

Introduced by: Arness  
Date: Dec. 7, 1982 DEFEATED  
Hearing: Jan. 4, 1983  
Vote: 7 Yes, 8 No  
Action: DEFEATED 12-7-82

KENAI PENINSULA BOROUGH

ORDINANCE 82-88

REPEALING CHAPTER 10.12 OF THE KPB CODE OF ORDINANCES TO REMOVE ANY BOROUGH-IMPOSED CONDITIONS ON ABORTIONS AT BOROUGH-OWNED FACILITIES.

WHEREAS, enactment of KPB Ordinance 81-71 adopting Chapter 10.12 of the KPB Code or ordinances, as amended by Ordinance 81-97 (Substitute), has led to a great deal of controversy because of the interference by the Kenai Peninsula Borough in the medical field; and

WHEREAS, because of this ordinance a lawsuit has been filed to test the validity of the same whereby the Borough has incurred, and will continue to incur costs involved in defending this ordinance; and

WHEREAS, the suit brought against the Borough would appear to be in the public interest, and if the Borough loses, the Borough will be required to pay full attorney's fees and costs of the plaintiffs therein at great expense to the Borough taxpayers; and

WHEREAS, no operation can normally be performed upon a patient without the consent of the patient, or without the consent of the party responsible for the patient where the patient is a minor or incompetent, and the patient can therefore demand explanation to the extent that he or she might desire from their doctor before granting of such consent as to the danger inherent and the other consequences of any operation; and

WHEREAS, the Borough should not interfere with doctor-patient relationships, or the manner in which medical treatments are prescribed or granted in the hospitals and service areas in the Borough;

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

Section 1. That Chapter 10.12 of the KPB Code of ordinances is hereby repealed.