included, or omitted, are re-adopted as a new Code of Ordinances by the Borough Assembly.

Section 2: This ordinance takes effect on the day after enactment, but shall not affect any amendatory ordinances which have been introduced prior to its effective date.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA
BOROUGH THIS 8 DAY OF October, 1974.


Assembly President

ATTEST:


Borough Clerk

