

**ALEUTIANS EAST BOROUGH
ORDINANCE SERIAL NO. 24-02**

AN ORDINANCE AMENDING TITLE 2, CHAPTER 2.04, SECTION 2.04.050 OF THE
ALEUTIANS EAST BOROUGH CODE OF ORDINANCES

WHEREAS, the legislative power of the Aleutians East Borough (the “Borough” or “AEB”) is vested in the Borough Assembly under Alaska State Statute Section 29.20.050; and

WHEREAS, the Borough desires to amend the Code to establish a process for filling a vacant Assembly seat and;

WHEREAS, Code Section 1.04 provides that the Code may be amended by act of the Assembly; and

WHEREAS, deletions from the current Code are ~~struck out~~ and additions are indicated in **bold red type**.

NOW, THEREFORE, BE IT ADOPTED THAT SECTION 2.04.050 OF THE BOROUGH CODE WHICH PREVIOUSLY READ IN ITS ENTIRETY:

If a vacancy occurs in the Assembly, the Assembly by vote of a majority of is remaining members shall designate a person to fill the vacancy within thirty days.
(Ord. 14-04 (Amended Ord. 88-1), Sec. 2.04.050, part, 1987)

IS AMENDED TO REMOVE ALL LANGUAGE:

~~If a vacancy occurs in the Assembly, the Assembly by vote of a majority of is remaining members shall designate a person to fill the vacancy within thirty days.~~
(Ord. 14-04 (Amended Ord. 88-1), Sec. 2.04.050, part, 1987)

AND IS AMENDED TO INCLUDE THESE SUBSECTIONS, READING:

- A. If less than 45 days remain in a term, the vacant seat shall not be filled.
- B. If a seat is declared vacant and more than 45 days remain in the term, then the Clerk shall publish reasonable public notice of the vacancy and, for 14 days after the first publication thereof, receive applications from persons interested in being appointed to the vacant seat. The Assembly may review the applications and/or interview applicants in any reasonable manner. Not later than 45 days after the seat is declared vacant, the Assembly shall appoint from among the applicants a qualified person to fill the vacant seat.
- C. In appointing a person from among the applicants the Assembly by vote of a majority of its remaining members shall designate a person to fill the vacancy.
- D. Notwithstanding subsection (B) of this section, if the membership of the Assembly is reduced to fewer than five Assembly members, then the remaining Assembly members shall appoint as many qualified persons to the Assembly as is necessary to once again constitute a quorum. The Assembly shall utilize any procedure which is reasonable under the circumstances in making the appointments required by this subsection and shall make said appointments not later than seven days after the quorum was reduced to less than five Assembly members.
- E. Persons appointed to fill a vacancy shall serve until the next regular election, at which time a successor shall be elected to fulfill the remainder of the unexpired term of office.

(Ord. 24-02 (Amended Ord. 14-04), Sec. 2.04.050, part, 1987)

BE IT ENACTED BY THE ASSEMBLY OF THE ALEUTIANS EAST BOROUGH on this 8th day of February, 2024.

Date Introduced and Approved: _____

INTRODUCED: January 11, 2024

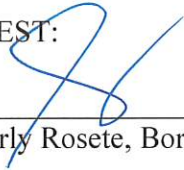
ADOPTED: February 8, 2024



Alvin D. Osterback, Mayor

Date: February 9, 2024

ATTEST:



Beverly Rosete, Borough Clerk

Date: February 9, 2024