

Code Ordinance

By: Police Department
Introduced: August 22, 2016
Public Hearing: September 12, 2016
Adopted: September 12, 2016
Vote: Burney, Graham, Harvey, O'Barr, Sullivan-Leonard, Wilson in favor

**City of Wasilla
Ordinance Serial No. 16-24**

An Ordinance Of The Wasilla City Council Amending Wasilla Municipal Code (WMC) Chapter 10.04, State Traffic Laws Adopted.

Section 1. Classification. This ordinance is of a general and permanent nature and shall become part of the city code.

Section 2. Amendment of chapter. WMC 10.04, State Traffic Laws Adopted, is hereby amended to read as follows:

10.04.010 ~~State traffic laws adopted by reference~~ **Adoption of state traffic laws.**

The city adopts ~~the state of Alaska, Alaska Uniform Vehiele Code~~ **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 part of** the traffic code for the city.

10.04.020 ~~Adoption of state penalties~~ **Adoption of state bail forfeiture schedules by reference.**

All applicable penalties, fines, bail, and bail forfeitures schedules and procedures, and other penalty related provisions of the statutes and regulations of the state of Alaska and Alaska Uniform Code are adopted by the city **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**

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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.

~~10.04.030 Remedies and penalties.~~

~~Remedies and penalties for violations of this chapter are as provided in the state of Alaska, Alaska Uniform Vehicle Code.~~

Section 3. Effective date. This ordinance shall take effect upon adoption by the Wasilla City Council.

ADOPTED by the Wasilla City Council on September 12, 2016.


BERT L. COTTLE, Mayor

ATTEST:


JAMIE NEWMAN, MMC, City Clerk

[SEAL]

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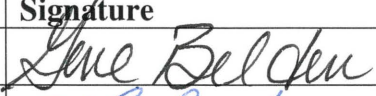
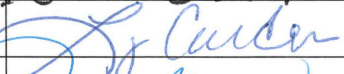

CITY COUNCIL LEGISLATION STAFF REPORT

Ordinance Serial No. 16-24: An Ordinance of the Wasilla City Council Amending Wasilla Municipal Code (WMC) Chapter 10.04, State Traffic Laws adopted.

Originator: Gene Belden, Chief of Police

Date: 8/10/2016

Agenda of: 8/22/2016

Route to:	Department Head	Signature	Date
X	Chief of Police		8/10/16
X	Deputy Administrator		8/11/16
X	City Clerk		8/11/16

Reviewed by Mayor Bert L. Cottle:  8/12/2016

Fiscal Impact: yes or no

Attachments: Ordinance Serial No. 16-24 (2 pages)

Summary Statement: The State of Alaska adopted House Bill 91, changing several minor crimes to violations with an effective date of July 12, 2016. With the adoption of HB 91, municipalities are required to review their bail schedule to conform with the State of Alaska bail schedule. During this audit it was discovered that the City of Wasilla had not adopted the State Traffic Regulations, rather the City of Wasilla had adopted the Alaska Uniform Vehicle Code (Title 28), which deals with vehicle registrations, titles, driver license, and misdemeanor crimes committed while operating a motor vehicle.

This amendment to the Wasilla Municipal Code 10.04, to adopt all traffic statues, regulations, fine schedule, forfeiture schedule, and the oversize vehicle bail forfeiture schedule will bring the City of Wasilla in compliance with enforcing the traffic regulations.

Staff Recommendation: Introduce and set the ordinance for public hearing.

[Clerk Note: The reference in this Staff Report to House Bill (HB) 91 is incorrect. The correct reference is Senate Bill 91.]