AN ORDINANCE OF THE CITY OF EDNA BAY, ALASKA
ORDINANCE NO. 15-04CO

AN ORDINANCE OF THE CITY OF EDNA BAY, ALASKA, AMENDING TITLE 5 "ELECTIONS" TO CHANGE THE DEFINITION OF SECTION 5.40.030 "BALLOT AND ENVELOPE FORM" AND ADD "WITNESSED BY A NOTARY OR POSTMASTER", AND AMENDING ITEM A-7 OF SECTION 5.30.130 TO REQUIRING THE CHECK BOX FOR WRITE IN CANDIDATES TO BE FILLED

Whereas: The City of Edna Bay Municipal Code is the law governing the City of Edna Bay;

Whereas: Title 5 provides for the processes related to City Elections;

Whereas: Amendments are necessary to clarify the terms of voting by absentee and for write-in candidates.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF EDNA BAY, ALASKA:

Section 1.   <u>Classification</u>.
This is a **Code ORDINANCE**. This ordinance is of a general and permanent nature and the code section adopted hereby shall become the city code.

Section 2.   <u>Severability</u>. If any provisions of this ordinance or any application thereof to any person or circumstances is held invalid, the remainder of this ordinance and the application to other persons shall not be affected thereby.

Section 3.   <u>Penalty</u>. Violations of the sections herein enumerated shall be punishable as specified in the City of Edna Bay Municipal Code.

Section 4.   <u>Title 5</u> of the City of Edna Bay Municipal Code shall be amended as follows, with each item ~~struck through~~ to be removed from the code and each item <u>underlined</u> to be added:

Section 5.40.030 - Ballot and envelope form.

The ballot provided to absentee voters shall be identical to the ballots prepared for regular voters and used on Election Day. The ballot envelope shall have printed upon its back the Oath and Affidavit of Eligibility <u>witnessed by a notary or postmaster</u>. The ballot envelope shall be smaller than the return envelope so it may be easily enclosed in the return envelope.

Section 5.30.130 - Rules for counting ballots.

(a) The election board shall count ballots according to the following rules:

7) ~~Write-in votes are not invalidated if the voter fails to mark the square~~ ~~provided if in the opinion of the judges the voter intended to vote for the~~ ~~person whose name was written-in as a write-in vote.~~ <u>To be counted, write in candidates must also be marked with an "X" within the box next to their name.</u>

Section 5.   <u>Effective Date.</u>
This ordinance becomes effective upon its adoption by the city council.

Introduction _July 13th, 2015_ , Public Hearing _July 20th, 2015_

PASSED AND APPROVED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL THIS 20th

DAY OF _July_ , 2015.

Heather Richter
Heather Richter, Mayor of the City of Edna Bay

ATTEST:

Tyler M Poelstra
Tyler Poelstra, Municipal Clerk