

Introduced by: Mayor Klejka
Date: July 28, 2009
Public Hearing: August 11, 2009
Action: Passed
Vote: 6-0

CITY OF BETHEL, ALASKA

Ordinance #09- 20

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE QUALIFIED VOTERS OF THE CITY OF BETHEL, ALASKA, THE QUESTION OF WHETHER TO REMOVE THE EXISTING LOCAL OPTION (AS 04.11.491(a)(1)) WHICH PROHIBITS THE SALE OF ALCOHOLIC BEVERAGES IN THE CITY OF BETHEL

WHEREAS, an application for a citizens petition to remove the existing local option prohibiting the sale of alcoholic beverages in the city of Bethel, was approved by the City Clerk;

WHEREAS, petitions were circulated among the qualified voters of the City of Bethel and a sufficient number of signatures were secured for the Clerk to authorize the petition question to be submitted to the qualified voters of the City of Bethel;

WHEREAS, Alaska Statutes Title 04.11.507 states "the local governing body of a municipality shall place upon a separate ballot at the next regular election or at a special election, whichever local option, change in local option, or removal of local option constitutes the subject of the petition;"

WHEREAS, "the local governing body shall conduct the election under the election ordinance of the municipality;"

WHEREAS, Per the Bethel Municipal Code the Bethel City Council has the option of placing this question before the qualified voters of the City of Bethel at the Regular Election, October 6, 2009, or at a Special Election called at least ninety (90) calendar days prior to the date of the election.

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

SECTION 1. Classification: This ordinance is not a permanent ordinance and shall not become part of the Bethel City Code.

SECTION 2. Election: An election is to be held on October 6, 2009, in and for the City of Bethel, for the purpose of submitting a ballot proposition to the qualified voters of the City of Bethel for approval or rejection. The proposition must receive a majority vote of the qualified voters in the City of Bethel voting on the question to be approved. The proposition shall be substantially in the following form:

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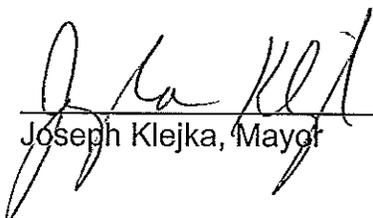
Shall the City of Bethel remove the local option currently in effect, (AS 04.11.491(a)(1)), that prohibits the sale of alcoholic beverages in the City of Bethel? (Ordinance No. 09-20).

SECTION 3. Election: The proposition, both for paper ballots and machine ballots, shall be printed on a separate ballot—and the following words shall be added as appropriate and next to a square provided for marking the ballot for voting by a machine.

PROPOSITION NO. _____ Yes
No

SECTION 4. Effective Date: The ordinance shall become effective only if the proposition described in Section 2 is approved by a majority of the qualified voters voting on the proposition at the regular election held on October 6, 2009. The local option barring the sale of alcoholic beverages in the City of Bethel adopted under AS 04.11.491(a)(1) shall be repealed, effective the first day of the month following certification of the election results. The remaining sections of this ordinance shall become effective upon adoption.

ENACTED THIS 11th DAY OF AUGUST 2009, BY A VOTE OF 6 IN FAVOR AND 0 OPPOSED.



Joseph Klejka, Mayor

ATTEST:



Lori Strickler, City Clerk