

Introduced by: Wade  
Date: July 21, 1981  
Hearing: August 18, 1981  
Vote:  
Action: FAILED TO BE SET FOR HEARING

KENAI PENINSULA BOROUGH

ORDINANCE 81-82

PROVIDING THAT REFERENDUM ITEMS AND BOND ISSUES IN ORDER TO BE ENACTED, MUST BE APPROVED BY AT LEAST 55% OF THOSE PERSONS VOTING IN THE REFERENDUM ELECTION AND THAT AT LEAST 55% OF ALL AFFECTED REGISTERED VOTERS PARTICIPATE IN THE REFERENDUM.

WHEREAS, many issues of grave public importance are referred to the voters for approval or disapproval by referendum; and

WHEREAS, the issuance of municipal bonds must also be approved by a vote of the people and the sale of these bonds will obligate taxpayers to a certain level of taxation for many years; and

WHEREAS, the Assembly desires that referendum items and bond issues reflect the true will of the electorate; and

WHEREAS, the Assembly finds that recent municipal elections at which referendum items and bond issues were referred to the voters have been characterized by a relatively poor turnout among registered voters and the Assembly finds that the results of these elections are not likely to reflect the will of the electorate, as opposed to the desires of special interest groups; and

WHEREAS, the Assembly is mindful that less than 9% of eligible voters participated in one recent special city election held within the Borough and that approval of the bond issue by a bare majority of the participating voters obligated all city taxpayers to repayment of a several hundred thousand dollar construction debt; and

WHEREAS, as the Assembly desires to ensure that enactment of Borough referendum items and bond issues reflect the will of the electorate;

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

Section 1. That Chapter 4.04 of the Borough Code is amended by adding a new section, to be numbered 4.04.065 which reads:

Section 4.04.065. Referendum and Bond Issues - Minimum Voter Turnout Required. A. No referendum item or bond issue shall be certified by the Assembly as having been validly enacted unless each such item or bond issue is approved by a majority of 55% of those persons voting in the election and further provided that no referendum item or bond issue shall be certified as enacted unless at least 55% of the total number of registered voters residing within the affected precincts actually participate in the election in which the referendum or bond issue proposition appears.

B. The requirements of this section shall not apply to the enactment and certification of referendum items or bond issues pertaining solely to the area within a particular city of the Borough, nor shall it apply to the election or recall of municipal officials, or to a referendum called by a valid initiative petition.

Section 2. That this ordinance takes effect immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 1981.

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Paul Fischer, Assembly President

ATTEST:

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Borough Clerk