

Introduced By: Mayor
Date: April 15, 1975
Hearing: May 20, 1975
Action: Enacted
Vote: 118.5 "Yes" ; 9 "No"

KENAI PENINSULA BOROUGH

ORDINANCE NO. 75-20

AN ORDINANCE AMENDING KPC 20.10.005 (a) (c) TO PROVIDE FOR APPOINTMENT, TERMS, QUALIFICATIONS, VACANCIES, FILLING VACANCIES AND COMPENSATION OF MEMBERS OF THE PLANNING COMMISSION

WHEREAS, AS 29.33.080 and KPC 20.10.005 provide for appointment, terms and filling of vacancies of the Planning Commission, but are silent as to creating of vacancies; and

WHEREAS, it is desirable that provision be made for the Planning Commission as appropriate in much the same manner as provided for Service Area Boards, the School Board and the Assembly; and

WHEREAS, members of the Planning Commission are presently serving without compensation; and

WHEREAS, members of the Planning Commission in the normal attendance to the duties of their office must spend a great deal of time, not only in attendance of meetings, but also in study and preparation therefore.

NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

Section 1. KPC 20.10.005(a) is repealed and reenacted to read as follows:

(a) In accordance with AS 29.33.080(a):

(1) The Planning Commission shall consist of one member from each first class city of the borough and the number of members from areas in the borough outside first class cities to comply with the required apportionment.

(2) The Planning Commission may establish, alter, or abolish, subject to approval of the assembly, sections for the appointment of commissioners from areas outside first class cities, except that any such established sections shall not be abolished without approval of a majority of the assemblymen from areas outside first class cities. If sections are established, the number of members to be appointed from each section will be set so as to maintain the required apportionment.

Section 2. KPC 20.10.005 (c) is repealed and reenacted to read as follows:

(c) Members and membership of the Planning Commission shall be subject to the following conditions:

(1) Members of the commission shall be qualified voters of the borough who are property owners and who are duly appointed and confirmed as provided in AS 29.33.080 (a).

(2) Vacancies on the commission are created under the following conditions and upon declaration of vacancy by the borough mayor when the member

(A) Fails to qualify or be confirmed by the assembly or take office within thirty days after his appointment;

(B) is physically absent from the borough, or in the case of a city representative, from the city, for a ninety day period, unless excused by the commission;

(C) resigns and his resignation is accepted by the borough mayor;

(D) is physically or mentally unable to perform the duties of his office;

(E) is removed from office by the borough mayor in order to bring commission apportionment into compliance with statutes or completes his term;

(F) misses three (3) consecutive regular meetings unless excused by the commission; or

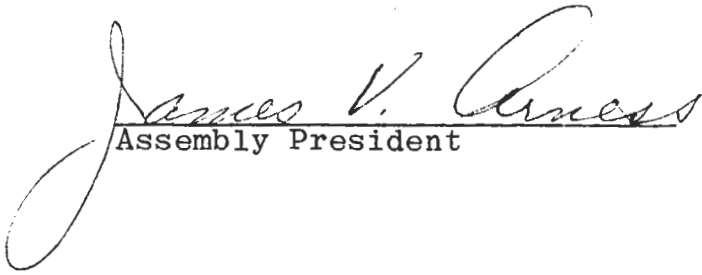
(G) is convicted of a felony or of an offense involving a violation of his oath of office.

(3) The borough mayor and the borough planning director shall be additional members ex officio. The borough planning director shall have the privilege of the floor, but may not vote. The borough mayor may vote only in case of a tie.

(4) Duly appointed, confirmed and qualified official members of the commission shall be compensated monthly at the rate of \$25.00 per regular or special meeting attended.


Section 3. This ordinance takes effect on July 1, 1975.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS
20 DAY OF May, 1975.



Assembly President

ATTEST:



Borough Clerk

