

**PETERSBURG BOROUGH
ORDINANCE #2021-10**

**AN ORDINANCE AMENDING SECTION 2.20.010 OF THE PETERSBURG
MUNICIPAL CODE TO ESTABLISH TERM LIMITS FOR THE ASSEMBLY**

Whereas, §2.02E of the Petersburg Borough Charter provides that the Assembly, by ordinance ratified by the voters, may adopt term limitations for the offices of Mayor and Assembly Member; and

Whereas, there is support among voters for term limitations for elected officials for a number of reasons, including that limitations (1) encourage new people to get involved in government, (2) broaden the base of potential candidates, providing voters with more choices, and (3) deemphasize re-election to office as a factor in decision making while governing.

Therefore, the Petersburg Borough Ordains, Section 2.20.010 of the Borough Code shall be amended as follows:

Section 1. Classification: This ordinance is of a general and permanent nature and shall be codified in the Petersburg Municipal Code.

Section 2. Purpose: The purpose of this ordinance is to amend the Borough Code to impose term limits for the Assembly.

Section 3. Substantive Provisions:

Section 2.20.010, *Qualifications of candidacy*, of the Petersburg Municipal Code is hereby amended as follows (the language proposed for addition is in bold and underlined, and the language proposed for deletion is in brackets and struck through):

2.20.010 - Qualifications of candidacy **and term limits**.

A. Only a voter of the borough, as defined in section 2.08.010, who has been a resident of the borough for at least one year immediately preceding the date of their election, shall be qualified for any elective borough office, except school board. School board candidates must have resided in the borough for at least thirty days immediately preceding the date of their election. If an elected person ceases to be a resident of the borough, the person shall thereupon cease to hold office.

B. **A person who has been elected to the office of assembly member for two (2) consecutive full terms may not be a candidate for, or be re-elected to, that office without a break in service of at least one (1) full term. A full term means the regular term of office for assembly member and does not include portions of a term served by election to**

the remainder of an unexpired term vacated by another person. During such break in service, the person may not be appointed to fill a vacancy in the office of assembly member.

C. A person who has been elected to the office of mayor for two (2) consecutive full terms may not be a candidate for, or be re-elected to, that office without a break in service of at least one (1) full term. A full term means the regular term of office for mayor and does not include portions of a term served by election to the remainder of an unexpired term vacated by another person.

D. A person who has been elected to serve on the borough assembly for three (3) consecutive full terms, serving as both an assembly member and as the mayor, may not be a candidate for, or be re-elected to, either the office of mayor or the office of assembly member without a break in service of at least one (1) full term. A full term means the regular term of office for assembly member or mayor and does not include portions of a term served by election to the remainder of an unexpired term vacated by another person. During such break in service, the person may not be appointed to fill a vacancy in the office of assembly member.

Section 4. Date of Application: If approved by the borough voters, the provisions of Section 2.20.010B-D shall apply commencing with the October 2022 regular election and prior terms of office as mayor or assembly member shall be counted for purposes of determining eligibility to be a candidate in that election. Accordingly, for the October 2022 election, (a) a person then holding office who has been elected to two (2) or more consecutive full terms in the office of mayor or assembly member shall not be eligible to seek re-election to that office; (b) a person then holding office who has been elected to one (1) full term in the office of mayor or assembly member shall be eligible to be a candidate for, and be re-elected to, one (1) additional consecutive full term for that office; and (c) a person then holding office who has been elected to three (3) or more consecutive full terms on the assembly, serving as both an assembly member and as the mayor, shall not be eligible to be a candidate for either the office of mayor or the office of assembly member.

Section 5. Submittal to the Borough Voters:

(A) The Borough Clerk shall submit this ordinance, as a single proposition, to the qualified Borough voters at the regular election to be held on October 5, 2021. In order to be considered approved by the voters, the proposition must be approved by a majority of the voters. The term "majority of the voters" shall mean a majority of the qualified voters casting a ballot on the proposition at the election.

(B) The proposition to be submitted to the voters shall read substantially as follows:

Proposition #_____

Establishment of Term Limits for the Assembly (Ordinance #2021-10)

Shall the following term limits be established for service on the borough assembly as either the mayor or as one of the six assembly members?

Assembly Member. A person who has been elected to the office of assembly member for two consecutive full terms may not be a candidate for, or be re-elected to, that office without a break in service of at least one full term.

Mayor. A person who has been elected to the office of mayor for two consecutive full terms may not be a candidate for, or be re-elected to, that office without a break in service of at least one full term.

Combination of service as Mayor and Assembly Member. A person who has been elected to serve on the borough assembly for three consecutive full terms, serving as both an assembly member and as the mayor, may not be a candidate for, or be re-elected to, either the office of mayor or the office of assembly member without a break in service of at least one full term.

A full term means the regular term of office and does not include portions of a term served by election to the remainder of an unexpired term vacated by another person. During any break in service, the person may not be appointed to fill a vacancy in the office to which he or she is not an eligible candidate.

Yes

No

A “**Yes**” vote means that: (i) an assembly member or the mayor could be elected to serve a maximum of two consecutive full terms (totaling six years), and then would not be eligible to be a candidate for that office again until a full three year term has intervened, and (ii) a person could be elected to serve a maximum of three consecutive full terms (totaling nine years) on the assembly as both an assembly member and the mayor, and then would not be eligible to be a candidate for either the office of assembly member or the office of mayor until a full three year term has intervened.

If adopted, the term limits would apply commencing with the next regular election in October 2022, and prior terms of office shall be counted in determining the eligibility of a person then holding office to be a candidate for the assembly at that election, as follows:

(a) A person then holding office who has been elected to two or more consecutive full terms in the office of mayor or assembly member would not be eligible to seek re-election for that office;

(b) A person then holding office who has been elected to one full term in the office of mayor or assembly member would be eligible to be a candidate for one additional full term for that office; and

(c) a person then holding office who has been elected to three or more consecutive full terms on the assembly, serving as both an assembly member and as the mayor, would not be eligible to be a candidate for either the office of mayor or the office of assembly member.

A “**No**” vote maintains the status quo of no term limitations for the assembly.

Section 6. Severability: If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected.

Section 7. Effective Date: The provisions set out in Section 3 of this ordinance shall be effective upon certification of the election at which the majority of the qualified voters of the borough voting on the question approve the proposition.

**Passed and approved by the Petersburg Borough Assembly, Petersburg, Alaska
this _____ day of _____ 2021.**

Mark Jensen, Mayor

ATTEST:

Debra K. Thompson, Borough Clerk

Adopted:
Noticed:
Effective: