

NON-CODE EMERGENCY ORDINANCE

CITY OF _____, ALASKA

NON-CODE EMERGENCY ORDINANCE NO. _____

A NON-CODE EMERGENCY ORDINANCE TEMPORARILY AMENDING THE MUNICIPALITY’S ELECTION CODE TO ALLOW FOR ABSENTEE VOTING IN-PERSON ALSO KNOWN AS “EARLY VOTING” IN RESPONSE TO THE CORONAVIRUS DISEASE 2019 (COVID-19).

BE IT ENACTED BY THE COUNCIL OF THE CITY OF _____ :

Section 1. Council Findings.

The council may adopt under state law a non-code emergency ordinance to meet a public emergency and shall contain a finding that an emergency exists and a statement of the facts upon which the finding is based (Sec. 29.25.030). The following are the council findings:

The United States Centers for Disease Control and Prevention (CDC) has identified the coronavirus disease 2019 (COVID-19) as a new strain of coronavirus not previously identified in humans causing respiratory disease that can result in serious illness or death and which poses a significant public health risk. The World Health Organization declared a pandemic related to COVID-19 on March 11, 2020. The Governor of the State of Alaska declared a Public Health Disaster Emergency on March 11, 2020, and the President of the United States declared a National Emergency on March 13, 2020.

The CDC has identified recommendations and actions for election officials to take in advance of Election Day to encourage voters to use voting methods that minimize direct contact with other people.

The council acknowledges this non-code emergency ordinance does not replace other methods of absentee voting or voters going to the poll on Election Day but provides for an alternative method of voting on a temporary basis before Election Day.

The council prescribes the rules for conducting an election under state law and supports the adoption of this non-code emergency ordinance, and directs the clerk to prepare election materials to support absentee in-person voting also known as “Early Voting” for the 2020 municipal election (Sec. 29.25.020).

Section 2. Classification.

This is a non-code emergency ordinance.

Section 3. Absentee Voting In-Person Procedures.

- A. A qualified voter may vote absentee in-person at city hall during regular office hours starting on the ____ day before the election, up to and including the day before the election.
- B. The voter shall sign the absentee in-person register.
- C. The voter shall complete the absentee in-person oath and affidavit.
- D. The voter shall be given his or her ballot, and a plain envelope.
- E. On receipt of the ballot and plain envelope, the voter shall proceed to mark the ballot in secret. The voter is instructed to place their voted ballot into the plain envelope provided, and then place it into their absentee in-person ballot envelope. If the oath and affidavit is not printed on the outside of the absentee in-person ballot envelope, it is included with the plain envelope containing the voted ballot.
- F. The absentee in-person ballot envelope shall be sealed and dropped in the ballot box or given to the election official to be stored unopened in a secure location until the ballot is reviewed and processed by the canvass board.
- G. The election official may not accept a marked ballot that has been exhibited by an absentee voter with intent to influence other voters.
- H. If the voter improperly marks or otherwise damages a ballot, the voter may request, and the election official shall provide, another ballot up to a maximum of three. Improperly marked or damaged ballots shall be destroyed. The numbers of all ballots destroyed shall be noted on the ballot statement.
- I. The clerk shall keep a record of the names and signatures of the voters who cast absentee ballots in person, and the dates on which the ballots were cast

Section 4. Adoption of Emergency Ordinance.

An emergency ordinance may be adopted, amended and adopted, or rejected at the meeting at which it is introduced. The affirmative vote of all members present, or the affirmative vote of three-fourths of the total membership, whichever is less, is required for adoption of an emergency ordinance (Sec. 29.25.030).

Section 5. Effective Date and Duration.

This act is effective on adoption, and for a duration of 60 days only (Sec. 29.25.030).

PASSED and ADOPTED by the Council of the City of _____ on _____, 2020.

SEAL:

Mayor

ATTEST:

Clerk