

ORDINANCE NO. 76

AN ORDINANCE PROHIBITING THE DRIVING OF VEHICLES OR THE AUTHORIZATION OF DRIVING OF VEHICLES BY ANY PERSON WHO IS AN HABITUAL USER OF NARCOTIC DRUGS OR ANY PERSON WHO IS UNDER THE INFLUENCE OF INTOXICATING LIQUOR, NARCOTIC OR HYPNOTIC DRUGS: PROHIBITING RECKLESS DRIVING; PROHIBITING NEGLIGENT DRIVING: PRESCRIBING PENALTIES.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF PALMER, ALASKA:

SECTION 1. PERSONS UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR NARCOTIC DRUGS

A. No person, whether licensed or not, who is an habitual user of narcotic drugs or who is under the influence of intoxicating liquor or narcotic or hypnotic drugs, shall drive any vehicle upon any street or highway within this city, or be in actual physical control of any vehicle. No owner of any motor vehicle and no person having such in charge or in control thereof shall authorize or willingly permit the same to be driven or operated on any street or highway within this city by any person who is an habitual user of narcotic drugs or any person who is under the influence of intoxicating liquor, narcotic or hypnotic drugs.

B. No person, whether licensed or not, who is an habitual user of narcotic drugs or who is under the influence of liquor or narcotic or hypnotic drugs shall drive any vehicle on any property, whether public or private, within this city. No owner of any motor vehicle, and no person having such in charge or in control thereof, shall authorize or knowingly permit the same to be driven or operated upon any property, whether public or private, within this city by any person who is under the influence of intoxicating liquor, narcotic or hypnotic drugs.

C. The fact that any person charged with a violation of this Ordinance is or has been entitled to use any such intoxicating liquors or narcotic or hypnotic drugs under the laws of the Territory or under a prescription from a physician shall not constitute a defense against any charge of violating this Ordinance.

(Territorial law authority: For penalty for driving under the influence of intoxicating liquor, see ACLA '49, 50-5-3, as amended, SLA 55, Ch. 107)

SECTION 2. RECKLESS DRIVING

It shall be unlawful for any person to operate a motor vehicle in a reckless manner over and along the public ways, streets or highways of this city. For the purpose of this Ordinance to "operate in a reckless manner" shall be construed to mean the operation of a vehicle upon the public ways, streets or highways of this city in such a manner as to indicate either willful or wanton disregard for the safety of persons or property, or without due caution and circumspection and at a speed or in a manner so as to endanger or to be likely to endanger any person or property.

(Territorial law authority: For Territorial law prescribing a fine of up to one thousand dollars and/or imprisonment up to one year, see ACLA '49, 50-5-4, as amended by SLA '55, Ch. 182)

SECTION 3. NEGLIGENT DRIVING

It shall be unlawful for any person to operate a motor vehicle in a negligent manner over and along the public ways, streets or highways of this city. For the purpose of this Ordinance to "operate in a negligent manner" means the operation of a vehicle upon the public ways, streets or highways in such a manner as to endanger any person or property. The offense of operating a vehicle in a negligent manner shall be considered to be a lesser offense than, but included in, the offense of operating a vehicle in a reckless manner may be convicted of the lesser offense of operating a vehicle in a negligent manner.

SECTION 4. SEVERABILITY

EACH of the provisions of this Ordinance are severable and if any provision thereof shall be declared to be invalid, the remaining provisions shall not be affected, but shall remain in full force and effect.

*Repealed by
Ord. 76*

AIA263


ORDINANCE NO. 76 (Cont'd.)

SECTION 5. PENALTIES.

Violation of any provision of this Ordinance shall be punishable by a fine of not to exceed \$300.00 or by imprisonment in the City jail not more than 30 days, or by both such fine and imprisonment.

An emergency is hereby declared to exist and this Ordinance shall become effective immediately upon its being read in full and once again by its title.

PASSED AND APPROVED by the Common Council of the City of Palmer, this 11th day of March 1958.



 KENNETH W. LYNN, MAYOR

ATTEST:

 L. C. Stock, City Clerk

ORDINANCE NO. 77

AN ORDINANCE AMENDING ORDINANCE NO. 15, AS AMENDED BY ORDINANCE NO. 30, TO PROVIDE FOR THE RE-ESTABLISHMENT OF THE BUILDING LINES ON WASILLA HIGHWAY BETWEEN MATANUSKA STREET AND COLONY STREET: AND PROVIDING FOR A SIX FOOT SIDEWALK SPACE ADJACENT TO THE SOUTH SIDE BUILDING LINE HEREIN PROVIDED.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF PALMER, ALASKA, THAT:

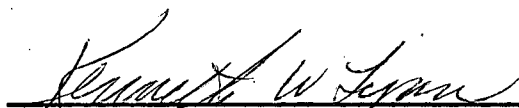
Ordinance No. 15, as amended by Ordinance No. 30, is hereby amended as follows:

On Wasilla Highway from Colony Street to Matanuska Street the building line shall be established not less than thirty (30) feet from the center line.

The public sidewalk space on the south side of Wasilla Highway, between Colony Street and Matanuska Street, shall be six feet in width, and contiguous with the building line in this ordinance established.

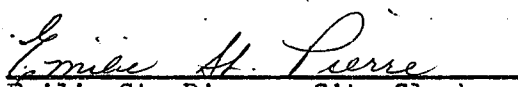
THAT the rules governing the reading of ordinances be suspended; and that an emergency is hereby declared to exist and this Ordinance shall take effect immediately upon its passage, approval, execution and publication, by posting a full copy thereof on the City Hall bulletin board.

PASSED by the Common Council and approved by the Mayor of the City of Palmer, this 8th day of April, 1958.



 KENNETH W. LYNN, MAYOR

ATTEST:



 Emilie St. Pierre, City Clerk