

Introduced by: Sewall,
Dimmick
Date: Mar. 19, 1985
Hearing: Apr. 17, 1985
Vote: Unanimous
Action: Adopted as Am.

KENAI PENINSULA BOROUGH

ORDINANCE 85-17

AMENDING KP.B 2.08 PERTAINING TO CONDUCT OF ASSEMBLY MEETINGS.

WHEREAS, clarification is needed in the ordinances governing the assembly vote required for certain actions; and

WHEREAS, the ordinances pertaining to the midnight deadline need to provide a limit on reconvening after recess of the meeting;

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

Section 1. That KP.B 2.08.070 which currently reads:

"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 Legislative actions of the Assembly in the form of ordinances or resolutions or substantive motions to amend ordinances or resolutions are adopted by a majority of the total membership of the body. The vote prescribed in Mason's Manual of Legislative Procedure is sufficient to carry all other matters and motions except where a controlling statute or another ordinance specifies a vote to be taken in a particular manner. 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",

is hereby amended to read as follows:

2.08.070 Assembly--Quorum--Conduct of business--Vote. A. A quorum consists of a majority of the total number of members who have qualified to serve on the Assembly. No business of the Assembly shall be conducted in the absence of a quorum.

B. The following actions taken by the Assembly require a positive vote by majority of the total authorized membership of the Assembly:

1. Introduction of an ordinance;
2. Enactment of an ordinance;

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3. Adoption of a resolution;
4. Substantive motions to amend an ordinance or resolution at any time;
5. Motions to reconsider the passing or defeat of an ordinance or resolution.
6. Motions to determine questions of conflict of interest;
7. Motions to override a decision or ruling by the presiding officer.

C. The following actions taken by the assembly require a positive vote by two-thirds (2/3) of the total authorized membership:

1. To override a veto by the Mayor;
2. Motions to suspend the rules.

D. The vote prescribed by Mason's Manual of Legislative Procedure (1979 edition) is sufficient to carry all other matters and motions except where a controlling statute or another ordinance specifies a vote to be taken in a particular manner.

Section 2. That KPB 2.08.020 is amended as follows:

2.08.020 Time and place--Procedure for changes--Notice responsibility. Regular meetings of the assembly shall be held on the first and third Tuesday of each month at 7:30 p.m. in the assembly room of the Borough Administration Building unless for legitimate cause the assembly by resolution or motion provides for holding any particular meeting on another day, at another time, or place. The resolution or motion shall set forth the reason for changing the regular meeting. Public notice of the changed meeting shall be made in at least one newspaper of general circulation in the borough and the assembly clerk shall post a notice of the changed regular meeting at such public places and in the usual manner for giving public notice of assembly meetings.

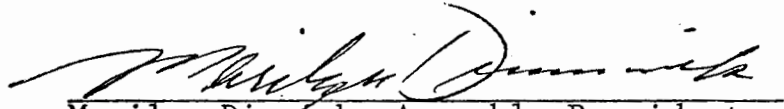
Section 3. That a new section KPB 2.08.022 is adopted that reads:

2.08.022 Meetings--Time restrictions--Uncompleted agenda. The Assembly shall take no official legislative or adjudicatory action after 12:00 o'clock midnight and before 8:00 a.m., actual time. This time for conclusion of legislative business is mandatory. In the event that the legislative or adjudicatory business has not been completed by midnight, the Assembly may recess the meeting to a time consistent with this section, call a special meeting to complete the agenda and adjourn, or adjourn. If the meeting is adjourned without making other provision for

completion of the agenda items, then such uncompleted matters shall be acted upon prior to the beginning of the next agenda items at the next regularly scheduled Assembly meeting. The Assembly shall not adjourn until all presentations and comments by members of the general public have been heard.

Section 4. That this ordinance takes effect immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON THIS 17th DAY OF April, 1985.


Marilyn Dimmick, Assembly President

ATTEST:


Borough Clerk

