

**CITY OF WHITTIER, ALASKA
ORDINANCE #31-2015**

**AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
WHITTIER, ALASKA AUTHORIZING THE TEMPORARY SUSPENSION OF
THE TIME REQUIREMENT FOR FILING CANDIDATE NOMINATING
PETITIONS UNDER WHITTIER MUNICIPAL CODE SECTION 2.04.060**

WHEREAS, Whittier Municipal Code (WMC) 2.06.070 requires that any person wishing to be considered as a candidate for a vacant seat at the next regular election must file a completed nominating petition by 5:00 p.m. on August 15th of each year or not later than 12:00 noon on the first Monday following August 15th if August 15th falls on a Saturday or Sunday pursuant to WMC 2.06.040; and

WHEREAS, the next regular election for the City is scheduled to take place on October 6, 2015 at which voters will be asked to elect a candidate to fill a vacant seat on the City Council; and

WHEREAS, all candidates who filed candidate nominating petitions pursuant to WMC 2.06.040 did so by close of business on the first Monday following August 15th but several of the individuals identifying themselves as potential candidates failed to do so by the 12:00 noon deadline set forth in WMC 2.06.040; and

WHEREAS, the failure of candidates to meet the noon deadline would result in a purely technical disqualification and that disqualification, in light of the City's small population and the resulting small candidate pool, would negatively impact the democratic process in the City; and

WHEREAS, the Council finds that the interest of holding a meaningful and democratic election process outweighs the need for strict adherence to a technical time requirement of WMC 2.06.040, especially given the lack of objection by any of the identified potential candidates; and

WHEREAS, there is no other meeting of the City Council scheduled between now and the next regular election scheduled to occur on October 6, 2015 and thus creates an emergency situation requiring immediate action.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Whittier, that:

Section 1. The requirement that a candidate nominating petition shall be filed by a time specific pursuant to WMC 2.06.040 shall be temporarily suspended and the clerk shall accept as timely filed any candidate nominating petition that was filed on or before 5:00 pm on August 17, 2015.

Section 2. The temporary suspension granted by Section 1 of this ordinance shall apply

retroactively beginning August 17, 2015.

Section 3. All other code provisions governing the substantive qualifications of candidates pursuant to WMC 2.06 shall remain in full force and effect.

Section 4. This ordinance constitutes an emergency ordinance, is not permanent in nature, and shall not be codified. This ordinance shall be effective immediately upon its passage and shall expire sixty (60) days after its passage in accordance with WMC 2.08.310.

PASSED AND APPROVED by a duly constituted quorum of the Whittier City Council on this 15th day of September, 2015.



Daniel Blair
MAYOR

ATTEST:



Brenda Krol
CITY CLERK

Ayes: 4
Nays: 0
Absent: 2
Abstain: 1