

CITY OF VALDEZ, ALASKA

ORDINANCE NO. 19-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VALDEZ,
ALASKA, AMENDING TITLE 10, CHAPTER 10.04, TITLED TRAFFIC
CODE ADOPTED

WHEREAS, amendments to Chapter 10.04 will insure that the Valdez Municipal Code will remain in compliance with state law.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA that the following amendments are made to Chapter 10.04 of the Valdez Municipal Code:

Section 1. Chapter 10.04 of the Valdez Municipal Code is hereby amended to read as follows:

Chapter 10.04

TRAFFIC CODE ADOPTED

Sections:

- 10.04.010 Short title.
- 10.04.020 Adoption of state traffic law ~~regulations.~~
- 10.04.030 Adoption of state bail forfeiture schedule.
- 10.04.040 Adoption of state vehicle weights and measures regulations.
- 10.04.045 Adoption of state regulations authorizing permanent motor vehicle registration.
- 10.04.050 Highways defined.
- 10.04.060 Amendments.

10.04.010 Short title.

This title may be known and cited as the Valdez traffic code. (Ord. 15-01 (part): Prior code § 15-4)

10.04.020 Adoption of state traffic law ~~regulations.~~

The city adopts by reference all vehicle and traffic statutes and regulations of the state of Alaska, creating minor offenses, as that term is defined in Minor Offense Rule 2 of

the Alaska Rules of the Court, as they presently exist and as they may be revised or amended in the future, as part of the traffic code for the city.

~~So much of the Alaska Statutes, Title 28, and the Alaska Administrative Code, Titles 13 and 17, in effect on January 1, 1993, and such amendments as may be made thereto from time to time, as may be and are applicable to the city regarding motor vehicles and traffic are hereby adopted by reference, substituting the words “city of Valdez” in place of “state of Alaska,” “highway department” and “public works department.” (Ord. 15-01 (part): Prior code § 15-1)~~

10.04.030 Adoption of state bail forfeiture schedule.

The city adopts as its traffic fine schedule for state offenses the “Traffic Bail Forfeiture Schedule” and the “Oversize Vehicle Bail Forfeiture Schedule” in Administrative Rules 43.1 and 43.6 of the Alaska Rules of Court and any other bail forfeiture schedules relating to vehicles adopted by the Alaska Supreme Court. In addition, the city adopts all amendments of those schedules that become effective after the effective date of this ordinance. Citations for offenses listed on these schedules may be disposed of as provided in AS 12.25.195-.230, without a court appearance, upon payment of the amounts listed plus the state surcharge required by AS 12.55.039 and AS 29.25.074. If a person charged with one of these offenses appears in court and is found guilty, the penalty imposed for the offense may not exceed the amount listed for that offense on the schedule. Citations charging these offenses must meet the requirements of Minor Offense Rule 3 of the Alaska Rules of Court. If an offense is not listed on the fine schedule, the defendant must appear in court to answer to the charges.

~~The vehicle and traffic offenses listed in Alaska Administrative Rules of Court Rule 43.1 are amendable to disposition without court appearance upon payment and forfeiture of the bail amount listed. If a person charged with one of those offenses appears in court and is found guilty, the penalty imposed for the offense may not exceed the bail amount for that offense listed in Alaska Administrative Rules of Court Rule 43.1. (Ord. 15-01 (part): Prior code § 15-1.1)~~

10.04.040 Adoption of state vehicle weights and measures regulations.

So much of the Alaska Administrative Code, Title 3, Chapter 35, and Title 17, Chapter 25, in effect on January 1, 1993, and such amendments as may be made thereto from time to time, as may be and are applicable to the city regarding vehicles are adopted by reference. (Ord. 15-01 (part): Prior code § 15-1.2)

10.04.045 Adoption of state regulations authorizing permanent motor vehicle registration.

The city elects, as required in AS 28.10, to allow the permanent registration of motor vehicles and noncommercial trailers. AS 28.10.155 and 28.10.421(j) are hereby adopted by reference into this code. (Ord. 15-01 (part))

10.04.050 Highways defined.

"Highways," as used in these regulations, shall be construed to include any way used for vehicular traffic. (Ord. 15-01 (part): Prior code § 15-2)

10.04.060 Amendments.

~~A. Any future amendments to the Alaska Statutes, Title 28, or the Alaska Administrative Code, Titles 13 and 14, including changes in the bail schedule as set forth in Alaska Administrative Rules of Court Rule 43.1, will be effective in this code also.~~

~~B. Amendments or supplements to this chapter may be made and/or enacted by the city council as provided by the Charter. (Ord. 15-01 (part): Prior code § 15-3)~~

Section 2. This ordinance shall take effect immediately upon adoption by the Valdez City Council.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, this _____ day of _____, 2019.

CITY OF VALDEZ, ALASKA

Jeremy O'Neil, Mayor

ATTEST:

Sheri L. Pierce, MMC, City Clerk

APPROVED AS TO FORM:

Jon Wakeland, City Attorney
Brena, Bell, & Clarkson, P.C

First Reading:
Second Reading:
Adoption:
Ayes:
Noes:
Absent:
Abstain: