

Introduced by:	Chesley
Date:	02/01/22
Hearing:	03/01/22
Action:	Postponed to 04/05/22
Vote:	8 Yes, 0 No, 1 Absent
Date:	04/05/22
Action:	Enacted as Amended
Vote:	9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH  
ORDINANCE 2022-02**

**AN ORDINANCE ENACTING KPB 2.40.110 AND KPB 2.40.120 AUTHORIZING THE  
PLANNING COMMISSION TO ADOPT BYLAWS AND DEFINING QUORUM**

**WHEREAS,** current code does not authorize the planning commission to adopt bylaws; and

**WHEREAS,** the code authorizes other bodies to adopt bylaws and regulations governing the conduct of their affairs so long as their bylaws are procedural in nature and do not conflict with the rules, ordinances, statutes and regulations governing them; and

**WHEREAS,** current code does not define a quorum for the planning commission; and

**WHEREAS,** in the absence of a definition of quorum under borough code, and due to recent changes to membership, the planning commission has necessarily been taking action based on quorum being a majority of the members of the commission who have been appointed by the mayor and confirmed by the assembly; and

**WHEREAS,** the Kenai Peninsula Borough Planning Commission at its regularly scheduled meeting of February 28, 2022 recommended approval by unanimous consent;

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

**SECTION 1.** That KPB 2.40.110 is hereby added as follows:

**2.40.110. Bylaws.**

The planning commission may adopt bylaws 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 planning commission. The commission may establish various committees and appoint members to them.

**SECTION 2.** That KPB 2.40.120 is hereby added as follows:

**2.40.120. Quorum.**

A majority of the members of the commission who have been appointed by the mayor and confirmed by the assembly shall constitute a quorum, except in no case may a quorum consist of fewer than five commission members. All commission actions shall be by vote of a majority of the members of the commission who are present and voting. No hearing may be held or decision made in the absence of a quorum, except that a member disqualified by law from voting on a question may be considered present for purposes of constituting a quorum.

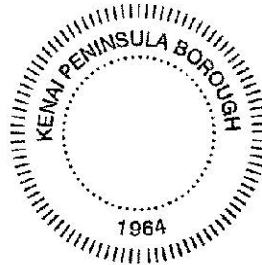
**SECTION 3.** This ordinance is effective immediately upon enactment.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 5TH DAY OF APRIL, 2022.**

  
Brent Johnson, Assembly President

ATTEST:

  
John Blankenship, MMC, Borough Clerk



03/01/22 vote on motion to postpone to 04/05/22:

Yes: Bjorkman, Cox, Derkevorkian, Ecklund, Elam, Hibbert, Tupper, Johnson

No: None

Absent: Chesley

04/05/22 vote on motion to enact as amended:

Yes: Bjorkman, Chesley, Cox, Derkevorkian, Ecklund, Elam, Hibbert, Tupper, Johnson

No: None

Absent: None