

Introduced Bagley
Date: 5/06/97
Hearing: 6/03/97
Action: Failed to be Enacted
Vote: 4 Yes, 5 No

**KENAI PENINSULA BOROUGH
ORDINANCE 97-35**

**AN ORDINANCE AMENDING KPB 4.30.040 TO ALLOW CANDIDATES
TO WITHDRAW THEIR NOMINATION ONE DAY AFTER THE
FILING PERIOD CLOSES**

WHEREAS, KPB 4.30.020 provides that a candidate for political office may file a declaration of candidacy from August 1st through August 15th, 4:30 p.m., or until noon on the following Monday should August 15th fall on a Saturday or Sunday; and

WHEREAS, KPB 4.30.040 provides that a candidate may only withdraw his or her declaration during the same period that the candidate may file a declaration; and

WHEREAS, candidates often desire to withdraw from an election immediately after the close of the filing period but are unable to remove their names from the ballot; and

WHEREAS, in order to comply with other deadlines to prepare for the election the clerk needs a final list of candidates by mid-August; and

WHEREAS, it is desirable to enable candidates to withdraw declarations of candidacy after the filing period has closed;

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

SECTION 1. That KPB 4.30.040 is hereby amended as follows:

4.30.040. Correction, amendments and withdrawal of declarations of candidacy.

- A. Any candidate may withdraw his nomination at any time during the period for filing a declaration of candidacy and until 4:30 p.m. of the next borough business day following the close of the filing period by appropriate written notice to the clerk. However, after the filing period has closed, no declaration may be corrected[,] or amended, and after the above-described additional period, no declaration may be [OR] withdrawn.
- B. A declaration of candidacy presented shall not be changed as to term of office. If a candidate desires to file for a different seat, he shall request a new form from the clerk.

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

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS _____
DAY OF _____, 1997.**

Jack Brown, Assembly President

ATTEST:

Linda S. Murphy, Borough Clerk