KENAI PENINSULA BOROUGH
ORDINANCE 2014-40

AN ORDINANCE AMENDING KPB 3.04.030, EMPLOYEE CONDUCT
REQUIREMENTS, TO ADDRESS THE PASSAGE OF BALLOT MEASURE NO. 2
LEGALIZING MARIJUANA, AND TO REFERENCE THE USE OF, OR IMPAIRMENT
BY, CONTROLLED SUBSTANCES

WHEREAS, KPB 3.04.030 was adopted in 1967 and sets forth basic borough employee
conduct requirements; and

WHEREAS, in 1989, KPB 3.04.030 was amended to specifically prohibit employees and
volunteers from using, or being impaired by the use of, alcohol or illegal drugs at
the workplace; and

WHEREAS, it is necessary to update this section of code to account for other types of drug use
that may impair an employee’s ability to conduct themselves in a manner fitting
of a government employee; and

WHEREAS, specifically, Alaska Ballot Measure No. 2, An Act to Tax and Regulate the
Production, Sale, and Use of Marijuana, was passed by the voters in the
November 4, 2014 statewide election, making the use and possession of
marijuana legal within certain limits; and

WHEREAS, the Kenai Peninsula, like many other areas of the state and the nation, has seen a
rise in the abuse of prescription drugs and other controlled substances, and
employee impairment by such substances is not addressed under the current
version of KPB 3.04.030; and

WHEREAS, impairment by drugs or alcohol in the workplace can result in an increased safety
risk to employees, their co-workers, and the public; and

WHEREAS, updating KPB 3.04.030 to appropriately address the range of substances that may
cause impairment and impact an employee’s conduct and ability to perform their
job duties will bring the code into alignment with the current legal landscape
regarding legal, controlled, and illegal drugs;

NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI
PENINSULA BOROUGH:
SECTION 1. That KPB 3.04.030 is hereby amended as follows:

3.04.030. Employee conduct requirements.

Borough employees are required at all times to conduct themselves in an exemplary manner befitting the public service in which they are employed. Employees and volunteers shall not use or be impaired by the use of marijuana, alcohol, controlled substances or illegal drugs at the workplace. Employees or volunteers who are prescribed marijuana or other controlled substances by a physician as part of a medical treatment plan may work unless impaired by their use.

SECTION 2. That this ordinance takes effect immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 6TH DAY OF JANUARY, 2015.

Dale Bagley, Assembly President

ATTEST:

Johni Blankenship, MMC, Borough Clerk

Yes: Cooper, Haggerty, Gilman, Johnson, McClure, Ogle, Welles, Wolf, Bagley

No: None

Absent: None