

**PETERSBURG BOROUGH
ORDINANCE #2019-17**

**AN ORDINANCE AMENDING PETERSBURG MUNICIPAL CODE SECTION 1.16.030 TO
ADD LANGUAGE TO THE BOROUGH TRAFFIC CODE (FINE SCHEDULE), AS REQUIRED
BY STATE STATUTE**

WHEREAS, Alaska Statute 28.05.151, paragraphs (d) and (e), require that the Borough traffic code provide for double fines in a traffic safety corridor, and a mandatory court appearance for violations relating to certain vehicular accidents.

THEREFORE THE PETERSBURG BOROUGH ORDAINS as follows:

Section 1. Classification: This ordinance is of a permanent nature and shall be codified in the Petersburg Borough Code.

Section 2. Purpose: The purpose of this ordinance is to include into the Borough Fine Schedule certain provisions required by state traffic law, as set out in AS 28.05.151(d) and (e).

Section 3. Substantive Provisions: Section 1.16.030 of the Petersburg Borough Municipal Code shall be amended to read as follows (the new language is in bold and underlined):

Chapter 1.16 - GENERAL PENALTY AND INTEREST RATE

Section 1.16.030 - Fine schedule.

Citations for the following offenses may be disposed of without a court appearance upon payment of the fine amounts listed below, plus any required state surcharge. 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 fine amount for that offense listed below, plus any applicable state surcharge.

The fine amounts listed for traffic offenses in this fine schedule are doubled for motor vehicle or traffic offenses committed in a highway work zone or traffic safety corridor, as those terms are defined in AS 28.90.990 and 13 AAC 40.010(b).

An offense listed in this fine schedule may not be disposed of without court appearance for a person who is cited for violation of the traffic laws in connection with a motor vehicle accident if the accident resulted in the death of a person. In this provision, "traffic laws" has the meaning given in AS 28.15.261.

Section 4. Severability: If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and the application of other persons or circumstances shall not be affected.

Section 5. Effective Date: This Ordinance shall become effective immediately upon final passage.

Passed and approved by the Petersburg Borough Assembly, Petersburg, Alaska this 21st day of January, 2020.

Attest:

Mark Jensen, Mayor

Debra K. Thompson, Borough Clerk

Adopted:
Published:
Effective: