

Introduced by:	Popp at Request of Borough Clerk
Date:	07/18/00
Shortened Hearing:	08/01/00
Action:	Failed
Vote:	4 Yes, 3 No, 2 Absent
Action:	Notice of Reconsideration Filed by Scalzi
Action:	Enacted
Vote:	6 Yes, 2 No, 1 Absent
Date:	08/15/00

**KENAI PENINSULA BOROUGH
ORDINANCE 2000-30**

**AN ORDINANCE AMENDING TITLE 16 TO PROVIDE FOR THE
APPOINTMENT OF SERVICE AREA BOARD MEMBERS WHEN NO
CANDIDATE FILES FOR ELECTION TO A SEAT WHICH IS TO BE
FILLED AT SAID ELECTION**

WHEREAS, KPB Title 16 sets for the regulations for the establishment of borough service areas and the parameters under which these service areas operate; and

WHEREAS, these regulations include provisions for election of board members and the filling of vacancies on service area boards; and

WHEREAS, several of the sections dealing with vacancies on the various boards state that a vacancy is created when no candidate files for election to a seat which is to be filled at said election; and

WHEREAS, KPB Title 16 further provides that vacancies on a service area board are filled by majority vote of the remaining board until the next regular election of the borough at which time a new member is elected to fill the unexpired term or for a full term if no unexpired term remains; and

WHEREAS, the implication of these two provisions is that, in the event there is no candidate for a particular service area board seat at an election, then that particular seat will be filled by appointment until the next regular election; and

WHEREAS, it is the desire of the Assembly to bring uniformity to the election of service area board members;

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

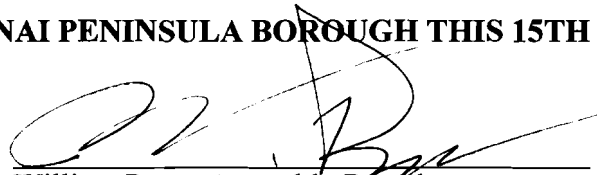
SECTION 1. KPB Section 16.04.065 is amended to read as follows:

16.04.065. Election of board members.

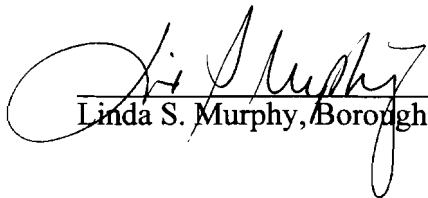
Vacancies for service area boards requiring elected boards shall be filled by the candidate receiving the highest number of votes cast for that seat. In the event that no candidate files for election to a seat which is to be filled at said election, then no election shall be conducted for that particular seat, and the seat shall be filled by a majority vote of the remaining board following certification of the election.

SECTION 2. This ordinance shall take effect upon its enactment and upon receipt of preclearance from the U. S. Department of Justice or 60 days after the Department of Justice receives the Borough's request for preclearance, whichever occurs sooner.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 15TH DAY OF AUGUST, 2000.


William Popp, Assembly President

ATTEST:


Linda S. Murphy, Borough Clerk

