

CITY OF HOMER
HOMER, ALASKA

ORDINANCE 81-2

AN ORDINANCE AMENDING CHAPTER III, ARTICLE II, OF THE HOMER CITY CODE, REPEALING AND RE-ENACTING SECTIONS OR PORTIONS THEREOF THAT RELATE TO DESIGNATION OF A COUNCIL SEAT OR COUNCILMAN AS A REPRESENTATIVE TO OR FROM THE BOROUGH ASSEMBLY AND AMENDING THE SECTION REGARDING COUNCIL TERM OF OFFICE TO COMPLY WITH STATE LAW.

WHEREAS, the Kenai Peninsula Borough Assembly, by order of the State of Alaska, Department of Community and Regional Affairs, was re-apportioned and formed into districts eliminating direct representation of the cities by designated council seat;

WHEREAS, Chapter III, Article II contains laws and enabling legislation that is no longer appropriate for designating a council seat for Borough Assembly representation;

WHEREAS, Section 3-200.3(c) regarding term of office for councilmembers is not consistent with Alaska Statute 29.23.200(c);

NOW THEREFORE,

THE CITY OF HOMER ORDAINS:

Section 1. Section 3-200.1 and 3-200.2 shall remain unchanged by this amendment.

Section 2. In accordance with AS 29.23.200, Section 3-200.3(c) is hereby repealed and re-enacted to read:

Section 3-200.3 NUMBER OF COUNCILMEN AND TERMS OF OFFICE.

(c) Persons so elected to office under this ordinance shall take office on the first Monday following certification of the election in which that person was elected.

Subparagraphs (a) and (b) of this section shall remain unchanged by this amendment.

Section 3. Section 3-200.4 shall remain unchanged by this amendment.

Section 4. In accordance with current State law, Section 3-200.5 BY-LAWS FOR COUNCIL PROCEDURE (a) is amended by deleting the words as in Title 29, Chapter 10, Sections 33-552.

Subparagraphs (b), (c), (d), and (e) remain unchanged by this amendment.

Section 5. Section 3-200.6 BOROUGH ASSEMBLY REPRESENTATIVE is hereby repealed.

Section 6. Section 3-200.7 BOROUGH REPRESENTATIVE - DESIGNATION ON THE ELECTION BALLOT is hereby repealed.

Section 7. Section 3-200.8 BOROUGH REPRESENTATIVE - VACANCY is hereby repealed, renumbered, retitled and re-enacted to read:

Section 3-200.6 COUNCIL VACANCY.

(a) Vacancy on Council. A person shall promptly be appointed to fill any City Council seat vacancy in accordance with the Alaska Statutes, Title 29.

(b) Lack of Candidates. Should a vacancy occur either by expiration of a term or resignation, and in the event no candidate files for that seat in the coming election, then the Council shall have the responsibility of promptly appointing a qualified person to fill the vacant seat. This section should be read in conjunction with paragraph (a) of this section and should not be construed to alter or amend any other provision herein provided for.

Section 8. Section 3-200.9 BOROUGH REPRESENTATIVE - POPULATION CENSUS EFFECT is hereby repealed.

Section 9. Section 3-200.11 is hereby repealed, re-numbered and re-enacted to read:

Section 3-200.7 STATE OF ALASKA, CONFLICT OF INTEREST STATUTE EXEMPTION.

By Ordinance 75-9, the question "Shall the municipal officers of the City of Homer be exempt from the provisions of State law AS 39.58 relating to Conflicts of Interest or Financial Disclosure by candidates and holders of municipal office?" was placed before the voters of the City of Homer at the regular municipal election, October 7, 1975. By a vote of 176 in favor of the exemption to 150 against the exemption, the exemption was approved, and therefore, all municipal officials of the City of Homer are exempt from AS 39.58. The results of the October 7, 1975 election were certified at the Regular Council Meeting, October 13, 1975.

CITY OF HOMER


Leo Rhode, Mayor

ATTEST:


Kathleen F. Herold, City Clerk

First Reading 1/26/81

Public Hearing 2/9/81

Second Reading 2/9/81

Effective Date 2/9/81