

**ORDINANCE NO. 6030**

**AN ORDINANCE AMENDING CERTAIN PROVISIONS OF FAIRBANKS GENERAL CODE CHAPTER 78 IN RESPONSE TO THE REVISION OF MINOR OFFENSE RULES BY THE STATE OF ALASKA**

**WHEREAS**, the State of Alaska adopted new rules regarding minor offenses when Governor Walker signed SB 91, known as the Omnibus Crime Bill (the “Bill”) and

**WHEREAS**, the Bill states that when municipalities have minor offenses comparable to state offenses, the municipality may not impose a greater punishment than that imposed for violation of the state law; and

**WHEREAS**, this change affects city code provisions dealing with minor offenses; and

**WHEREAS**, after review by state court officials and by city staff, several changes to the city’s code provisions dealing with minor offenses are needed.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, as follows:**

**SECTION 1.** That Fairbanks General Code Section 78-5 Traffic fine schedule is hereby amended as follows [new text in **underlined/bold** font; deleted text in ~~striketrough~~ font][new and existing fines have been arranged in numerical order by section number and renumbered accordingly]:

**Sec. 78-5. Traffic fine schedule.**

(a) Unless otherwise provided in this chapter, the city's traffic fine schedule for violations not set forth under section 78-1 shall be as follows:

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|----|--|--------|
| 1. | Use of coasters, roller skates and similar devices (Section 78-40) . . | 40.00  |
| 2. | Red signal/arrow (Section 78-141) . . . . .                            | 200.00 |
| 3. | Right-of-way on sidewalks (Section 78-242) . . . . .                   | 80.00  |
| 4. | Obedience to school crossing guards (Section 78-243) . . . . .         | 80.00  |
| 5. | Restricted turn signals (Section 78-277) . . . . .                     | 80.00  |

6.	Speeding (Section 78-346(b))	
	- under 20 mph over limit . . . . .	8.00
		per mile;
	- 20 mph or more over limit . . .	12.00
		per mile;
		no maximum
7.	Speed contest (Section 78-347) . . . . .	300.00
8.	Improper acceleration (Section 78-348) . . . . .	75.00
9.	Safety belt/child restraint (Section 78-349(a)(1)(2)) . . . . .	<del>60.00</del> <b><u>15.00</u></b>
10.	Proper child restraint (Section 78-349(b)) . . . . .	<del>200.00</del> <b><u>50.00</u></b>
<b><u>11.</u></b>	<b><u>Removing a seatbelt (Section 78-349(d)). . . . .</u></b>	<b><u>15.00</u></b>
<del>12.</del> <b><u>11.</u></b>	<del>Parking within a safety zone (Ten feet) (Section 78-381) . . . . .</del>	40.00
<del>13.</del> <b><u>12.</u></b>	<del>Parking not to obstruct traffic (Section 78-382) . . . . .</del>	40.00
<del>14.</del> <b><u>13.</u></b>	<del>Parking in alleys (Section 78-383) . . . . .</del>	40.00
<del>15.</del> <b><u>14.</u></b>	<del>Parking adjacent to schools (Section 78-384) . . . . .</del>	40.00
<del>16.</del> <b><u>15.</u></b>	<del>No parking on narrow one-way streets (Section 78-385) . . . . .</del>	40.00
<del>17.</del> <b><u>16.</u></b>	<del>Standing or parking on one-way roadway (Section 78-386) . . . . .</del>	40.00
<del>18.</del> <b><u>17.</u></b>	<del>No stopping, standing, or parking near hazardous or congested places (Section 78-387) . . . . .</del>	40.00
<del>19.</del> <b><u>18.</u></b>	<del>Parking during certain hours (Section 78-388) . . . . .</del>	40.00
<del>20.</del> <b><u>19.</u></b>	<del>Parking during street cleaning and</del>	

	snow removal (Section 78-389) . .	60.00
<del>21.20.</del>	Parking prohibited over 24 hours (Section 78-391) . . . . .	40.00
22.	Parallel parking required (unless otherwise posted)(Section 78-394).	40.00
23.	Obedience to angle parking signs or markings (Section 78-395) . . .	40.00
24.	Parking of trailers restricted (Section 78-397) . . . . .	40.00
25.	Handicapped parking (Section 78-403) . . . . .	125.00
26.	Standing in passenger curb loading zone (Section 78-437) . . .	40.00
27.	Standing in truck curb loading zone (Section 78-438) . . . . .	40.00
28.	Stopping, standing and parking of buses (Section 78-440) . . . . .	40.00
29.	Restricted use of bus and taxicab (Section 78-441) . . . . .	40.00
30.	Bicycle licenses (Section 78-507).	20.00
31.	Driving snow machine on roadway (Section 78-541/13 AAC 02.450(a))	125.00
32.	Carrying animals on outside of vehicle (Section 78-573) . . . . .	40.00
33.	Boarding or alighting from vehicles (Section 78-574) . . . . .	40.00
34.	Drinking while driving; open container (Section 78-576) . . . . .	<del>300.00</del> <b><u>200.00</u></b>
35.	Avoidance of traffic controlled intersections (Section 78-579) . . . .	80.00
36.	Overtaking and passing emer- gency vehicles (no personal injury) (Section 78-617) . . . . .	150.00

37. License to be carried and exhibited  
on demand (Section 78-892) . . . . . ~~75.00~~ 50.00

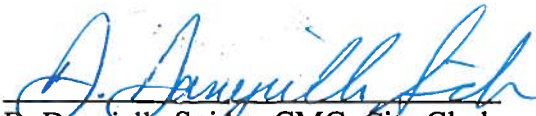
Disposition of any of the above-listed offenses may be without court appearance pursuant to AS 29.25.070 and the Alaska Minor Offense Rules upon payment of the fine amount listed above and payment of the state surcharge required by AS 12.55.039 and AS 29.25.074. The fines established in this fine schedule may not be judicially reduced.

**SECTION 2.** That the effective date of this Ordinance shall be the 12th day of September 2016.

  
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**John Eberhart, City Mayor**

AYES: Pruhs, Gatewood, Huntington, Cleworth, Mathelry, Rogers  
NAYS: None  
ABSENT: None  
ADOPTED: September 12, 2016

ATTEST:

  
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D. Danyelle Snider, CMC, City Clerk

APPROVED AS TO FORM:

  
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Paul J. Ewers, City Attorney