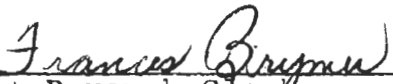


ORDINANCE CERTIFICATION

I certify that upon final enactment of Ordinance No. 81-18 of the Kenai Peninsula borough, this certification of the actions taken by me conforms with the rules and regulations governing ordinances.

1. Publication: Publication has been made by causing a summary of this ordinance to be inserted one time in a newspaper of general circulation in the borough. One copy of this ordinance as set for hearing, together with Notice of Hearing has been mailed to the city clerks of each first class city in the borough and to each postoffice in the borough with a request for posting on the City Hall and Post Office bulletin boards for 10 days immediately following receipt.
2. After adoption of this ordinance, one copy will be mailed to the city clerk of each first class city in the borough.

This ordinance was ENACTED by the assembly of the Kenai Peninsula Borough on the 7th day of April, 1981 and will become effective immediately.


Borough Clerk

Date: April 9, 1981

Introduced by: Dimmick
Date: March 3, 1981
Hearing: April 7, 1981
Vote: Unanimous
Action: Enacted

KENAI PENINSULA BOROUGH

ORDINANCE 81-18

AMENDING CHAPTER 2.08 OF THE BOROUGH CODE OF ORDINANCES TO PROVIDE THAT ACTIONS BY THE ASSEMBLY SHALL BE TAKEN BY MAJORITY VOTE OF THE ENTIRE ASSEMBLY.

WHEREAS, uncertainty has arisen regarding procedures to be followed by the Assembly in acting upon matters coming before the Assembly in its deliberations and meetings; and

WHEREAS, the Alaska statute covering this matter is subject to interpretation; and

WHEREAS, the Assembly has adopted Mason's Manual of Legislative Procedure which provides that actions may be passed by a majority vote of a quorum, or a majority of the entire membership, as the case may be; and

WHEREAS, the Alaska statutes have consistently favored the requirement of a majority of the entire Assembly to enact legislation; and

WHEREAS, the proposed revision of Title 29 reiterates this requirement by stating that actions of the Assembly should be taken by a majority vote of the total membership of the Assembly; and

WHEREAS, the Assembly finds that representative democracy and public policy favor the enactment of legislation by a majority of those elected to a legislative body; and

WHEREAS, the Assembly finds that there is a need to adopt a rule and to fix the number of votes required to act on matters before the Assembly;

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

Kenai Peninsula Borough
Ordinance 81-18
Page 1 of 2 Pages

Section 1. That Chapter 2.08 of the Borough Code of ordinances is amended by enacting a new section which reads:

2.08.060 Assembly--Quorum--Conduct of business--Vote. No business of the Assembly shall be conducted in the absence of a quorum. A quorum consists of a majority of the total number of members who have qualified to serve on the Assembly. Actions of the Assembly are adopted by a majority of the total membership of the body. All Assembly members in the quorum shall vote on all questions except that no Assembly member may vote on a question which involves a substantial direct or indirect financial interest.

Section 2. This ordinance takes effect immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH
ON THIS 7th DAY OF April, 1981.


Paul Fischer, Assembly President

ATTEST:


Borough Clerk