

## CITY OF PALMER, ALASKA

## ORDINANCE NO. 390

AN ORDINANCE ADDING TO THE PALMER MUNICIPAL CODE CHAPTER 9.40 CONCERNING TRESPASS AND POSTING OF PROPERTY AND REPEALING 9.36.010 J CONCERNING TRESPASS.

THE CITY OF PALMER, ALASKA, ORDAINS:

Section 1. Classification. This ordinance shall be of a permanent nature and shall become a part of the City of Palmer Code of Ordinances.

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

Section 3. Subsection 9.36.010 J is hereby repealed.

Section 4. Chapter 9.40 is hereby added to Title 9 of the Palmer Municipal Code as follows:

Chapter 9.40

Trespass - Posting of Property

Section:

9.40.010 Trespass - Posting of Property

9.40.010 A. It is unlawful for any person, firm or corporation to commit a trespass upon either public or private property without consent of the owner of the property.

B. Without constituting any limitation upon the provisions of subsection A hereof, any of the following acts by any person, firm or corporation shall be deemed included among those that constitute trespasses in violation of the provisions of subsection A.

The aforesaid enumerated acts shall include:

1. an entry or remaining upon the premises, or any part thereof, of another, including any public property, in violation of a warning not to enter, remain or trespass upon such property contained in a notice posted or exhibited at the main entrance to the premises;

2. the pursuit of any course of conduct or action upon the land of another in violation of a notice posted or exhibited at the main entrance to the premises or at any point of approach or entry, or in violation of any notice, warning or protest given in writing or orally by any owner or occupant thereof or by a person so authorized in writing by any owner or occupant thereof;

3. a failure or refusal to depart from the premises of another, including publicly owned property, upon request to do so in writing or orally by any owner or occupant thereof or by a person, to include the police department, so authorized in writing by any owner or occupant thereof.

C. The manager or his designee is authorized to cause the posting of signs on or around city owned or city controlled property, buildings or other areas advising that such property, building or area is restricted as to public use or access.

D. The provisions of this ordinance do not apply to governmental officials in the performance of their official duties, where such duties reasonably require the official to go upon the property of another.

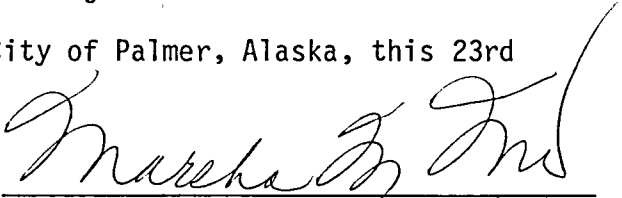
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Section 5. Publication and Effective Date. This ordinance shall become effective immediately upon its adoption and publication and shall be by posting a copy hereof on the City Hall bulletin board for a period of ten (10) days following its adoption, and it shall be published by being printed and included in the Palmer Municipal Code at its next regular supplementation and printing. A notice of public hearing shall be given by such posting at least five (5) days before final passage.

First Reading: August 9, 1988

Public Hearing &  
Second Reading: August 23, 1988

Adopted by the City Council of the City of Palmer, Alaska, this 23rd day of August, 1988.

  
MARSHA M. MELTON, MAYOR PROTEM

  
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DAVID L. SOULAK, CITY CLERK