

**CITY OF WHITTIER
ORDINANCE NO. 33-2015**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WHITTIER, ALASKA AMENDING WHITTIER MUNICIPAL CODE SECTION 10.02.010, CERTAIN CHAPTERS OF AAC TITLE 13 ADOPTED; ENACTING WHITTIER MUNICIPAL CODE SECTION 10.02.020, STATE TRAFFIC FINE SCHEDULE ADOPTED BY REFERENCE; AND REPEALING WHITTIER MUNICIPAL CODE CHAPTERS 10.04, GENERAL PROVISIONS AND DEFINITIONS, 10.12, ACCIDENTS, 10.16, RULES OF THE ROAD, 10.20, AUTHORIZED EMERGENCY VEHICLES, 10.24, STOPPING, STANDING AND PARKING GENERALLY, 10.28, PEDESTRIANS, AND 10.32, VEHICLE EQUIPMENT; TO INCORPORATE IN THE MUNICIPAL CODE ALL VEHICLE AND TRAFFIC STATUTES AND REGULATIONS OF THE STATE OF ALASKA CREATING MINOR OFFENSES, TO PRESCRIBE PENALTIES FOR TRAFFIC VIOLATIONS, AND TO REPEAL INCONSISTENT OR REDUNDANT PROVISIONS IN THE MUNICIPAL CODE.

Section 1. Classification. This Ordinance is a permanent code ordinance.

Section 2. Amendment of Section. Whittier Municipal Code Section 10.02.010, Certain chapters of AAC Title 13 adopted, is amended to read as follows:

10.02.010 State traffic laws ~~Certain chapters of AAC Title 13 adopted by reference.~~

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 Court, as they presently exist and as they may be revised in the future, as the traffic code for the city.

- A. ~~13 AAC 02, Motor Vehicle and Driving Offenses: Rules of the Road, is adopted by reference.~~
- B. ~~13 AAC 04, Motor Vehicle and Driving Offenses: Vehicle Equipment and Inspection, is adopted by reference.~~
- C. ~~13 AAC 06, Inspection of Vehicles, is adopted by reference.~~
- D. ~~13 AAC 40, General Provisions, is adopted by reference~~

Section 3. Enactment of Section. Whittier Municipal Code Section 10.02.020, State traffic fine schedule adopted by reference, is enacted to read as follows:

10.02.020 State traffic fine schedule adopted by reference.

The city adopts as its traffic fine schedule 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. Fines must be paid to the court. 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.

Section 4. Repeal of Chapters. Whittier Municipal Code Chapters 10.04, General Provisions and Definitions, 10.12, Accidents, 10.16, Rules of the Road, 10.20, Authorized Emergency Vehicles, 10.24, Stopping, Standing and Parking Generally, 10.28, Pedestrians, and 10.32, Vehicle Equipment, are repealed.

Section 5. Effective date. This ordinance shall be effective immediately upon adoption.

ENACTED this 1st day of December 2015.



Daniel Blair - Mayor

ATTEST:



Brenda Krol - City Clerk

Ayes: 4
Nays: 0
Absent: 3
Abstain: 0