

**PETERSBURG BOROUGH
ORDINANCE #2019-01**

**AN ORDINANCE AMENDING SECTIONS 2.20.030, 2.20.060, 2.34.010(B), 2.36.080(A) AND
3.08.010 OF THE BOROUGH CODE TO DESIGNATE ASSEMBLY SEATS; AND DIRECTING
THAT THE AMENDMENTS BE SUBMITTED TO THE VOTERS OF THE BOROUGH AT THE
OCTOBER 1, 2019 ELECTION**

WHEREAS, the Assembly considers it beneficial to have the voters decide whether to establish designated seats on the Assembly for election purposes.

THEREFORE, THE PETERSBURG BOROUGH ORDAINS, Sections 2.20.030, 2.20.060, 2.34.010(B), 2.36.080(A) and 3.08.010 are hereby amended to provide for designated seats on the Assembly.

Section 1. Classification: This ordinance is of a general and permanent nature and shall be codified in the Petersburg Municipal Code.

Section 2. Purpose: The purpose of this ordinance is to amend the Borough Code sections listed above, subject to voter ratification, to designate Assembly seats. If ratified by the voters at the October 1, 2019 municipal election, Assembly seat designation will begin with the October, 2020 municipal election (see Section 3.08.010 of this code amendment below) unless a seat becomes vacant earlier.

Section 3. Substantive Provisions: Sections 2.20.030, 2.20.060, 2.34.010(B), 2.36.080(A) and 3.08.010 of the Petersburg Borough Municipal Code are hereby amended as follows (The language proposed for deletion is struck through and the language proposed for addition is in red text and underlined):

2.20.030 - Filing for office.

Any qualified person may be placed on the ballot as a candidate for the office of mayor, assembly member, school board member or hospital board member by filing with the borough clerk a signed declaration of candidacy form and a petition signed by at least twenty qualified voters of the borough. For an election in which more than one seat for the office of assembly member is to be filled, a person may file a declaration of candidacy for only one seat. Any qualified person may be placed on the ballot as a candidate for any other elected office by filing with the borough clerk only a declaration of candidacy form. Filing may not be more than ten weeks nor less than six weeks before the election.

2.20.060 - Declaration of candidacy.

The declaration of candidacy shall be on a form prescribed by the borough clerk and must include the candidate's name, residence address, mailing address, the designation of the office and seat or term being sought, a statement the candidate is qualified for the office sought, the candidate's name as the candidate wants it to appear on the ballot, the candidate's phone number and the candidate's signature.

2.34.010 - Ballot preparation.

* * *

B.

1. All candidates to the same office or seat shall be shown on one ballot.

2. The title of each office or seat to be filled shall be followed by the printed names of all candidates for that office or seat.

3. Except for the offices of mayor and assembly members, provision shall be made for write-ins equal in number to the positions to be filled.

4. On the ballot, the phrase "for one-year term", "for two-year term", and/or "for three-year term", as the case may be, shall be placed after the title of the office to be filled. On the ballot between the aforementioned phrase and the names of the candidates, shall be placed the instruction "vote for one" or "vote for two", as the case may be; designated Assembly seats shall contain the instruction "vote for one". Where there is more than one candidate for office the names of candidates shall be arranged in alphabetical order.

* * *

2.36.080 - Who is declared elected/Tie election.

A. In a borough election,

1. the top vote-getting candidate for the office of mayor shall be declared elected;

2. the top vote-getting candidate for a designated seat for the office of assembly member shall be declared elected;

3. where multiple school board, hospital board, planning commission, harbors and port advisory board, library advisory board or historic preservation committee seats for full terms are being filled, the candidates receiving the greatest number of votes, and whose standing in the vote count is at least equal to the number of seats to be filled, shall be declared elected; and

4. where a single seat, or a vacancy for an unexpired term of a seat, on the school board, hospital board, planning commission, harbors and port advisory board, library advisory board or historic preservation committee is being filled, the top vote-getting candidate shall be declared elected.

B. If two or more candidates receive an equal and highest number of votes for any one and the same office, the borough clerk shall give notice to each candidate to attend a meeting at a time and place appointed by the borough clerk. At the meeting the borough clerk shall publicly proceed to determine by lot which of the candidates shall be declared duly elected.

3.08.010 - Composition of assembly.

A. There shall be a borough assembly composed of six assembly members and a mayor elected from the borough at large.

B. While elected at large pursuant to subsections 2.02(A) and (B) of the Borough Charter, candidates for the office of assembly member shall file for and be elected to a designated seat on the Assembly, designated Seats A through F, as follows:

1. Seat A: Term beginning October, 2020;

2. Seat B: Term beginning October, 2020;

3. Seat C: Term beginning October, 2021;

4. Seat D: Term beginning October, 2021;

5. Seat E: Term beginning October, 2022; and

6. Seat F: Term beginning October, 2022

The designation of seats takes effect as the respective terms of members elected without designated seats expire or their seats become otherwise vacant.

Section 4. Severability: If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected.

Section 5. Submission to Voters:

A. In accordance with subsection 5.01C of the Borough Charter and PMC 2.12.030, the Borough Clerk shall submit this ordinance, as a single proposition, to the voters of the borough at the next regular election, to be held on October 1, 2019.

B. The proposition to be submitted to the voters shall read substantially as follows:

Proposition #_____

Amend Process to Elect Assembly Members by Designated Seats

Shall the Petersburg Borough Code be amended to provide for designated assembly seats as follows:

While elected at large pursuant to subsections 2.02(A) and (B) of the Borough Charter, candidates for the office of assembly member would file a declaration of candidacy for and be elected to a designated seat on the Assembly, designated Seats A through F, as follows:

1. Seat A: Term beginning October, 2020;
2. Seat B: Term beginning October, 2020;
3. Seat C: Term beginning October, 2021;
4. Seat D: Term beginning October, 2021;
5. Seat E: Term beginning October, 2022; and
6. Seat F: Term beginning October, 2022

The designation of seats takes effect as the respective terms of members elected without designated seats expire or their seats become otherwise vacant.

For an election in which more than one seat for the office of assembly member is to be filled, a person may file a declaration of candidacy for only one seat.

- ☐ Yes
☐ No

A "Yes" vote means the current general process to elect assembly members will change from all candidates for similar assembly terms appearing together on the ballot, (and the terms being filled by those receiving the greatest number of votes), to candidates filing for a specific designated open assembly seat.

A "No" vote means the current general process to elect assembly members will continue – candidates will file for multiple open seats on the assembly, and those candidates will appear together on the ballot.

Section 5. Effective Date: This ordinance shall become effective immediately upon adoption. The proposed borough code amendments set forth herein, if approved by the voters and certified by the election judges, shall be come effective immediately upon certification of the election results of the October 1, 2019 municipal election.

Passed and approved by the Petersburg Borough Assembly, Petersburg, Alaska this 18th day of March, 2019.

Mark Jensen, Mayor

ATTEST:

Debra K. Thompson, Borough Clerk

Adopted:
Noticed:
Effective: