

Introduced by: Mayor Johnson
 Date: September 23, 2014
 Public Hearing: October 14, 2014
 Action: Adopted
 Vote: Unanimous

Yes:	No:
Best	
Erbey	
Carrington	
Combs	
DeVries	
Hanson	
Johnson	

CITY OF PALMER, ALASKA

Ordinance No. 14-029

An Ordinance of the Palmer City Council Amending Portions of Palmer Municipal Code Chapter 10.04 Traffic Code

THE CITY OF PALMER, ALASKA ORDAINS:

Section 1. Classification. This ordinance shall be permanent in nature and shall be incorporated into the Palmer Municipal Code.

Section 2. Severability. If any provisions of this ordinance or application thereof to any person or circumstances are held invalid, the remainder of this ordinance and the application to the other persons or circumstances shall not be affected thereby.

Section 3. Palmer Municipal Code Chapter 10.04 is hereby amended to read as follows (new language is underlined and deleted language is stricken):

10.04.010 Adoption of State Uniform Traffic Laws.

The City adopts all vehicle and traffic statutes and regulations of the State of Alaska, as they presently exist and as they may be revised in the future, as the traffic code for the City. The "Alaska Uniform Traffic Laws" as contained in AS 28 and in the regulations promulgated thereunder, both as of February 9, 1988, are adopted as the traffic code of this city. In addition, the city adopts all changes made in said laws and regulations from time to time.

10.04.012 Adoption of State Uniform Traffic Bail Schedule.

- A. 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.
- B. In addition, the City adopts all amendments of those schedules that become effective after the effective date of this ordinance.
- C. 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.

- D. 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.
- E. Citations charging these offenses must meet the requirements of Minor Offense Rule 3 of the Alaska Rules of Court.
- F. If an offense is not listed on the fine schedule, the defendant must appear in court to answer to the charges. The "State Uniform Traffic Bail Schedule" enacted January 1, 1987, as amended up to February 9, 1988, is adopted as the traffic bail schedule for the city. In addition, the city adopts all changes made in said schedule from time to time.

10.04.013 State surcharges.

The city police may notify persons charged with motor vehicle violations that the state has imposed surcharges on traffic fines as stated in AS 12.55.039 and AS 28.05.151(c).

~~10.04.015 Starting parked vehicle.~~

~~A person may not accelerate a vehicle which is stopped, standing or parked on or along a highway or which is entering a highway so rapidly as to unnecessarily cause the tires to squeal or spin on the highway or on the surface on which the vehicle is standing immediately before it enters the highway or which causes the driver to lose control of the vehicle or causes the vehicle to "fishtail."~~

10.04.020 Chief of police regulation authority.

- A. The chief of police is empowered to make enact traffic regulations for regulations necessary to make effective the provisions of the traffic ordinances of the city and to make and enforce temporary or experimental regulations to cover parking control or emergencies or special conditions.
- B. Except for parking regulations, no such temporary or experimental regulations shall remain in effect for more than 90 days.
 - 1. Every such temporary or experimental regulation shall be submitted to the city council at the council's regular meeting prior to the enforcement of such regulation, and, in the event the council disapproves its enforcement, the police department shall not thereafter enforce such regulation.

~~10.04.030 Hazardous materials.~~

~~"Hazardous materials" are defined to mean those materials included within the definition of "hazardous materials" as set forth in 13 Alaska Administrative Code 05.010 and as the same may be amended from time to time hereafter. Drivers of motor vehicles transporting hazardous materials must comply with federal and state laws and regulations pertaining to the transport of hazardous materials. Hazardous materials may be transported within or through the city only on routes designated by the city manager. Copies of such designated routes shall be available to the public for inspection at City Hall. (Ord. 525 § 8(1), 1997; Ord. 192 § 1, 1975; Ord. 190 § 1, 1974; 1978 code § 10.3)~~

~~10.04.035 Handicapped parking.~~

- A. ~~No person may park or cause to be parked a motor vehicle in a "parking space designated for handicapped parking only," whether such parking space is on public or private property, unless such vehicle displays a valid handicapped permit or license plate issued by the state of Alaska.~~

- ~~B. Any police officer may enforce this section by issuing a citation. A person who owns or controls a private area containing a designated handicapped-only parking space may cause a vehicle parked in violation of this section to be removed and towed.~~
- ~~C. A parking space shall not be considered a "parking space designated for handicapped parking only" unless each such space is posted with a metal sign which states as follows: "Warning: Your vehicle will be towed away unless it displays a current special handicapped permit or license plate pursuant to AS 28.10.495."~~

10.04.040 Snow vehicles.

Snow vehicles, as defined by the regulations of the state, shall be transported or operated on public rights-of-way and public or private property only during such times and in such manner as is set forth in snow vehicle regulations proposed by the city manager and approved by the city council, but in no event shall snow vehicles be operated, equipped, licensed or registered other than in accordance with the statutes and regulations of the state pertaining to such vehicles and the drivers thereof. Trailers used to transport snow vehicles shall comply with all applicable state license, equipment and operation regulations pertaining to such trailers.

10.04.045 Off-highway vehicles.

Off-highway vehicles, as defined by the regulations of the state, shall be transported or operated on public rights-of-way and public or private property only during such times and in such manner as is set forth in off-highway vehicle regulations proposed by the city manager and approved by the city council, but in no event shall off-highway vehicles be operated, equipped, licensed or registered other than in accordance with the statutes and regulations of the state pertaining to such vehicles and the drivers thereof. Trailers used to transport off-highway vehicles shall comply with all applicable state licenses, equipment and operation regulations pertaining to such trailers.

10.04.050 Parking prohibitions during snow accumulation and/or drifting snow conditions.

- A. Commercial, Industrial or Public Districts. When an accumulation of two or more inches of snowfall in the previous 96 hours and/or drifting snow conditions exist, overnight parking is prohibited from October 1st to April 30th during the period of 2:00 a.m. to 6:00 a.m. on all city streets and rights-of-way in commercial, industrial or public districts.
- B. Residential Districts. When an accumulation of two or more inches of snowfall in the previous 96 hours and/or drifting snow conditions exist, parking is prohibited on all city streets and rights-of-way in all residential districts from October 1 to April 30.
- C. A violation of this section is an offense punishable by the fine established in the current, adopted budget.

10.04.055 Towing.

- A. Any vehicle in a city right-of-way parked in violation of PMC 10.04.050, 10.04.080, 10.04.090, or 10.04.100 shall be subject to impoundment by the city.
- B. The costs of impounding, towing and storage of such vehicles will be charged or assessed by the city against the vehicle, the registered owner of the vehicle, any person who has acquired legal title to the vehicle from or through the registered owner and any person who has violated PMC 10.04.050, 10.04.080, 10.04.090, or 10.04.100.
- C. A violation of this section is an offense punishable by the fine established in the current, adopted budget.

10.04.060 No-parking areas – Identification.

- A. On city streets, roadways and alleys, the city shall paint the curb adjoining all no-parking and prohibited-parking areas yellow or shall post signs prohibiting parking on the curb adjoining no-parking and prohibited-parking areas in order to identify such restricted zones.
- B. It is unlawful for any other person to paint the curbs or post no-parking signs in such restricted zones unless the person is given authority to do so by the city council.
- C. A violation of this section is an offense punishable by the fine established in the current, adopted budget.

10.04.070 Additional regulations – Promulgation authority.

The city manager may promulgate additional regulations, provided, however, they are consistent with the 1984 Traffic Study as amended.

10.04.080 Prohibiting parking for longer than 24 hours.

- A. No person may park a vehicle in any parking lot owned by the city, on any street or public right-of-way for longer than 24 consecutive hours, excluding Friday from 6:00 p.m. through Sunday at 6:00 p.m.
- B. Residential Districts. Overnight parking of vehicles on any residential street or right-of-way without a designated parking lane is restricted to no more than 12 hours in any 48-hour period.
- C. Overnight parking of commercial vehicles in excess of 16,000 pounds curb weight is prohibited in residential subdivisions.
- D. A violation of this section is an offense punishable by the fine established in the current, adopted budget.

10.04.090 Prohibiting parking that obstructs traffic.

- A. City Streets. No person may park any vehicle on a street in a manner or under such conditions as to leave less than 14 feet of the roadway available for the free movement of vehicular traffic.
- B. Alleys. No person may park a vehicle in an alley in a manner or under such conditions as to leave less than 14 feet of the alley available for the free movement of vehicular traffic.
- C. Sidewalks. No person shall park a vehicle, whether attended or unattended, on a sidewalk except in compliance with the directions of a police officer.
- D. A violation of this section is an offense punishable by the fine established in the current, adopted budget.

10.04.100 Prohibiting parking in construction zones.

- A. Parking is prohibited in marked construction zones.
- B. A violation of this section is an offense punishable by the fine established in the current, adopted budget.

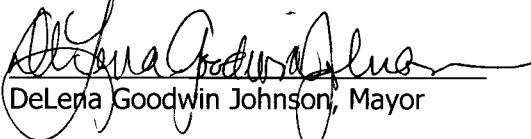
~~Streets or roadways within the city that are scheduled for maintenance or road construction work shall be posted with "No Parking" signs at least 48 hours before the work is to commence. The signs shall have marked on them the date and time of their posting and state that vehicles in violation may be impounded at the owner's expense. The signs shall be posted at each end of the designated work area, at the beginning of each block within the work area, and no more than 100 feet apart. They shall also be posted on both sides of the roadway if both sides of the roadway are scheduled for said maintenance or construction.~~

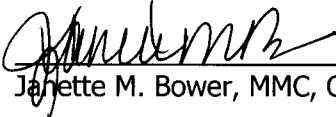
~~10.04.150 Violation — Penalty.~~

~~Penalties for violation of any provision of this chapter shall be by a fine of not more than \$300.00. The imposition of demerit points, revocation or suspension of licenses or restrictions thereof as may be imposed by the state pursuant to its rules, regulations and statutes, are independent of any penalty under this chapter.~~

Section 4. Effective Date. Ordinance No. 14-029 shall take effect on January 1, 2015.

Passed and approved this fourteenth day of October, 2014.


DeLena Goodwin Johnson, Mayor


Janelle M. Bower, MMC, City Clerk