

**PETERSBURG BOROUGH  
ORDINANCE #2022-02**

**AN ORDINANCE AMENDING SECTION 2.20.050 OF THE PETERSBURG MUNICIPAL CODE, ENTITLED "RESTRICTIONS ON DUAL OFFICE HOLDING", TO PROHIBIT AN ASSEMBLY MEMBER FROM BEING A CANDIDATE FOR MAYOR UNLESS THE ASSEMBLY MEMBER FIRST RESIGNS FROM THE ASSEMBLY, EXCEPT WHERE THE ASSEMBLY MEMBER'S TERM ENDS CONCURRENTLY WITH THAT OF THE INCUMBENT MAYOR**

**WHEREAS**, Municipal Code Section 2.20.050 currently allows a qualified person to file a declaration of candidacy for an elected office while serving in another elected office; and

**WHEREAS**, in the case of the Borough Assembly, a seated Assembly member could file a declaration of candidacy for the seat of Mayor without resigning the Assembly member seat, and if the Assembly member were to be elected to the position of Mayor, a vacancy of the Assembly seat would occur. The newly elected Mayor would then be one of six (6) Assembly members who will appoint a replacement for the vacant Assembly member seat until the next municipal election; and

**WHEREAS**, the above scenario could cause a "stacking" of aligned political opinioned members on the Assembly.

**Therefore, the Petersburg Borough Ordains**, Section 2.20.050 of the Petersburg Municipal Code is hereby 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 Section 2.20.050 to prohibit an assembly member from being a candidate for mayor unless the assembly member first resigns from the assembly, except where that assembly member's term ends concurrently with that of the incumbent mayor.

**Section 3. Substantive Provisions:** Section 2.20.050 of the Petersburg Municipal Code, entitled '*Restrictions on dual office holding*' is hereby amended as follows. The additions are in red and underlined, and the language proposed for deletion is struck through:

2.20.050 - Restrictions on dual office holding.

A. A qualified person may file a declaration of candidacy for only one elected borough office at any given election. **Except as set out in paragraph B below, a**~~A~~ person may file for an elected office while serving in another elected office, however, a qualified person may only hold one elected office at a time.

**B. An assembly member, other than the incumbent mayor, may not file a declaration of candidacy for the office of mayor unless that assembly member first resigns from the assembly, except where that assembly member's term ends concurrently with that of the incumbent mayor. The assembly member shall tender the member's letter of resignation to the assembly prior to the**

filing, or to the Clerk at the time of filing who will then tender the letter to the assembly at its next regular meeting.

**C.B.** A borough administrative officer may be elected or appointed to a borough advisory board or other borough board and commission established by ordinance. Administrative officers may not hold elected borough office on the assembly, school board, hospital board or planning commission.

**Section 4. 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 5. Effective Date:** This Ordinance shall become effective immediately upon final passage.

Passed and approved by the Petersburg Borough Assembly, Petersburg, Alaska this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Mark Jensen, Mayor

ATTEST:

\_\_\_\_\_  
Debra K. Thompson, Borough Clerk

Adopted:  
Noticed:  
Effective: