CITY OF BETHEL

P.O Box 388 Bethel, Alaska 99559
907-543-2297
FAX # 543-4171

Introduced by: Council Member McComas
Date: February 27, 1996
Public Hearing: March 12, 1996
Action: Amended at Introduction,
Passed after Public Hearing
Vote: 6-Yes, 0-No

ORDINANCE #96-13

AN ORDINANCE OF THE BETHEL CITY COUNCIL AMENDING CHAPTER 1.20.060 OF THE BETHEL MUNICIPAL CODE, TITLED ANNUAL ELECTION, AND AMENDING CHAPTER 2.04.060, ENTITLED PRESIDING OFFICER.

WHEREAS, on occasion, the Mayor of the City of Bethel may need to travel out of the city for business or personal reasons, and

WHEREAS, between meetings of the City Council, there are occasions when an acting mayor may be required to sign documents or appear in public on behalf of the City, and

WHEREAS, Section 1.20.060 currently provides for the election of a mayor by and from the Council members, and

WHEREAS, Section 2.04.060 currently provides for the election of an acting mayor by the remaining members of council, at a council meeting.

NOW, THEREFORE, BE IT ENACTED by the Bethel City Council as follows:

Section 1: If any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application.

Section 2: This ordinance shall not be construed as abating any action now pending under, or by virtue of, prior existing laws or as discontinuing, abating, modifying, or altering any penalty accruing or about to accrue, or as affecting the liability of any person, or as waiving any right of the City under any section or provision existing at the time this ordinance is adopted, or as vacating or annulling any right obtained by any person, firm or corporation, by lawful action of the City except as shall be expressly provided for in this title.

Section 3: Section 1.20.060 of the Bethel Municipal Code is hereby amended to read as follows: (new text is underlined)

1.20.060 Annual election.

There shall be held on the first Tuesday of October in each year in the City an election for the purpose of electing three council members in even numbered years and four council members in odd numbered years. The term of office shall be two years. Council candidates shall run at large.

"Deep Sea Port and Transportation Center of the Kuskokwim"

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Those candidates receiving the largest number of votes greater than forty percent (40%) of the total votes cast for all the candidates divided by the number of seats being elected shall be seated on the City Council. A runoff election shall be held if not enough candidates receive the minimum number of votes required for election.

The runoff election shall be held within 3 weeks of the date of certification for the election for which runoff is required. A notice of the runoff election shall be published at least 5 days before the election date. The runoff election shall be between those candidates which received the highest number of votes but failed to receive the minimum number of votes required for election. No more than 4 Council seats will be designated 1 through 7 for convenience only.

Voters will be able to cast the same number of votes as the number of seats being elected. Voters may not cast more than one vote for a candidate.

There shall be no limitation on the number of terms a person may serve on the City Council.

A Mayor <u>and an Acting Mayor</u> shall be elected each year by and from the Council members. (Amd. 1 to Ord. 46, 1991; Prior code §2.44.060).

<u>Section 4:</u> Section 2.04.060 of the Bethel Municipal Code is hereby amended to read as follows: (new text is underlined, deleted text is in parantheses)

<u>2.04.060 Presiding Officer.</u>

The mayor shall be the presiding officer at council meetings unless he is for some cause unable to attend in which event <u>the elected acting mayor shall preside. If the elected acting mayor is also not present,</u> the members shall, by majority vote of those present, elect one of (their own) <u>the remaining</u> members as (acting) mayor <u>pro-tempore</u>. In (this) <u>either</u> event the <u>elected</u> acting mayor <u>or mayor pro tempore</u> shall preside at such council meeting or meetings and otherwise perform the duties of mayor during the period involved. (Prior code § 2.04.060)

<u>Section 4:</u> This ordinance shall be effective upon passage.

PASSED AND APPROVED THIS 12TH DAY OF MARCH, 1996.

Ruth M. Richardson, Mayor

ATTEST:

L. J. Tanner, City Clerk