

Introduced by: Dimmick
Date: Sept. 6, 1983
Hearing: Oct. 11, 1983
Vote:
Action: Not set for hearing

KENAI PENINSULA BOROUGH

ORDINANCE 83-72

RELATING TO PERFORMANCE OF THE OFFICE OF MAYOR DURING THE ABSENCE OR DISABILITY OF THE MAYOR.

WHEREAS, the Assembly of the Kenai Peninsula Borough wishes to change certain sections of the KPB Code of Ordinances concerning the performance of the duties of Mayor during his absence or disability;

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

Section 1. That Section 2.04.030; 2.04.040; and 2.04.050 of the KPB Code of Ordinances are hereby amended to read as follows:

Section 2.04.030 Powers and duties of mayor--Voluntary succession. Whenever the Borough mayor is unable to discharge his powers and duties due to his temporary absence from seat of government, such duties and powers shall be discharged by the president of the assembly or his designee from the assembly. The mayor shall transmit to the assembly a written declaration of his inability to discharge duties. Unless the written declaration specifies a term of absence or some readily ascertainable event upon which he will resume his duties, the mayor's duties shall be exercised by the assembly president or his designee until the Mayor transmits to the assembly president a written declaration that he is able to resume his duties.

Section 2.04.040. Powers and duties--Involuntary succession--Procedure--Resumption. A. Whenever the assembly president and two-thirds of the members of the assembly file a written document to the borough clerk showing good and sufficient cause that the borough mayor is unable to discharge the powers and duties of his office due to some disability, then the assembly president or his designee of the assembly will exercise the powers and duties of the borough mayor until such time as the borough mayor is able to resume his office. The person acting for the mayor shall be required to have the qualifications for the position of mayor. The person acting for the mayor shall exercise the duties of the office of mayor, but shall not have veto power and no administrative staff shall be dismissed or replaced during the mayor's absence except with the concurrence of the majority of the assembly. All actions of the person acting as the mayor shall be

subject to review and approval by the assembly at regularly scheduled or specially called meetings by the assembly for that purpose.

B. The Borough mayor shall immediately resume his duties and powers upon returning to the seat of government in the case of an absence, or in the event of disability, upon the affirmative vote of two-thirds or more of the Assembly after the mayor certifies his ability to resume his duties.

2.04.050 Powers and duties--Transition requirements. The borough mayor shall keep the assembly president informed and up-to-date on the management of borough affairs so that in the event of an unexpected absence or disability the assembly president, or his designee, may assume the duties of the borough mayor without unnecessary disruption to the administration of the borough.

Section 2. That this ordinance becomes effective immediately upon its passage and approval according to law.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON
THIS _____ DAY OF _____, 1983.

Donald L. McCloud, Assembly President

ATTEST:

Borough Clerk