

Introduced by:	Dunne, Fischer, Carpenter
Date:	10/31/17
Hearing:	12/05/17
Action:	Postponed as Amended to 01/02/18
Vote:	9 Yes, 0 No, 0 Absent
Date:	01/02/18
Action:	Postponed as Amended to 01/16/18
Vote:	8 Yes, 0 No, 1 Absent
Date:	01/16/18
Action:	Enacted as Amended
Vote:	8 Yes, 0 No, 1 Absent

**KENAI PENINSULA BOROUGH  
ORDINANCE 2017-32**

**AN ORDINANCE AMENDING KPB TITLE 16 TO AUTHORIZE CERTAIN  
VOLUNTEERS TO SERVE ON THEIR RESPECTIVE SERVICE AREA BOARDS**

**WHEREAS,** unless otherwise provided by law, the common law generally prohibits volunteer firefighters and emergency medical service providers from serving on their own service area boards because the service area board oversees the provision of fire and emergency medical services in the service area; and

**WHEREAS,** in several service areas of the Kenai Peninsula Borough (“borough”), it is difficult to find enough people to serve on the service area boards and others to volunteer as firefighters and emergency medical service providers due to the relatively small population; and

**WHEREAS,** the borough’s best interests would be served by allowing up to one member of these smaller service area boards to also serve as a volunteer firefighter and/or emergency medical service provider; and

**WHEREAS,** the service areas facing these issues at this time include Anchor Point Fire and Emergency Medical Service Area, and Bear Creek Fire Service Area; and

**WHEREAS,** at its meeting of December 12, 2017, the Bear Creek Fire Service Area Board recommended approval; and

**WHEREAS,** at its meeting of November 15, 2017, the Anchor Point Fire and Emergency Medical Service Area Board recommended approval;

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

**SECTION 1:** That KPB 16.28.020 is hereby amended as follows:

**16.28.020. Board—Established—Nomination and election of members.**

There is established a board of directors for the Bear Creek Fire Service Area composed of 5 members who shall be [NOMINATED] residents of the service area and elected by the qualified voters of the service area as provided in Sections [4.08.020(D)] 4.20.010(C) and 16.04.065 of this code. Up to one board member may also serve as a volunteer firefighter and/or emergency medical service provider for the service area without compensation except that which is ordinarily provided to such volunteers.

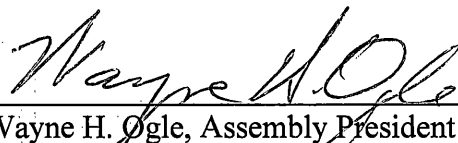
**SECTION 2.** KPB 16.60.020 is hereby amended as follows:

**16.60.020. Board of directors.**

- (a) There is established a board of directors for the Anchor Point Fire and Emergency Medical Service Area composed of 5 members who shall be residents of the service area and [NOMINATED AND] elected by the qualified voters of the service area in the manner provided [FOR CANDIDATES FOR THE ASSEMBLY IN THIS CODE, EXCEPT THAT MEMBERS OF THE BOARD SHALL BE RESIDENTS OF THE BOROUGH WITHIN THE SERVICE AREA] in the borough election code and KPB 16.04.060. Up to one board member may also serve as a volunteer firefighter and/or emergency medical service provider for the service area without compensation except that which is ordinarily provided to such volunteers.
- (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.

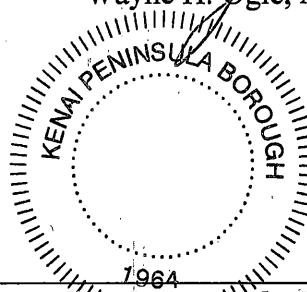
**SECTION 3.** That this ordinance takes effect immediately upon its enactment.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 16TH DAY OF JANUARY, 2018.**

  
Wayne H. Ogle, Assembly President

ATTEST:

  
John Blankenship, MMC, Borough Clerk



Vote on postponement as amended to 01/02/18:

Yes: Bagley, Blakeley, Carpenter, Cooper, Dunne, Fischer, Hibbert, Smalley, Ogle

No: None

Absent: None

Vote on postponement as amended to 01/16/18:

Yes: Bagley, Carpenter, Cooper, Dunne, Fischer, Hibbert, Smalley, Ogle

No: None

Absent: Blakeley

Vote on motion to enact as amended:

Yes: Bagley, Blakeley, Carpenter, Dunne, Fischer, Hibbert, Smalley, Ogle

No: None

Absent: Cooper