

CITY OF VALDEZ, ALASKA

ORDINANCE NO. 02-21

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, REPEALING AND REENACTING CHAPTER 12.08 OF THE VALDEZ MUNICIPAL CODE AS IT RELATES TO PARK AND RECREATION AREA USE REGULATIONS

WHEREAS, the Mineral Creek Trails are used for both motorized and non-motorized recreational sports; and

WHEREAS, expanded year-round use of this area has made it necessary to more clearly separate the users; and

WHEREAS, the rules of use for this area need to be clearly defined to allow for safe access for all users to ensure practical enforcement.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA that:

Section 1: Chapter 12.08 of the Valdez Municipal Code is repealed and reenacted to read as follows:

Chapter 12. 08

PARK AND RECREATION AREA USE REGULATIONS

12.08.010 Mineral Creek Trail usage.

- A. Winter Usage
 - 1. Usage shall be regulated as identified on the map on Exhibit A.
 - 2. The speed limit for all multi-use trails is 20 MPH.
 - 3. Skiers have the right of way in all situations.
- B. Summer Usage
 - 1. Usage shall be regulated as identified on the map on Exhibit B.
 - 2. Motorized vehicles shall be allowed only on Mineral Creek Road.
- C. Additional Rules
 - 1. The Parks and Recreation Department is authorized to adopt additional rules and regulations to be posted at entrances to the trails.

D. Violations

1. No person shall violate or fail to comply with any of the rules for usage of the trails. A violation of this section is punishable by a fine not to exceed three hundred dollars, which may result in the impoundment of the vehicle/equipment used in the violation and may result in a loss of privilege to use the trail system.

2. Any person violating Chapter 12.08 may be required to pay a fine of not less than \$25 nor more than \$300 for the first offense, and not less than \$50 nor more than \$300 for the second or subsequent conviction. In addition, the court may order that the vehicle/equipment operated in violation of said section be impounded for a period of not less than 15 nor more than 60 days, beginning at a date specified by the court. Impoundment may be effected by taking physical possession of the vehicle/equipment by the City.

3. Individuals who fail to abide by imposed restrictions may be subject to charges of trespass.


4. The City Manager or his/her designee shall have the power and authority to issue citations for municipal code violations occurring under Chapter 12.08 of the Valdez Municipal Code.

5. The Valdez Police Department and individuals authorized under Section D (2) of this ordinance may issue citations based on the affidavit of a private citizen that establishes probable cause as specified in AS 12.25.030

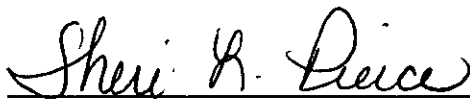
Section 2: This ordinance takes effect immediately upon passage and approval.

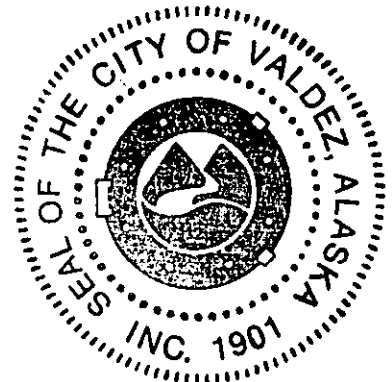
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA this 18th day of November, 2002.

CITY OF VALDEZ, ALASKA


Bert L. Cottle, Mayor

ATTEST:


Sheri L. Pierce, CMC/AAC, City Clerk



APPROVED AS TO FORM:

Walker, Walker, and Associates

By: William M. Walker
William M. Walker

1st Reading 11/4/02
2nd Reading 11/18/02
Adoption: 11/18/02
Ayes: 7
Noes: 0
Not Voting: 0
Absent: 0

Exhibit A Mineral Creek Winter Trail Map

LEGEND

TOWN STREETS

CROSS COUNTRY SKI TRAILS

MOTORIZED USE ONLY

MULTI-USE TRAILS

MULTI-USE NON-MOTORIZED TRAILS

DESIGNATED SNOWMACHINE CROSSINGS

DESIGNATED NON-MOTORIZED USE AREA



MINERAL CREEK ROAD WILL BE CLOSED TO MOTORIZED VEHICLES FROM POINT **A** TO POINT **B** WHEN THE ALTERNATE ACCESS IS OPENED

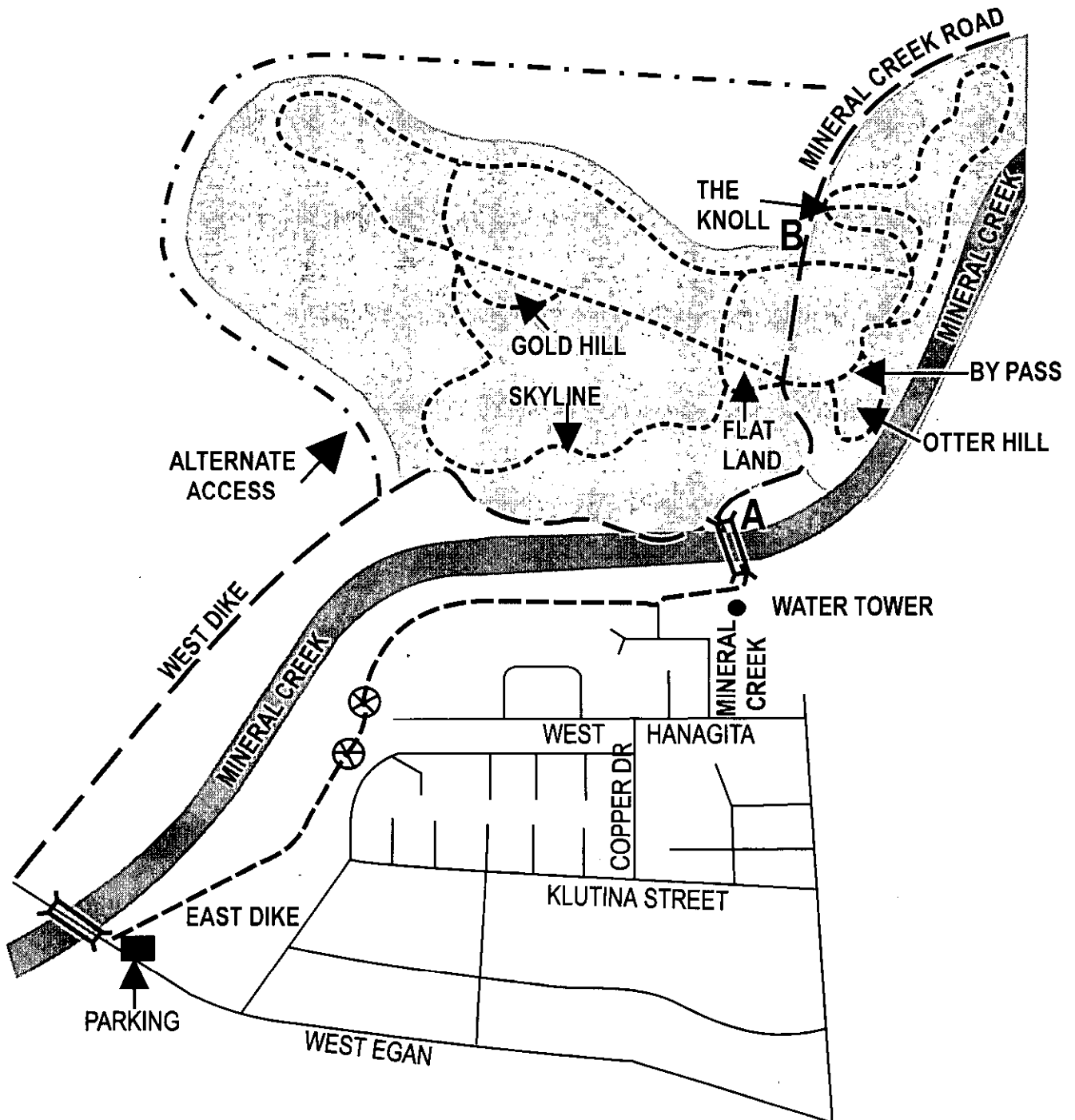


Exhibit B Mineral Creek Summer Trail Map

LEGEND

MULTI-USE - MOTORIZED _____

MULTI-USE - NON-MOTORIZED _____

MULTI-USE - LIMITED MOTORIZED (UNDER 600 lbs) _____

