CITY OF WASILLA

290 E. HERNING AVE.
WASILLA, ALASKA 99687
PHONE: (907) 373-9050
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Code Ordinance

Requested By: Council
Prepared By: Municipal
Services

ORDINANCE SERIAL NO. 90-40 (SUBSTITUTE)

AN ORDINANCE OF THE CITY OF WASILLA, ALASKA AMENDING TITLE 4, ELECTION CODE, OF THE WASILLA MUNICIPAL CODE.

BE IT ORDAINED AND ENACTED BY THE CITY OF WASILLA, ALASKA AS FOLLOWS:

SECTION I. Classification. This ordinance is of a general and permanent nature and shall become a part of the Wasilla Municipal Code.

SECTION II. Purpose. To amend the Election Code to reflect changed filing dates and elimination of runoff elections for Council Seats.

SECTION III. Repeal. Chapter 4.10.020(A), Nominating Petitions-Time for Filing, of the Wasilla Municipal Code and the underlying Ordinance sections are hereby repealed.

SECTION IV. Enactment. There is hereby added to the Wasilla Municipal Code §4.04.065 and §4.10.020(A) which are to read as follows:

4.04.065 Simple Majority-Council Seats; Prohibition on Run-off Elections. A. All City Council Seats will be filled by the Candidate receiving the greatest number of votes. There will be no run-off elections if Candidates fail to obtain forty percent (40%) of the vote as provided by A.S. 29.26.060.

B. In an event of a tie vote, the Council shall in its initial meeting call the candidates receiving tie votes and have the candidates draw lots to determine the winner of the Council seat. The Council may determine what type of lots can be used to break a tie.

4.10.020(A) Nominating Petition-Time for Filing. Nominating petitions must be completed and filed with the Clerk not earlier than sixty-four (64) days before a regular election and not later than fifty-three (53) days before a regular election and not earlier than forty-five (45) days before a special election and not later than thirty (30) days before a special election.

SECTION V. Amendment. §4.04.050, Special Election-Time, §4.04.060, Run-off Elections, §4.08.010(B), Time of Election and §3 of Ordinance Serial No. 87-32 are hereby amended as follows:

4.04.050 Special Election-Time. If the City Council requires a special election, the special election shall be called at least [twenty (20)] sixty (60) days preceding the election

order. The special election shall seek the elector's vote on questions required by the City Council.

4.04.060 Run-off Elections-Mayor's Office. A. The City Clerk shall call a run-off election if no candidate receives over 40 percent (40%) of the votes cast for the office of [: 1.] Mayor[; or]. [2. Council.]

B. The run-off election shall be held within four (4) weeks from the date of certification of the election. This election shall be held between the two (2) candidates who received the majority of votes in the regular election but did not receive the required percentage of votes. The candidate receiving the majority of votes in the run-off election shall be declared winner.

C. In an event of a tie vote, the Council shall in its initial meeting call the candidates receiving tie votes and have the candidates draw lots to determine the winner of the [Council or] Mayor's seat. The Council may determine what type of lots can be used to break a tie.

D. Notice of run-off election dates shall be published and posted in three (3) public places no less than five (5) days before the date of election.

4.08.010 Time of Election. B. If the City Council requires a special election, the special election shall be called at least [twenty (20)] sixty (60) days preceding the election order. The special election shall seek the elector's vote on questions required by the City Council.
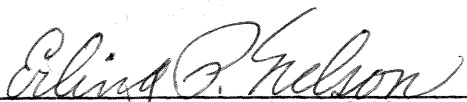
SECTION VI. Effective Date. This ordinance becomes effective upon the later of the date of adoption by the Council or the date the United States Department of Justice issues its non-objection to the re-enactment or the date by which the United States Department of Justice must object if no objection is issued within the period allowed.

Introduction: 11/14/90

Public Hearing: 11/26/90

ADOPTED by the Council of the City of Wasilla on this 14th day of January , 1991.

ATTEST:

ERLING P. NELSON, CMC
City Clerk

JOHN C. STEIN, Mayor

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SECTION I.   Classification.   This ordinance is of a general and permanent nature and shall become a part of the Wasilla Municipal Code.

SECTION II.   Purpose.   To amend the Election Code to reflect changed filing dates and elimination of runoff elections.

SECTION III.   Repeal.   Chapters 4.04.060, Runoff Elections, and 4.10.020(A), Nominating Petitions-Time for Filing, of the Wasilla Municipal Code and the underlying Ordinance sections are hereby repealed.

SECTION IV.   Enactment.   There is hereby added to the Wasilla Municipal Code §4.04.060 and §4.10.020(A) which are to read as follows:

> 4.04.060 Simple Majority; Prohibition on Run-off Elections. All City elective offices will be filled by the Candidate receiving the greatest number of votes. There will be no run-off elections if Candidates fail to obtain forty percent (40%) of the vote as provided by A.S. 29.26.060.

> 4.10.020(A) Nominating Petition-Time for Filing. Nominating petitions must be completed and filed with the Clerk not earlier than sixty-four (64) days before a regular election and not later than fifty-three (53) days before a regular election and not earlier than forty-five (45) days before a special election and not later than thirty (30) days before a special election.

SECTION V.   Amendment.   Section 4.04.050, Special Election-Time, is hereby amended as follows:

> 4.04.050 Special Election-Time. If the City Council requires a special election, the special election shall be called at least [twenty (20)] sixty (60) days preceding the election order. The special election shall seek the elector's vote on questions required by the City Council.

SECTION VI.   Effective Date.   This ordinance becomes effective upon the later of the date of adoption by the Council or the date

Substitute adopted

the United States Department of Justice issues its non-objection to the re-enactment or the date by which the United States Department of Justice must object if no objection is issued within the period allowed.

Introduction: _11/14/90_____

Public Hearing: _11/26/90_____

ADOPTED by the Council of the City of Wasilla on this _____day of _____, 1990.

_____
JOHN C. STEIN, Mayor

ATTEST:

_____
ERLING P. NELSON, CMC
City Clerk