

**PETERSBURG BOROUGH
ORDINANCE #2014-20**

**AN ORDINANCE PROVIDING FOR NEW SECTIONS 11.12.040 and 11.12.050 OF TITLE 11,
THE BOROUGH VEHICLE AND TRAFFIC CODE, AND FOR REPEAL OF THE REMAINDER OF
TITLE 11 OF THE CODE OF THE FORMER CITY OF PETERSBURG (NOW SERVICE AREA 1)**

Whereas, on January 3, 2013 the Election Division for the State of Alaska certified the election results of the December 18, 2012 incorporation election for the Petersburg Borough, and

Whereas, the certified election confirmed the incorporation of the Petersburg Borough and dissolved the City of Petersburg, and

Whereas, Petersburg Borough Charter, Section 19.06 requires all ordinances, resolutions, regulations, orders and rules in effect for the former City of Petersburg to continue in full force and effect within the Petersburg Borough, Service Area 1, until expressly reaffirmed, revised or repealed by the assembly.

Therefore the Petersburg Borough Ordains, Sections 11.12.040, Additional Parking Restrictions, and 11.12.050, Costs of establishing curb passenger and freight loading zones, as set out below, are hereby adopted as borough ordinances to be administered on an areawide (borough-wide) basis, and

Be it further Ordained, that the remaining ordinances of Title 11 of the code of the former City of Petersburg (now Service Area 1), as further set out in Section 3(B) below, are hereby repealed.

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

Section 2. Purpose: The purposes of this ordinance are to adopt certain additional parking restrictions, to provide for the assessment of costs of new loading zones when established upon request, and to repeal certain ordinances of the former City of Petersburg (now Service Area 1).

Section 3. Substantive Provisions:

A. New sections 11.12.040 and 11.12.050, to read as follows, are hereby adopted as part of Title 11, the vehicle and traffic code for the borough.

11.12.040 Additional Parking Restrictions.

A. No person shall park a vehicle upon any public highway, street or way open to the public for the principal purpose of,

1. displaying the vehicle for sale or for hire; or
2. washing, or performing repair or maintenance work on, the vehicle, except for repairs necessitated by an emergency.

B. No person shall park a vehicle on any public highway, street or way open to the public at any time when snow removal operations are being conducted on or in the vicinity of such vehicular area, or could reasonably be anticipated to be conducted in the area in the near future due to weather conditions, without leaving in charge of such vehicle a person authorized, competent and able to remove such vehicle. Falling snow, the presence of un-removed snow in such vehicular area, or the conduct of snow removal operations in adjacent areas, are deemed sufficient to invoke this prohibition.

C. No person shall park a vehicle in a commercial parking lot without the express permission of the owner or persons having control over such lot. "Commercial parking lot", as used in this paragraph, means an area devoted to parking space for the accommodation of vehicles of customers of a nearby business and which has been posted by the business owner or person in control thereof with a conspicuous and discernable sign designating the same as a commercial parking lot and setting forth the conditions under which a vehicle may be parked there. Such sign shall be approved as to size and lettering by the chief of police.

11.12.050 Costs of establishing curb passenger and freight loading zones.

When a curb passenger or freight loading zone is established at the request of a private person, the chief of police may require that person to pay to the borough the costs of establishing the zone and placing appropriate signage.

B. Repeal of current remaining ordinances of Title 11 of the code of the former City of Petersburg (now Service Area 1):

Chapters 11.48 (Method of Parking); 11.52 (Stopping for Loading or Unloading); 11.56 (Miscellaneous Stopping, Standing and Parking Restrictions); 11.60 (Parking Lot Regulations); and 11.96 (Penalties), of the former municipal code of the City of Petersburg (now Service Area 1) are hereby repealed in their entirety.

Section 4. Fine Amounts:

The following fine amounts are adopted for violations of the newly adopted sections, and shall be administratively incorporated into section 1.16.030 of the borough code:

<u>Section</u>	<u>Description of Violation</u>	<u>Fine Amount</u>
11.12.040A(1) and (2)	Parking for certain purposes prohibited	\$ 25.00
11.12.040B	Parking so as to impede snow removal	\$ 25.00
11.12.040C	Unauthorized parking in commercial lot	\$ 25.00

A future modification in a fine amount for a violation of these provisions shall be by amendment to section 1.16.030.

Section 5. 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 to other persons or circumstances shall not be affected.

Section 6. Effective Date: This Ordinance shall become effective areawide immediately upon final passage.

Passed and approved by the Petersburg Borough Assembly, Petersburg, Alaska this ____ day of _____, 2014.

Mark Jensen, Mayor

ATTEST:

Kathy O'Rear, Clerk

Adopted:
Published:
Effective: