

CITY OF DILLINGHAM, ALASKA

ORDINANCE NO. 2026-XX

AN ORDINANCE OF THE DILLINGHAM CITY COUNCIL ADOPTING EXHIBIT A, AMENDING CHAPTERS 3.10 THROUGH 3.70 OF THE DILLINGHAM MUNICIPAL CODE TO MODERNIZE MUNICIPAL ELECTION PROCEDURES, REMOVE OBSOLETE REQUIREMENTS, UPDATE TERMINOLOGY, IMPROVE ACCESSIBILITY, AUTHORIZE ADMINISTRATIVE ELECTION FORMS, AND MAKE RELATED NONSUBSTANTIVE REVISIONS.

WHEREAS, AS 29.26.010(a) provides that the governing body shall prescribe the rules for conducting municipal elections; and

WHEREAS, Chapters 3.10 through 3.70 of the Dillingham Municipal Code contain municipal election procedures originally adopted in 1986, and certain provisions no longer reflect current election administration practices, terminology, or accessibility standards; and

WHEREAS, the City Council recognizes that municipal election administration practices have evolved since the adoption of Ordinance No. 86-9 and that this ordinance is intended to preserve existing election safeguards while providing flexibility to adapt administrative forms and procedures to future changes in election administration and applicable law; and

WHEREAS, it is in the best interests of the City for the Election Officials and the City Clerk to follow essentially the same rules for all elections, including city and Primary and General elections and these updates align the City Election code with current election practices used in State of Alaska elections.

WHEREAS, certain provisions of Chapter 3.50, including requirements for physician certifications and statements from two qualified voters, are obsolete, create barriers for voters, and are not consistent with current Alaska election administration practices; and

WHEREAS, the City Council finds that authorizing the City Clerk to prescribe administrative election forms and procedures will improve the administration of municipal elections while preserving the City Council's authority to establish election policy pursuant to AS 29.26.010; and

WHEREAS, the City Council further finds that updating outdated terminology, including gender-specific language and references to "handicapped," is intended solely to improve clarity, consistency, accessibility, and readability and is not intended to change the legal effect of any provision of the Dillingham Municipal Code; and

WHEREAS, the City Council finds that these amendments preserve ballot security, voter privacy, election integrity, and reasonable accessibility for voters with disabilities while modernizing the City's voting procedures;

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF DILLINGHAM, ALASKA:

Section 1. Classification. This is a code ordinance.

Section 2. Adoption of Exhibit A.

The document entitled "**Exhibit A – Legislative Redline Amending Chapters 3.10 through 3.70 of the Dillingham Municipal Code,**" attached to this ordinance, is hereby adopted and incorporated by reference as though fully set forth herein. The amendments contained in Exhibit A amend Chapters 3.10 through 3.70 of the Dillingham Municipal Code.

Section 3. Nature of Amendments.

Except as specifically identified in Section 4 of this ordinance, the amendments contained in Exhibit A are intended only to modernize terminology, improve readability, improve accessibility, update obsolete references, conform the Code to current legislative drafting practices, and make other non-substantive editorial revisions without changing the legal effect of the Dillingham Municipal Code.

Section 4. Substantive Amendments.

The following provisions contain substantive amendments:

- A. DMC 3.10.015, establishing the City Clerk's election-administration authority;
- B. DMC 3.10.070 and 3.70.110, clarifying plurality/majority terminology and procedures for resolving tie votes;
- C. DMC 3.10.080 through 3.10.110, updating election notices, voter lists, questioned-ballot direction, and post-election reporting;
- D. DMC 3.20.010 through 3.20.070, modernizing voting stations, ballot form, emergency replacement ballots, printing, sample ballots, and precinct-register procedures;
- E. DMC 3.30.020, reorganizing election boards and officials, qualifications, training, supervision, conflicts, recruitment reporting, and youth election workers;
- F. DMC 3.40.050, updating correction, amendment, and withdrawal of declarations of candidacy;
- G. DMC 3.60.030 through 3.60.055, updating questioned voting, voter assistance, ballot marking and validity, counting, and write-in procedures;
- H. DMC 3.70.010 through 3.70.060, updating canvass-board appointment and timing, canvass procedures and reports, certification, election contests, and recount procedures; and
- I. DMC 3.70.130 and 3.70.170, updating election definitions and preservation, inspection, and destruction of ballots and election materials

Section 5. Editorial Authority.

In codifying this ordinance, the City Clerk is authorized to make non-substantive editorial revisions necessary to implement the amendments adopted by this ordinance, including corrections to grammar, punctuation, capitalization, numbering, cross-references, formatting, terminology, and internal references to election equipment, forms, and procedures, provided such revisions do not alter the substantive meaning or legal effect of any provision.

Section 6. Codification

The amendments adopted by this ordinance shall be codified in Chapters 3.10 through 3.70 of the Dillingham Municipal Code. The City Clerk is authorized to assign section numbers, revise internal references, and make other non-substantive editorial revisions necessary to incorporate the amendments into the Code, provided such revisions do not alter the substantive meaning of any provision.

Section 7. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of this ordinance shall not be affected.

Section 8. Effective Date. This ordinance is effective upon adoption.

PASSED and ADOPTED by a duly constituted quorum of the Dillingham City Council on _____, 2026.

Alice Ruby, Mayor

ATTEST:

[SEAL]

Abigail Flynn, City Clerk

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