

Introduced by: Council Member
Leinberger
Date: October 9, 2007
Public Hearing: October 23, 2007
Action: Failed
Vote: 7-0

CITY OF BETHEL, ALASKA

ORDINANCE #07-22

AN ORDINANCE AMENDING THE BETHEL MUNICIPAL CODE

SECTION 2.04.100 REGARDING COUNCIL VACANCIES

BE IT ORDAINED by the City Council of Bethel, Alaska, that:

Section 1. Classification. This ordinance is permanent in nature and shall be placed in the Bethel Municipal Code.

SECTION 2. Amendment. Chapter 2.04.100 of the Bethel Municipal Code is amended as follows: (new language is underlined and old language is stricken out):

2.04.100 Council vacancies.

A. The city council shall declare a council seat vacant when the person elected:

1. Fails to qualify or take office within thirty days after election or appointment;
2. Is physically absent from the city for ninety consecutive days unless excused by the council;
3. Resigns and the resignation is accepted;
4. Is physically or mentally unable to perform the duties of office as determined by a two-thirds vote of the council;
5. Is convicted of a felony or of an offense involving a violation of the oath of office;
6. Is convicted of a felony or misdemeanor described in AS 15.56 and two-thirds of the members of the council concur in expelling the person elected;
7. Is convicted of a violation of AS 15.13;
8. No longer physically resides in the city and the council by a two-thirds vote declares the seat vacant; this subsection (A)(8) does not apply to a member of the council who forfeits office under AS 29.20.140(a); or
9. Misses ~~three~~ five (5) regular meetings in a calendar year, ~~and is not excused.~~

B. If a vacancy occurs on the city council, the remaining members shall, within thirty (30) days of the vacancy, and subject to AS 29.20.180, appoint a qualified Bethel voter to fill the vacancy in accordance with the procedures established in section 2.04.105. The person appointed to fill the vacancy shall serve until the next regular election and until a successor is elected and has qualified for the vacated council seat. The elected successor shall serve the remainder of the term of the vacated council seat.

Section 3. Effective Date. This ordinance shall become effective January 1, 2008.

PASSED AND APPROVED THIS _____ DAY OF _____ 2007, BY A VOTE OF _____ IN FAVOR AND ____ OPPOSED.

Mary Kenick, Mayor

ATTEST:

Sandra Modigh, City Clerk