

*Repealed*  
ORDINANCE NO. 14

*For amendments to Ordinance 14  
See Meeting of 11/11/19  
See Council page*

AN ORDINANCE PRESCRIBING QUALIFICATIONS OF VOTERS AND CANDIDATES, NOMINATION TO OFFICE AND SETTING UP THE ENTIRE ELECTION PROCEDURE FOR THE CITY OF BETHEL, ALASKA; and PROVIDING PENALTIES AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF BETHEL, ALASKA:

Section 1. Qualification of Voters.

All citizens of the United States, nineteen (19) years of age and over, who are actual bona fide residents of Alaska, and who have been such residents continuously during the entire year immediately preceding the election, and who have been such residents continuously for thirty (30) days next preceding the election in the City of Bethel, Alaska, and who are able to read ~~and write~~ <sup>or speak</sup> the English language as provided by the laws of Alaska, and who are not barred from voting by any other provision of law, shall be entitled to vote at any election held in the City of Bethel, Alaska.

Section 2. Candidates Qualification -- Nomination.

(a) Qualification of candidate: No person shall hold any elective office, or be eligible to seek election thereto, unless he be a qualified elector of the city.

(b) Declaration of candidacy: Any qualified elector of the city may be nominated for elective office by filing a declaration of candidacy thereof on a form provided by the city clerk. Said declaration shall be signed and filed with the city clerk not earlier than thirty days nor later than three days before the election. Otherwise they shall be unacceptable. A two dollar (\$2.00) filing fee shall accompany every declaration of candidacy.

(c) Time for withdrawing candidacy: Any candidate may withdraw his nomination not later than the last day of filing for declarations of candidacy by filing a written notice of withdrawal with the city clerk.

Section 3. Annual General Election.

There shall be held on the \_\_\_\_\_ day of September in each year in the City of Bethel, Alaska, a general election for the purpose of electing seven (7) council members and then decide such other questions or propositions as may require a vote of the people, and are ordered placed upon the ballot for the general election.

Section 4. Special Elections.

Special elections may be called by the council in the same manner and upon the same notice as required for general elections.

Section 5. Notice of Election.

That it shall be the duty of the clerk of the City of Bethel to publish or post in three (3) public places in said city at least ten (10) days before any general or special election, a notice of such election.

Section 6. Appointment of Election Officers.

It shall be the duty of the council, at a regular, or special meeting held at least five (5) days previous to the date of holding the election, to appoint, from the qualified electors of the City of Bethel, three (3) judges of election, one of whom shall be designated as the inspector, who shall constitute the board of election, who shall enter on separate poll lists the name of each elector whose ballot has been received numbering each name as it is taken down.

Section 7. Oath of Election Officers.

The inspector and judges, aforesaid, of election, shall severally take and subscribe the oath or affirmation hereinafter directed, which shall be administered by any officer having power and authority to administer oaths, and shall be filed with the municipal clerk, which oath or affirmation may be in substantially the following form:

I do solemnly swear (or affirm) that I will duly attend at the ensuing election during its continuance; that I will not receive any ballots or votes from any person other than such as I firmly believe to be entitled to vote at such election, according to the laws of Alaska and the ordinances of the City of Bethel; nor will I refuse to receive any votes, or ballots, from any person, or persons, whom I believe to be entitled to vote as aforesaid; and I will, in all things truly, impartially and faithfully perform my duty therein to the best of my judgment and ability.

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

Section 8. Inspector.

That the Inspector shall be chairman of the electionboard, and after his appointment he shall have the power to administer all necessary oaths or affirmations which may be required during the progress of the election. He shall also have the power to fill any vacancy which may occur in the board until their duties are completed.

Section 9. Ballots, Typing, Contents.

All ballots used at any election of said city shall be typed on white paper of good quality, at the expense of the city, and shall be furnished to the said election board by the municipal clerk. Such ballots shall contain the names of all candidates whose nomination for any office specified in the ballot has been filed with the municipal clerk according to the provisions of this chapter, and not otherwise. The name of each candidate shall be placed under the designation of the office for which he has been nominated, and when there is more than one candidate for such office, the names of such candidates shall be arranged in alphabetical order. At the end of the list of candidates shall be left a blank space, or spaces, large enough for the names of candidates to be written in, and nothing contained in this chapter shall prevent any elector from writing on his ballot the name of any person for whom he desires to vote for any office; and such ballot shall be counted the same as if printed and marked by the voter.

Such ballot shall also contain the affirmative and negative of any other question, or proposition, to be voted upon at such election.

Section 10. Sample Ballot Posted.

At least one day before the election, the municipal clerk shall cause to be posted, in the room where the election is to be held, and in at least three (3) public places in the city, specimen ballots with instructions to voter. The specimen ballot shall be the same as the official ballot, and shall be printed or typewritten on colored paper, and should be stamped sample. The instructions shall designate the date of the election, the polling place, and the hours during which the polls shall be open.

Section 11. Number of Ballots.

The municipal clerk or secretary shall cause to be delivered to the judges of election, at least twenty (20) more ballots than the highest number of votes cast at the last regular or special election. He shall also deliver to the judges two poll books, one of which shall be for the voter to sign his or her name at the time of receiving the ballot and the other for an election

judge to also enter the name of the person voting, both poll books being numbered in sequence. The city shall also furnish to the judges a rubber stamp bearing the words, OFFICIAL BALLOT, CITY OF BETHEL, and a line in which to write the date of election; provided that this may be typed on the top and reverse side of the ballot by the clerk or secretary if no such stamp is available.

Section 12. Hours of Voting.

The polls at all general or special elections shall be opened at the hour of eight o'clock a.m. on the date of the election and shall be kept open continuously until eight o'clock p.m. of the same day. All voters in line to vote on or before eight o'clock p.m. shall have the right to vote.

Section 13. Opening Polls.

Immediately after opening the polls, and before receiving any ballots, the inspector shall proclaim in a loud voice from the doors of the polling place, that the polls of such election are open.

Section 14. Delivery of Ballot to Elector.

When any person offers to vote at any election, the inspector shall announce his name in an audible voice, and if there <sup>is</sup> no objections to his qualifications as an elector, and after he has signed the poll book, he shall receive from the inspector, or one of the judges, one ballot. Before delivering any ballot to an elector the inspector, or judge, shall print on the back, near the top of the ballot, with the rubber stamp, or other stamp provided for that purpose, the designation "Official Ballot, City of Bethel, \_\_\_\_\_, 19\_\_", unless otherwise typed on the reverse of the ballot, and shall write the initials of his name thereon.

Section 15. Marking and casting ballots -- Spoiled ballots.

On receiving his ballot, the elector shall forthwith, and without leaving the polling place, retire alone to one of the places, booths or compartments, and prepare his ballot. He shall prepare his ballot by making a cross (X) before the name of the person for whom he wishes to vote, and similarly marking the affirmative or negative of any proposition stated in the ballot.

After preparing his ballot, the elector shall fold it so that the face of the ballot shall be concealed, and so that the endorsement stamped thereon can be seen. He shall then vote forthwith, before leaving the polling place, by handing his ballot to one of the election officers who shall immediately deposit the same in a ballot box to be provided for the purpose.

Not more than one person shall occupy the booth at the same time, and no person shall be permitted to occupy any booth or compartment longer than shall be necessary to prepare his ballot, and in no event for a longer period than five (5) minutes, provided the other booths are occupied.

Any voter who shall by accident, or by mistake, spoil his ballot, may, upon returning the same to the election board, receive another in place thereof:

Section 16. Assistance in marking ballot.

Any duly qualified elector of said city <sup>who</sup> declares to the judges of the election that, owing to any physical disability he is unable to mark his ballot, shall, upon request, receive the assistance of any one, or two, of the election officers in the marking thereof.

Section 17. Casting official ballot.

No inspector, or judge, of election shall deposit in any ballot box, any ballot upon which the official stamp, as hereinbefore provided, does not appear, or which contains on the outside thereof, any distinguishing impression, mark, device, or color. When any ballot is so rejected, it must be endorsed on the back thereof, "rejected", and signed by a majority of the election board.

Section 18. Challenge, procedure, oath.

Any person offering to vote may be challenged as unqualified by any one of the election officers or by any legal voter or bystander, and it shall be the duty of the inspector and each of the judges to challenge any person offering to vote, whom they know, suspect, or believe not to be qualified as an elector, and any person so challenged shall not be entitled to vote unless he first submits to a cross-examination upon his qualifications, by either the inspector or judges, after having taken and subscribed to the following oath:

I do solemnly swear that I am a citizen of the United States. That I am over the age of nineteen (19) years and have resided continuously for one year next preceding this election, in the State of Alaska, and thirty (30) days next preceding this election, within the corporate limits of the City of Bethel, and that I have not voted this day; that I will truthfully answer all questions propounded to me by, or under the direction of, the officers of election, touching my qualifications as an elector and my right to vote at this election.

And after having taken and subscribed the foregoing oath, and been examined by the judges of said election, the said judges are satisfied that such person is entitled to vote, he shall be permitted to do so. If not so satisfied, it shall be the duty of said officers of said election, to reject such ballot.

Section 19. Counting Ballots, Tally.

As soon as the polls are closed the judges shall open the ballot box and commence counting the ballots, and continue without adjournment until they are all counted; and in no case shall the ballot box be removed from the room in which the election was held, until all the ballots have been counted. The ballots shall be taken out carefully, one by one, by the inspector, or one of the judges, who shall open them and read aloud the name of each person therein contained, and the office for which said person is voted for; and the vote on any proposition placed on the ballot. Two (2) judges shall write down each office to be filled and the name of each person voted for such office, and shall keep the number of votes by tallies, as they are read aloud by the inspector; and, in like manner, the affirmative and negative of any proposition voted upon.

Section 20. Rejecting ballots.

If two or more tickets are found folded together they shall both be rejected; and if more persons are designated on any ballot for any office, than are to be elected to such office, such part of the ticket shall not be counted for any of them; but no ballot, or part thereof, shall be rejected for want of form or mistake in initials, or spelling names, if the judges can determine, to their satisfaction, the person, or persons, voted for, and the office intended.

Section 21. Disposition of ballots.

It shall be the duty of the inspector, or one of the judges, to string the ballots at the time of counting, and after all the ballots have been counted and strung, it shall be the duty of the inspector to place the ballots, so strung and counted, together with any ballots that have been rejected, in a sealed envelope, or envelopes, and write thereon, "Ballots of the City of Bethel, Alaska, cast at the election held this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_", and deliver the said envelope, or envelopes, to the municipal clerk, to be retained, unopened, for a period of six (6) months, to be used as evidence only in case of contest. At the expiration of that time they shall be destroyed in the presence of two (2) members of the council appointed for that purpose.

Section 22. Certificate and return of election.

As soon as all the ballots are counted a certificate drawn up on each of the papers containing the poll list and tallies, or attached thereto stating the number of votes each candidate has received, and designating the office for which he received the votes; and declaring the person, or persons, receiving the highest number of votes for any office to be duly elected to such office, and in like manner certifying the vote cast in the affirmative and in the negative of any proposition voted upon. Each certificate shall be signed by the clerk, inspector, and judges of the election. One of said certificates, together with ballots, poll lists and tally sheets, shall be delivered to the municipal clerk and by him entered in the city records.

Section 23. Tie vote procedure.

If two (2) or more persons shall have received an equal and the highest number of votes for one and the same office, the municipal clerk shall give notice to each of such persons to attend at a time and place appointed by said municipal clerk, who shall then and there publicly proceed to determine, by lot, which of the persons so having an equal number of votes shall be declared duly elected; and shall issue to such person, so declared elected, his certificate accordingly.

Section 24. Canvassing board.

(a) On the first Monday after an election city council shall meet and canvass all elections returns. The canvass may be postponed, for cause, from day to day.

(b) The canvass of all election returns shall be made in public by opening the returns and tallying the number of votes cast for each candidate, and for and against each proposition voted upon at such an election. The result of the election shall be publicly declared by the council, and entered upon the public records of such meeting. The records therein shall show:

- (1) The number of votes cast in such election.
- (2) The names of the persons voted for.
- (3) The proposition voted upon at such election.
- (4) The offices voted for and the number of votes cast for each candidate, and the number of votes cast for and against each proposition at such election.

Section 25. Violation of election laws.

Any person who shall knowingly vote, or attempt to vote, at any election in the City of Bethel, who is not a duly qualified voter at such election, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined twenty-five (\$25.00) dollars or imprisoned for five (5) days, or both such fine and imprisonment.

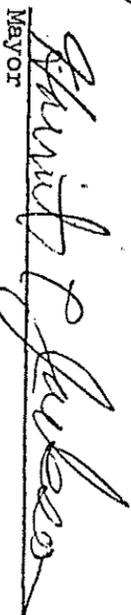
Section 26. Effective Date.

This ordinance shall become effective upon its passage and approval.

Passed the 9<sup>th</sup> day of June, 1961, by a vote of  
4 eyes and 0 nays.  
APPROVED the 9<sup>th</sup> day of June, 1961.

ATTEST:

  
Clerk - Secretary

  
MAYOR

  
The following two amendments  
which is recommended

## CITY OF BETHEL

Box 626

Bethel, Alaska

### Amendment to Section 3, Ordinance No. 14

Section 3 shall read as follows: there shall be held on the first Tuesday of October in each year in the City of Bethel, Alaska a General Election for the purpose of electing four Council members in even numbered years and three members in odd numbered years. The term of office shall be two years. There shall be no limitation on the number of consecutive terms for anyone. In the first election after adoption of this Ordinance all present Council members shall have the right to be a Candidate to any of the seats. In the first election under this Ordinance four members will be elected for a one year term and three for two year term. A Council President shall be elected each year by and from the Council members.

### Amendment to Section 6 of Ordinance No. 14.

Section 6 shall read: It shall be the duty of the council, at a regular, or special meeting held at least five (5) days previous to the date of holding the election, to appoint, from the qualified electors of the City of Bethel, at least three but no more than five judges of election, one of whom shall be designated as the inspector, who shall constitute the board of election, who shall enter on separate poll lists the name of each elector whose ballot has been received numbering each name as it is taken down.