



**ORDINANCE 21-10-18-01  
CITY OF THORNE BAY**

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF THORNE BAY, ALASKA, AMENDING THORNE BAY MUNICIPAL CODE (TBMC), TITLE 2 – ADMINISTRATION AND PERSONNEL, CHAPTER 2.28-ELECTIONS, SECTIONS 2.28.230 BALLOTS FORM, 2.28.470 ABSENTEE BALLOT-APPLICATION-FILING, 2.28.480-ABSENTEE BALLOT-DELIVERY & 2.28.490 ABSENTEE BALLOT-NOTATION OF BALLOT NUMBER AND DATE OF APPLICATION

**BE IT ENACTED BY THE CITY COUNCIL FOR THE CITY OF THORNE BAY ALASKA**

**Section 1.** **Classification.** This ordinance is of a general and permanent nature, the chapter and section hereby amended shall be added to the Thorne Bay Municipal Code.

**Section 2.** **Purpose.** To amend Thorne Bay Municipal Code Title 2 – Administration and Personnel, Chapter 2.28-Elections, Sections pertaining to application and delivery of Absentee Ballots, to allow for Official Ballots to be delivered by means of electronic transmission (email/fax).

**Section 3.** **Amendment to Code.** Amendments to the Thorne Bay Municipal Code are identified by the followings means: ~~(strike through)~~ indicates text to be deleted from and **(BOLD BLUE & CAPITALIZED)** indicates text added to the current code.

The Chapter and Sections 2.28.230 Ballots Form, 2.28.470 Absentee Ballot-Application-Filing, 2.28.480-Absentee Ballot-Delivery & 2.28.490 Absentee Ballot-Notation of Ballot Number and Date of Application are hereby amended and shall read as written on pages 3-4 of this ordinance.

**Section 4.** **Severability.** If any provisions of this ordinance or any application thereof to any person or circumstances is held invalid, the circumstances shall not be affected thereby.

**Section 5.** **Adoption.** The Chapter and Sections of 2.28-Elections is hereby adopted and added to the Thorne Bay Municipal Code.

**Section 5. Effective Date.** This ordinance shall become effective upon adoption.

**PASSED AND APPROVED** this 18<sup>th</sup> day of October 2021, by a duly constituted quorum of the City Council with a vote of 6 Yeas and 0 Nays.

  
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Jon Stram, Vice Mayor

**ATTEST:**

  
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Teri Feibel, CMC

[Sponsor: Mayor Edenfield]  
[Introduction Hearing: October 11, 2021]  
[Public Hearing: October 18, 2021]

Amending Title 2  
Chapter 2.28-Elections

**SECTIONS:**

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**2.28.230 BALLOTS-FORM.**

- A. A ballot shall show the list of candidates and issues to be decided at the election.
- B. Before the list of candidates for each office there will be placed the words "vote for not more than one,"
- C. **THE TERM "OFFICE" FOR THE PURPOSES OF THIS CHAPTER, REFERS TO EACH CITY COUNCIL SEAT INDIVIDUALLY. FOR EXAMPLE: "SEAT A" IS REFERRED TO AS ONE OFFICE, "SEAT B" IS REFERRED TO AS ONE OFFICE, "SEAT C" IS REFERRED TO AS ONE OFFICE.. ETC.**
- D. Under the title of each office and below the printed names of the candidates, there will be printed the number of candidates to be elected to the office.
- E. Somewhere on the ballot, so as to be clearly visible, will be printed the words:
  - 1) "OFFICIAL BALLOT";
  - 2) The date of the election; and
  - 3) The City Seal along with the signature of the clerk who had the ballots printed.
- F. The ballots will be printed on plain white paper and numbered in consecutive order. The names of the candidates will be printed the same size. On each line on which the name of a candidate is printed and on the line of each blank provided for write-in candidates, a square not less than one-quarter of an inch on each side will be printed.
- G. The names of candidates shall be printed as they appear upon the declarations of candidacy filed with the city clerk, in the order received, except that any honorary or assumed title or prefix shall be omitted.
- H. Following the names of the offices and candidates, there shall be placed on the ballot all propositions and questions to be voted upon. The words "yes" and "no" shall be placed below the statement of each proposition and question. (Ord. 96-24 § 4(part), 1996)

**2.28.470 ABSENTEE BALLOT-APPLICATION-FILING.**

- A. A person who seeks to vote by absentee ballot may file either in person or by mailing his written application to the city clerk.
- B. An application made by mail must be received by the city clerk, no less than five days before a city election. An application made in person must be filed with the city clerk not earlier than 30 days before the city election date, and no later than the close of polls on election day.

- C. AN APPLICATION FOR AN ABSENTEE BALLOT FROM A QUALIFIED VOTER REQUESTING DELIVERY OF AN ABSENTEE BALLOT TO THE APPLICANT BY ELECTRONIC TRANSMISSION MUST BE RECEIVED BY THE CITY CLERK NOT LATER THAN 5:00 P.M. ALASKA TIME ON THE DAY BEFORE THE ELECTION FOR WHICH THE ABSENTEE BALLOT IS SOUGHT.
- D. The application must be signed by the applicant and show his place of residence. (Ord. 21-02-02-01)

#### **2.28.480 ABSENTEE BALLOT-DELIVERY.**

Upon receipt of an application for an absentee voter's ballot, the clerk will check the latest state registration listings to determine whether the applicant is a qualified voter.

- A. If the applicant is a qualified voter, the clerk will deliver to the applicant, AN OFFICIAL BALLOT FOR THE ELECTION, AN IDENTIFICATION ENVELOPE AND A RETURN ENVELOPE.
- B. BALLOTS MAY BE DELIVERED TO A QUALIFIED VOTER BY MEANS OF US POSTAL SERVICE, ELECTRONIC TRANSMISSION OR PERSONNALLY DELIVERED BY THE CITY CLERK.
- C. If the absentee voter's ballot is personally delivered, it shall be completed before the clerk at the time of delivery.
- D. IF THE ABSENTEE BALLOT IS TO BE MAILED, THE CLERK SHALL MAIL THE BALLOT TO THE ADDRESS GIVEN BY THE APPLICANT.
- E. IF THE BALLOT IS DELIVERED BY EMAIL, THE CLERK WILL EMAIL THE BALLOT TO THE APPLICANT WITH A READ RECEIPT REQUESTED.

(Ord. 96-24 § 4(part)

#### **2.28.490 ABSENTEE BALLOT-NOTATION OF BALLOT NUMBER AND DATE OF APPLICATION.**

- A. Upon personal delivery, ELECTRONIC TRANSMISSION, or the mailing of absent voter's ballot, the clerk will enter on the space provided in the absentee voter ~~by mail~~ register, the number of the ballot and the date the ballot was delivered, ELECTRONICALLY TRANSMITTED, or mailed.
- B. On election day, the clerk will give the election judges a list of voters who have voted absentee in the form of the ballot accountability register and it will clearly indicate who voted by mail OR FAX absentee, and who voted in person absentee prior to polls being opened. (Ord. 96-24 § 4(part), 1996)