

Introduced by:	Mayor
Date:	7/13/93
Hearing:	8/17/93
Postponed to:	9/07/93
Action:	Enacted
Vote:	7 Yes, 1 No

**KENAI PENINSULA BOROUGH
ORDINANCE 93-36**

**AN ORDINANCE AMENDING SECTION 5.08.060 OF THE BOROUGH CODE OF
ORDINANCES RELATING TO THE REGULATION OF LEGAL ADVERTISING**

WHEREAS, Section 5.08.060 of the Borough Code of Ordinances regulates the publishing of notices and other advertising in newspapers of general circulation; and

WHEREAS, a definition of "newspaper of general circulation" is not clearly established by this code; and

WHEREAS, the 1993 legislature of the State of Alaska passed into law an amendment to AS 09.35.140, a portion of which clearly defines the meaning of "newspaper of general circulation"; and

WHEREAS, certain portions of the definition of "newspaper of general circulation" as set out in AS 09.35.140 could be incorporated in the Borough Code of Ordinances, Section 5.08.060, for clarification;

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

SECTION 1. That a new subsection 5.08.060(D) of the Borough Code of Ordinances is added to read:

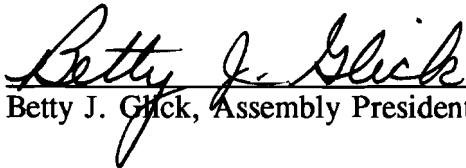
- D. A newspaper of general circulation is defined as a publication that:
1. is published in newspaper format;
 2. is distributed at least once a week for at least 50 weeks each year within the affected area as designated in this subsection B and C of the section, excluding a period when publication is interrupted by a labor dispute or by a natural disaster or other casualty that the publisher cannot control; and has a total paid circulation or paid distribution of at least 500 copies, or 10 percent of the total population of the affected area as designated by

3. holds a second-class mailing permit from the United States Postal Service;
4. is not published primarily to distribute advertising; and
5. is not intended primarily for a particular professional or occupational group.

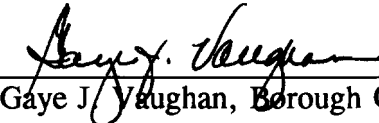
SECTION 2. That the current subsections (D), (E), and (F) of section 5.08.060 of the Borough Code of Ordinance are reestablished consecutively as subsections (D), (E), (F), and (G).

SECTION 3. That this ordinance shall take effect immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON THIS 7th DAY OF SEPTEMBER, 1993.


Betty J. Glick, Assembly President

ATTEST:


Gaye J. Vaughan, Borough Clerk