

**CITY OF GUSTAVUS, ALASKA  
ORDINANCE NO. FY10-28**

**AN ORDINANCE OF THE CITY OF GUSTAVUS ADDING CHAPTER 5.90  
ELECTION PAMPHLETS TO THE TITLE 5, ELECTIONS, ORDINANCE**

**BE IT ENACTED BY THE CITY OF GUSTAVUS CITY COUNCIL AS FOLLOWS:**

- Section 1.** Classification: This ordinance is of a permanent nature and is intended to be part of the Gustavus municipal code.
- Section 2.** Severability: If any provisions of this ordinance or any application thereof to any person or circumstances is held invalid, the remainder of this ordinance and its application shall not be affected thereby.
- Section 3.** Enactment: Now therefore be it enacted by the Gustavus City Council that the following text shall be added to City ordinance, Title 5, Elections.

Chapter 5.80 Reserved (Advisory Vote Ballot Questions)

Chapter 5.90 Election Pamphlets

- Section 5.90.010 Purpose
- Section 5.90.020 Contents
- Section 5.90.030 Reserved (Candidate Material)
- Section 5.90.040 Propositions
- Section 5.90.050 Reserved (Advisory Question(s))
- Section 5.90.060 Pro and Con Statements
- Section 5.90.070 Distribution
- Section 5.90.080 Cost

## Chapter 5.90 Election Pamphlets

### Section 5.90.010 Purpose

The purpose of this ordinance is to enable the Council to distribute to the public information about initiatives, referendums, recalls, and propositions prior to each general election or special election.

### Section 5.90.020 Contents

The contents of each election pamphlet shall be, in order:

- a. An introduction stating that this is an election pamphlet for the City of Gustavus as provided under this chapter (CoG 5.90).
- b. The date, time for opening and closing polls and location of polling place(s) for the general or special election. (CoG 5.30.010)
- c. Propositions, which shall consist of:
  1. The proposition as it will appear on the ballot;
  2. A description of the proposition;
  3. A statement in support (pro) for each ballot proposition;
  4. A statement in opposition (con) for each ballot proposition.
- d. The following statement shall be printed in *italics* after the pro and con statements: *"The statement in support and the statement in opposition printed on this page are the opinion of the author(s) and are presented as submitted to the City Clerk."*

### Section 5.90.030 Reserved (Candidate Material)

### Section 5.90.040 Propositions

For each citizen initiative or citizen referendum appearing on the ballot of an election, the election pamphlet shall contain

- a. the full text of the proposed ordinance as it will appear on the ballot. The pamphlet may contain a summary of the proposition as adopted by motion of the City Council.
- b. For each City Council ordinance requiring an affirmative vote of the qualified voters of the city to enact, the City Council shall include in the election pamphlet the following:
  1. The full text of the proposition as it will appear on the ballot;
  2. A summary of the proposition prepared by the City Clerk or any member of the council as assigned by the Mayor.

### Section 5.90.050 Reserved (Advisory Question(s))

### Section 5.90.060 Pro and Con Statements

- a. Statements pro and con that advocate voter approval or rejection of the proposition are not to exceed 200 words each.
  1. For a voter referendum or initiative petition: the pro statement shall be provided by the petition sponsor; the con statement shall be provided by a member of the council selected by motion, at a meeting of the City Council.
  2. For an ordinance brought forth by the council requiring voter ratification, a member of the council, assigned by the Mayor, shall prepare the pro statement. The council shall seek to have a con statement prepared by a member of the public. At the same meeting that the ordinance requiring voter ratification is published, the council shall, by motion, adopt an announcement for immediate posting stating that the council is asking that any qualified voter may submit to the council a statement in opposition to the proposition to be included in the election pamphlet. If more than one statement is received then one statement shall be randomly selected from all qualified submissions. Submissions considered offensive, slanderous to an individual or that contain no language relevant to the proposition may be discarded.
- b. Pro and con statements shall be followed by the author(s) name in *italics*. Statements submitted anonymously shall be rejected.
- c. Pro and con statements must be received by the City Clerk at least 30 days prior to the election. If a pro or con statement has not been received before the deadline, the election pamphlet shall contain the statement "No [pro/con] statement was received prior to election pamphlet distribution deadline."

### Section 5.90.070 Distribution

- a. The election pamphlets will be compiled by a designee of the Mayor;
- b. Election pamphlets may be composed in such a way as to minimize the use of paper by:
  1. Publishing the election pamphlet on the City's web site.
  2. Utilizing a "mail-back" post card so that an individual can request by return postal mail or e-mail, that a printed election pamphlet be mailed, or e-mailed to them.
  3. Having copies of the election pamphlet available at City Hall.
- c. The election pamphlet notice cards shall be sent, via postal mail, at least 30 days prior to the election, to each qualified voter registered within the City of Gustavus;
- d. The election pamphlet shall be available on the City's web site at least 30 days prior to the election;

- e. Election pamphlets shall be posted in the same locations as election notices (CoG 5.10.060).

Section 5.90.080 Cost

- a. The cost of producing and mailing the election pamphlet shall be borne by the City. The City Council shall ensure sufficient funds are appropriated in each year's operating budget to provide for the production and distribution of the election pamphlet.

**Section 4.** Effective Date: This ordinance becomes effective upon its adoption by the Gustavus City Council.

**DATE OF PUBLICATION:** May 13<sup>th</sup>, 2010

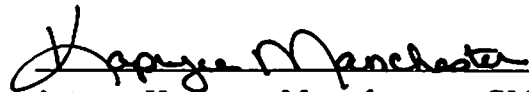
**DATE OF PUBLIC HEARING:** June 10<sup>th</sup>, 2010

PASSED and APPROVED by the Gustavus City Council this 10 day of

June, 2010.



Paul Berry, Mayor



Attest: Kapryce Manchester, CMC  
City Clerk