

**EXHIBIT "A"**

**CHAPTER 4  
ELECTIONS**

**Section 4-101 Title**

This Chapter shall be cited as the Kayenta Township Election Ordinance.

**Section 4-102 Definitions**

- A. "Reside" means having a home within the boundaries of the Township where one lives (sleep and eat).
1. For purposes of this definition, neither mere possession of a homesite lease without a home thereon, nor possession of a grazing permit, nor being employed or owning a business within the Township while living elsewhere, nor enrolling children in a school within the Township while living outside the Township qualifies a person under this residency requirement.
  2. Furthermore, having another home outside the Township boundaries where one also lives (e.g., where one keeps livestock or where lives during days when not working) does not disqualify a person from this residency requirement. In such a situation, if an issue arises whether or not one resides within the Township, the facts whether one has a homesite lease within the Township, or whether one is employed within the Township, or whether one's children attend school within the Township shall be factors in favor of Township residency.
  3. Absence from the Township for the purpose of attending school (academic or vocational) or serving in the military does not disqualify a person from this residency requirement.

**Section 4-103 Commission; Term**

- A. The KTC shall consist of five commissioners. Every commissioner shall hold the office for a term of four (4) years.
- B. The terms of the commissioners shall be staggered; this staggered term system commenced in the year 2004. In the year 2004 two commissioners were elected for two (2) years and three (3) commissioners were elected for four (4) years. Thereafter, these two groups of two (2) commissioners and three (3) commissioners shall be elected every two years for four (4) year terms.

**Section 4-104 Qualification of Commissioners; Oath; Restrictions**

- A. To be a commissioner, a person, at the time of the declaration of candidacy, must:
1. Be twenty-five (25) years old; and
  2. Reside within the Township; and
  3. Be a registered voter in Navajo Nation elections in the Kayenta Chapter election precinct (No. 26) and is a registered voter in the Township election precinct (No. 26a); and
  4. Be a high school graduate (diploma or GED); and
  5. Have not been convicted of any offense (criminal or civil) within the last ten (10) years that involved any of the following:
    - a. Deceit, untruthfulness and dishonesty, including extortion, embezzlement, bribery, perjury, forgery, fraud, misrepresentation, theft, conversion, or misuse of public or private funds or property;
    - b. Aggravated assault, aggravated battery or sexual misconduct; or
    - c. Use or possession of illegal drugs; and
  6. Have not been convicted of a felony within the last ten (10) years.
- B. Before entering upon the duties of the office, each commissioner shall take the oath of office.
- C. No person shall serve as a commissioner if she or he:
1. Holds any other elective office of:
    - a. the Navajo Nation or any political subdivision thereof; or
    - b. any state or any political subdivision thereof; or
    - c. the United States government;
    - d. For purposes of this subsection (C) (1), serving on a school board (whether elective or non-elective) is exempt from this restriction; any school board members can serve as a commissioner.
  2. Is a Judge in any court.

**RESOLUTION OF THE  
KAYENTA TOWNSHIP COMMISSION**

**Approving Amendments to the Kayenta Township Election Ordinance**

**WHEREAS:**

1. The Kayenta Township Commission ("Commission") has the authority and responsibility to govern for the welfare of the Kayenta Township ("Township") and its residents, including the enactment of such ordinances, rules and regulations as it deems in the best interest of the Township; and
2. Pursuant to KTCO-37-03 (Oct. 26, 2003), the Commission enacted the Kayenta Township Election Ordinance, Chapter 4 of the Kayenta Township Code of Ordinances; and
3. The Commission has noted that in recent primary elections, there have not been a sufficient number of candidates for the Commission positions that are up for election to narrow down the number of candidates for the general election; and
4. The Commission has determined in such situations, that it would be prudent to cancel the primary election to save costs and that the certified candidates for the Commission positions should be automatically placed on the general election ballot.


**NOW THEREFORE BE IT HEREBY RESOLVED THAT:**

1. The Kayenta Township Commission hereby approves the amendments to the Kayenta Township Election Ordinance, Chapter 4 of the Kayenta Township Code of Ordinances, as shown on the attached Exhibit "A," such Exhibit incorporated by reference as if fully set out herein.
2. The Town Manager is authorized and directed to take any and all proper steps to publicize and provide notice of such Ordinance by publication, posting or other means reasonably designed to inform members of the public of the benefits to be derived from and the duties imposed by such Ordinance as amended hereby.

**CERTIFICATION**

I hereby certify that the foregoing resolution was considered by the Kayenta Township Commission at a duly called meeting at Kayenta, Navajo Nation (Arizona), at which a quorum was present, and that the same was passed by a vote of 3 in favor, 0 opposed and 0 abstained this 14<sup>th</sup> day of **August, 2006**.

Motion: Charles H. Young  
Second: Jimmie Austin II

  
Eugene Badonie, Chairperson  
Kayenta Township Commission

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