

ORDINANCE NO. 367-2020

AN ORDINANCE AMENDING SECTIONS 1.30.020 AND 1.30.040 OF THE MUNICIPAL CODE TO PERMIT ALTERNATIVE NOMINATING PROCEDURES DURING DECLARED STATES OF EMERGENCY

WHEREAS, nomination petitions for City elective offices require the signatures of at least 10 City electors; and

WHEREAS, due to the COVID-19 pandemic, there is currently a declared state of emergency within the City; and

WHEREAS, the COVID-19 pandemic makes the solicitation of and collection of signatures unsafe and creates a risk to the health and safety of City residents; and

WHEREAS, such risks create the need for an alternative method for completing nomination petitions for City elective offices.

THE CITY OR HUBBARD ORDAINS AS FOLLOWS:

Section 1. Sections 1.30.020 and 1.30.040 of the Hubbard Municipal Code are hereby by adding the underlined language below as follows:

1.30.020 Nomination petition.

Nomination petitions shall be in form and content as follows:

(1) Nominations shall be by petition specifying the position sought in a form prescribed by the council. Such petition shall be signed by not fewer than 10 electors. The signatures to a nomination petition need not all be appended to one paper, but to each separate paper of the petition shall be attached an affidavit of the circulator thereof, indicating the number of signers of the paper and stating that each signature appended thereto was made in his presence and is the genuine signature of the person whose name it purports to be.

(2) With each signature shall be the signer's place of residence, identified by a street and number or other sufficient description.

(3) During any time period in which a state of emergency has been declared within the City by the federal government, the Governor or the City Council, a nomination petition may be accompanied by a fee in lieu of the signatures required by subsection (1). The fee in lieu shall be twenty-five dollars (\$25.00) unless a different amount is established through a resolution adopted by the City Council.

1.30.040 Inadequate petition.

If the petition is not signed by the required number of qualified electors, or during a declared state of emergency by a fee in lieu of the required number of signatures, the recorder shall notify the candidate and the person who filed the petition within five days after the filing. If the petition

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is insufficient in any other particular, the recorder shall return it immediately to the person who filed it, certifying in writing wherein the petition is insufficient. Such deficient petition may be amended and filed again as a new petition, or a substitute petition for the same candidate may be filed, within the regular time for filing nomination petitions

Section 2. The City Council for the City of Hubbard deems and desires it necessary for the preservation of the health, peace and safety of the City of Hubbard that this Ordinance take effect at once, and therefore, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage and approval..

The foregoing Ordinance was passed by the City Council of the City of Hubbard this 14th day of April 2020, by the following vote:

Ayes	_____
Nays	_____
Absent	_____

Whereupon, the Mayor declared the motion to be carried and the Ordinance adopted.


Passed and approved by the City Council of the City of Hubbard this 14th day of April 2020.

Charles Rostocil, Mayor

ATTEST:

Vickie L. Nogle, MMC
Director of Administration/City Recorder

Approved by the City Attorney:



Beery Elsner and Hammond LLP