

Introduced by: Mayor
Date: Nov. 4, 1980
Hearing: Dec. 2, 1980(Loc Affrs Com)
Vote: Unanimous
Action: Enacted Jan. 6, 1981

KENAI PENINSULA BOROUGH

ORDINANCE 80-60

PROVIDING FOR THE ORGANIZATION AND OPERATION OF THE RIDGEWAY FIRE SERVICE AREA AND ESTABLISHING THE POWERS AND DUTIES OF THE BOARD OF DIRECTORS.

WHEREAS, the Assembly by Ordinance 80-49 established the Ridgeway Service Area and this ordinance was ratified by a majority of the voters residing within the proposed area at a special election held on October 7, 1980; and

WHEREAS, it is desirable to provide for the organization and operation of the service area and to establish the powers and duties of the Board of Directors of the newly-established service area;

NOW THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

Section 1. That Section 1 of Ordinance 80-49 is superseded by this Ordinance.

Section 2. Title 16 of the Borough Code of ordinances is amended by addition of this chapter:

CHAPTER 16.36. RIDGEWAY FIRE SERVICE AREA

Section 16.36.010. Boundaries. There is hereby established a service area within the borough designated the "Ridgeway Fire Service Area", in that portion of the borough described as follows:

Southern boundary - Kenai River & Soldotna City Limits
Eastern boundary - East edge of T5N, R10W
Northern boundary - North edge of T5N, R10W to Kenai City Limits
Western boundary - Kenai River & Kenai City Limits

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Section 16.36.020. Board of Directors. (a) There is hereby established a board of directors for the Ridgeway Fire Service Area composed of five (5) members who shall be nominated and elected by the qualified voters of the service area in the manner provided for candidates for assemblymen in the Borough Code of ordinances, except that members of the board shall be residents of the borough within the service area.

(b) The board shall meet periodically at regular and special meetings called by the board. All meetings shall be open to the public as provided by law.

Section 16.36.030. Terms and Qualifications. (a) A member of the board of directors shall be elected for a term of three (3) years and shall serve until his successor has been elected and sworn to assume the duties of the office, except that the first board shall contain at least two staggered terms as designated in the resolution providing for the election.

Section 16.36.040. Powers and Duties. The board of directors of the service area, subject to assembly approval, and appropriation of funds, shall supervise the fire services within the service area and shall advise the mayor and the assembly concerning the administration and operation of the service area.

16.36.050. Board of Directors-Election of Officers and Quorum. A. Three members of the Board shall constitute a quorum; however, any action shall require the affirmative vote of three Board members.

B. At the first regular meeting following certification of the election by the Assembly, and annually thereafter, the Board shall elect by majority vote of the Board members, and from the Board members, a chairman and such other officers as the Board deems to be desirable. These officers shall hold office until their successors are elected.

16.36.060. Board of Directors-Vacancies. A. Vacancies on the Board are created upon a declaration of vacancy by the Board if a member:

a. Fails to qualify or to take office within thirty (30) days after appointment;

b. Is physically absent from the Service Area for a ninety (90) day period unless excused by the Board;

c. Resigns;

d. Is physically or mentally unable to perform the duties of his office, as determined by a majority vote of the Board;

e. Is removed from office;

f. Misses three (3) consecutive regular meetings unless excused by the Board;

g. Is convicted of a felony or an offense involving a violation of his oath of office.

B. Vacancies on the Board shall be filled by a majority vote of the remaining Board members until the next general election of the Borough, at which time a new member shall be elected to fill the unexpired term or for a three (3) year term if no unexpired term remains.

16.36.070. Board of Directors-Bylaws. A. The Service Area Board may adopt bylaws or regulations governing the conduct of its affairs so long as these bylaws are procedural in nature and do not conflict with the rules, ordinances, statutes and regulations governing the Service Area Board in its delegated powers. The Service Area Board shall not attempt to enlarge upon its substantive delegated powers by the device of adopting bylaws or rules of procedure.

B. The Board may establish various committees and appoint members to them.

16.36.080. Fiscal Procedures. A. All contracts for capital improvements and maintenance performed in connection with the Service Area shall be bid and administered by the Borough Department of Public Works in accordance with the Department's normal procedure for the letting of contracts.

B. The purchasing agent for the Service Area is the Borough Director of Finance. All purchases of supplies, materials and equipment shall be made in accordance with the rules and regulations adopted by the Borough Assembly.

C. The Service Area Board shall arrange for the preparation of a budget and capital program which shall be submitted to the Mayor and Assembly for approval. The budget and capital expenditures proposal shall be subject to the procedures for adopting the Borough budget and capital expenditures program and for consideration of such items by the Borough Assembly.

D. The Service Area shall abide by the fiscal policies and procedures applicable to the Borough general government budget.

E. All accounting functions of the Service Area shall be performed under the supervision of the Borough Director of Finance, who shall provide rules and regulations and procedures governing the issuance of vouchers, the payment of vouchers, the issuance of checks, the payment of checks, the use of the central treasury of the Borough, and the manner in which all bonds, contracts, leases or other obligations requiring payment of funds for the appropriations of the Service Area budget shall be processed and administered.

F. The Service Area shall not hire any personnel without the approval of the Borough Assembly. Unless otherwise provided, the Borough personnel system and Title 3 of the Borough Code of ordinances shall be applied to any person employed in connection with the Service Area, excluding independent contractors.

Section 3. That this ordinance shall take effect immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON THIS 6 DAY OF January, 1980.



Assembly President

ATTEST:



Borough Clerk