

Introduced by: Mayor Combs
 Date: April 24, 2007
 Public Hearing: May 8, 2007
 Action: Adopted
 Vote: Unanimous

Yes:	No:
Pippel	
Erbey	
Vanover	
Wood	
Erbey	
Hanson	
Combs	

CITY OF PALMER, ALASKA

ORDINANCE NO. 07-011

AN ORDINANCE OF THE PALMER CITY COUNCIL ENACTING PALMER MUNICIPAL CODE SECTION 18.15.023 AND AMENDING SECTION 18.35.015; TO PROVIDE FOR WRITE-IN CANDIDATE CRITERIA, AND AMENDING SECTION 18.30.020; TO FURTHER DEFINE BUILDING ENTRANCES

THE CITY OF PALMER, ALASKA ORDAINS:

Section 1. Classification. This ordinance shall be permanent in nature and shall be incorporated into the Palmer Municipal Code.

Section 2. Severability. If any provision of this ordinance or any application thereof 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 thereby.

Section 3. Section 18.15.023 is hereby enacted to read as follows:

18.15.023 Write-in candidates.

- A. Votes for a write-in candidate will not be counted unless that candidate has filed a nominating petition with the clerk in accordance with PMC 18.15.020.
- B. A nominating petition filed under this section must be filed with the clerk not earlier than the day immediately following the last day of the filing period and not later than 5 p.m. five days prior to the election.

Section 4. Section 18.30.020 A is hereby amended to read as follows (new language is underlined and deleted language is stricken):

18.30.020 Prohibition of political persuasion near polls.

- A. During the hours the polls are open, no person who is in the polling place or within 200 feet of any entrance of the polling place may attempt to persuade a person to vote for or against a candidate, proposition or question. For the purposes of this section, the entrance to a polling place is ~~the~~ any entrance to the building. Nor may any person conduct other political activities that may pertain to any future election or potential ballot proposition. The election board shall post warning notices in the form and manner prescribed by the clerk.

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- B. Any literature that a candidate, group, or person intends to distribute at a polling place or within 200 feet of any entrance of a polling place shall have the literature reviewed and approved for distribution by the clerk 30 calendar days prior to a regular or special election.

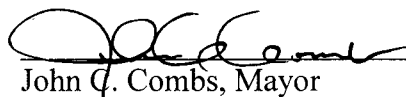
Section 5. Section 18.35.015 is hereby amended to read as follows (new language is underlined and deleted language is stricken):

18.35.015 Write-in votes.

- A. In order to vote for a write-in candidate, the voter must write in the candidate's name in the space provided and, in addition, mark the oval opposite the candidate's name. Stickers may not be used on ballots.
- B. Write-in votes shall be tallied only if the total number of write-in votes for an office ~~affects the election results~~ exceeds the smallest number of votes cast for a candidate for that office whose name is printed on the ballot.
- C. Votes for a write-in candidate will not be counted unless that candidate has filed a nominating petition with the clerk in accordance with PMC 18.15.020.

Section 6. Effective date. This ordinance shall take effect upon the earlier to occur of the following: (i) the date on which the United States Department of Justice issues its non-objection under the Voting Rights Act of 1965 to the changes effected by this ordinance; and (ii) the date immediately following the last date on which the United States Department of Justice could object to the changes effected by this ordinance under the Voting Rights Act of 1965, provided that no objection to any such change has been issued before that date. The clerk is authorized to determine the effective date of this ordinance, which shall be set forth in the permanent records of City ordinances and in the Palmer Municipal Code.

Passed and approved this eighth day of May, 2007.


John C. Combs, Mayor


Janette M. Bower, CMC, City Clerk

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