

Introduced by: KIB Assembly
Introduced on: 04/21/2022
Public Hearing date:05/05/2022
Postponed to: 05/19/2022
Postponed to: 06/16/2022
Amended on: 06/16/2022
Adopted on: 06/16/2022

**KODIAK ISLAND BOROUGH
ORDINANCE NO. FY2022-17**

**AN ORDINANCE OF THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH AMENDING
KODIAK ISLAND BOROUGH CODE SECTION 2.30.020 GENERAL RULES BY REMOVING
THE PROVISIONS THAT PERTAIN TO DECLARATION OF A DISASTER OR EMERGENCY**

WHEREAS, the Kodiak Island Borough Assembly wishes to repeal the provisions that were put in place during the declaration of COVID-19 as a global pandemic; and

WHEREAS, the Assembly finds that it is in the best interest of the Borough to revisit the process for declaring a disaster or emergency at a later time.

NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH THAT:

Section 1: This ordinance is of permanent nature and shall become a part of the Kodiak Island Borough Code of Ordinances.

Section 2: That section 2.30.020, General Rules, of the Kodiak Island Borough Code of Ordinances is amended to read as follows:

2.30.020 General rules.

- A. *Public Meetings.* All official meetings of the assembly shall be open to the public. The journal of proceedings shall be open to public inspection. When a disaster has been declared, physical attendance by the public may be limited. When a disaster or emergency is declared, broadcasting may be limited. ~~which makes attendance by the public in person inappropriate, physical attendance by the public may be limited and public access may be provided by broadcast or other means.~~
- B. *Quorum.* Four members of the assembly shall constitute a quorum. Attendance of assembly members shall be in person and may not be by teleconference, except for work sessions and emergency meetings. In the event of an emergency meeting, the provisions set in AS. 44.62.310 shall be followed.
- C. *Absences.* No member of the assembly may absent himself from any regular or special meeting of the assembly except for good cause. An assembly member who is unable to attend a meeting shall advise the clerk or the mayor of the contemplated absence and the reason for that absence. During the course of the meeting from which the member is

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absent, the chair shall cause the record to reflect the absence of the member, the reason for the absence and whether the absence is excused by the assembly.

D. *Rules of Order.* "Robert's Rules of Order Current Edition" shall govern the proceedings of the assembly in all cases, unless they are in conflict with these rules. When such a conflict exists, this chapter prevails.


E. If a declaration of a disaster or emergency has been issued by the President of the United States, the Governor of Alaska, or the emergency services council (KIBC 2.110.030) which includes areas within the Kodiak Island Borough, the mayor of Kodiak Island Borough (KIBC 2.30.040(C) may determine the provisions of subsection B of this section requiring in-person attendance and prohibiting participation by teleconference shall not apply during the period the declaration is in effect, and assembly members may participate by teleconference and be counted as part of a quorum even if they are not physically present for work sessions. The mayor may determine that teleconferencing by the mayor and/or an assembly member is necessary due to conditions or provisions directly related to a (declared) disaster or emergency for a ~~reasonable~~ period of ~~time~~ 30 days after which the assembly shall vote in a regular meeting to extend the disaster or emergency. If the declaration of disaster or emergency is extended, the Assembly shall revisit the declaration every 30 days until such time the declaration is set aside. All votes at meetings where assembly members are participating by teleconference shall be by roll call. For purposes of this section teleconference includes internet video conferencing and other similar real time two-way communication methods.

Effective Date: This ordinance takes effect upon adoption.

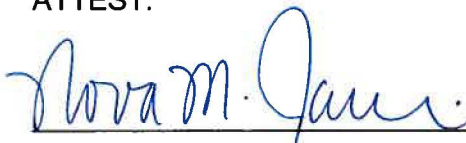
**ADOPTED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH
THIS SIXTEENTH DAY OF JUNE, 2022**

KODIAK ISLAND BOROUGH

ATTEST:



William Roberts, Mayor



Nova M. Javier, MMC, Clerk

VOTES:

Ayes: Turner, Williams, Arndt, Smiley

Absent: Delgado, Griffin, Smith