

Introduced by: Mayor  
Date: Sept. 2, 1986  
Hearing: Oct. 14, 1986  
Vote: Unanimous  
Action: Enacted

KENAI PENINSULA BOROUGH

ORDINANCE 86-81 (SUBSTITUTE)

AMENDING THE BOROUGH CODE TO COMPLY WITH REVISIONS TO TITLE 29 OF THE ALASKA STATUTES.

WHEREAS, the Alaska legislature revisions to Title 29 of the Alaska Statutes pertaining to local government have gone into effect; and

WHEREAS, the Borough code of ordinances must be amended to reflect these revisions; and

WHEREAS, this ordinance contains revisions to Title 2 of the Kenai Peninsula Borough Code of Ordinances to meet the Title 29 changes;

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

Section 1. That KPB 2.04.080 is repealed and a new KPB 2.04.080 is enacted to read as follows:

2.04.080 Vacancy. Vacancies in the office of mayor may be declared and filled as provided by AS 29.20.280.

Section 2. That KPB 2.08.070(B) is repealed and subsequent subsections renumbered accordingly.

Section 3. That KPB 2.08.070(A) is amended to read as follows:

A. A quorum consists of a majority of the total [NUMBER OF MEMBERS WHO HAVE QUALIFIED TO SERVE ON] membership of the assembly. No business of the assembly shall be conducted in the absence of a quorum [.] , except as otherwise provided by Title 29 of the Alaska Statutes.

Section 4. That KPB 2.16.010(B) is amended to read as follows:

B. The assembly shall, by motion, declare a seat to be vacant when the person elected:

1. Fails to qualify or take office within 30 days after election or appointment;

2. Is physically absent from the municipality for a 90 day period unless excused by the assembly;
3. Resigns and [HIS] the resignation is accepted;
4. Is physically or mentally unable to perform the duties of [HIS] the office;
5. [IS REMOVED FROM HIS OFFICE WITH GOOD CAUSE DIRECTLY INVOLVING THE INTEGRITY OR WELFARE OF THE BOROUGH] Is convicted of a felony or misdemeanor described in AS 15.56; or is convicted of a violation of AS15.13;
6. Misses three consecutive regular meetings unless excused;
7. Is convicted of a felony or of an offense involving a violation of [HIS] the oath of office;
8. An assembly member who is elected from one district and who moves to a different district may continue to serve only until the next regular election;
9. An assembly member who ceases to be a registered voter immediately forfeits his office;
10. Dies, and the clerk so informs the assembly;
11. Ceases to be a qualified voter;
12. No longer physically resides in the municipality.

Section 5. That KPB 2.16.020(A) is amended to read as follows:

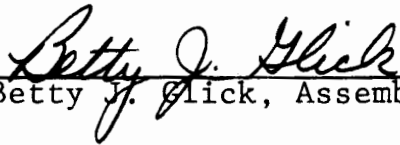
A. Vacancies shall be filled by appointment [AS PROVIDED BY SECTION 2.12.030] in accordance with Alaska Statutes.

Section 6. That KPB 2.12.030(A) is amended to read as follows:

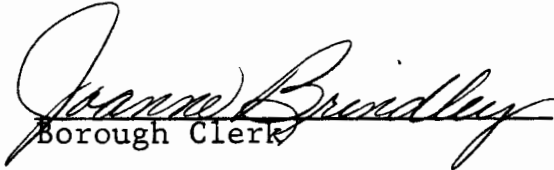
A. The full term of office for assembly members is three years. [VACANCIES SHALL BE FILLED BY APPOINTMENT AS PROVIDED BY ALASKA STATUTE.]

Section 6. That this ordinance shall take effect immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON  
THIS 14th DAY OF October, 1986.

  
Betty J. Glick, Assembly President

ATTEST:

  
Joanne Bradley  
Borough Clerk

