

Introduced by: Hodgins
Date: June 4, 1991
Hearing: July 9, 1991
Action: FAILED AS AMENDED
Vote: 6 YES, 8 NO

KENAI PENINSULA BOROUGH

ORDINANCE 91-25

AUTHORIZING INITIATIVE PETITIONS TO BE FILED AND VOTED ON BY
SERVICE AREA VOTERS

WHEREAS, currently the Borough code makes no provision for service area residents to file and vote on initiative petitions regarding service area operations; and

WHEREAS, it is desirable to allow initiative petitions dealing with service area operations to be filed and voted on by service area voters; and

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

Section 1. That the YPB Code of Ordinances is amended by adding a new section to read as follows:

16.01.100 Initiative and referendum. A. The powers of initiative and referendum set out in Alaska Statutes and Alaska Constitution for municipal residents are granted to the residents of service areas; except that the subject of a service area initiative or referendum shall be limited to service area operations. The procedure for a service area initiative or referendum shall be as set out in Alaska Statutes for municipalities, except that service area initiative or referendum applicants and sponsors must be qualified voters residing within the service area to be affected by such initiative or referendum. The number of petition signatures required for service area initiatives or referendums shall be at least 25% of the votes cast at the last regular service area election. Any service area initiative or referendum in conflict with state statutes that apply to service areas shall be rejected by the clerk.

B. The assembly reserves to itself the power to establish, alter or abolish service areas, and to provide for appointed or elected service area boards, and does not intend by this section to authorize the power of initiative or referendum on those subjects; except for establishment of service areas by petition as set out elsewhere in this chapter.

C. Only voters residing in the service area affected by the service area initiative or referendum shall be eligible to vote on the service area initiative or referendum.

Section 2. That this ordinance shall take effect immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON THIS
_____ DAY OF _____, 1991.

James Skogstad, Assembly President

ATTEST:

Borough Clerk