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CITY OF HOMER

HOMER, ALASKA

ORDINANCE 82 - 16

AN ORDINANCE GENERALLY AMENDING CHAPTER 8.12, VEHICLES FOR HIRE, OF THE HOMER MUNICIPAL CODE TO PROVIDE EXEMPTIONS FROM CHAPTER FOR OPERATIONS UNDER SCHOOL BUS CONTRACTS, AND ADDING PROVISION FOR POLICE CHIEF TO WAIVE OTHER REQUIREMENTS OF CHAPTER ON A TEMPORARY OR EMERGENCY BASIS.

WHEREAS, contractors for school bus services within the State of Alaska are required to provide and use drivers who are specially licensed for that purpose by the State as well as school buses which are inspected by the State Police twice yearly and to post bonds and provide adequate liability insurance for loss or injury,

AND WHEREAS, the provisions of Section 8.12.230 through 8.12.280 of the Homer Municipal Code essentially duplicate the requirements for a driver to obtain a license to operate school buses within the State of Alaska,

AND WHEREAS, Section 8.12.170 of the Homer Municipal Code, pertaining to vehicle inspection is adequately covered by the State requirement for inspection of school buses twice annually by the Alaska State Police.

AND WHEREAS, the requirement for school bus contractors to comply with certain other provisions of Chapter 8.12 is unnecessarily duplicative and inappropriate,

AND WHEREAS, there are, from time to time, occasions when a waiver of one or more requirements of this Chapter is appropriate on a temporary or emergency basis,

NOW THEREFORE, THE CITY OF HOMER ORDAINS:

LAW OFFICES OF HAHN, JEWELL & STANFILL
431 WEST SEVENTH AVENUE, SUITE 212
ANCHORAGE, ALASKA 99501 * TELEPHONE 278-1844
HOMER, ALASKA * TELEPHONE 235-9709

1 Section 1. The following sentence shall be added to Section
2 8.12.010 d. of the Homer Municipal Code:

3 This definition does not include vehicles
4 owned or operated under state school
5 bus contracts including school related
6 activities.

7 Section 2. Section 8.12.290 is hereby added to read:

8 8.12.290. State School Bus Operations -
9 Exemptions. Any person, firm or corporation
10 who owns or leases and operates school bus
11 equipment under a valid existing school bus
12 contract with the State of Alaska shall be
13 exempt from the provisions of sections
14 8.12.010 through 8.12.280 of this Chapter,
15 during the duration of such contract. This
16 exemption shall include transportation to
17 and from sports events and other extra -
18 curricular, school - related activities.

19 Section 3. Section 8.12.300 is hereby added to read:

20 8.12.300. Chauffeur's license - exemption
21 for State School Bus Operators-Fees. Any
22 school bus operator who has a valid and
23 subsisting operator's license from the
24 State of Alaska and is currently operating
25 under the requirements of the State shall
26 not be required to obtain a chauffeur's
27 license under Sections 8.12.230 - 8.12.280
28 of this Code. Any such operator, or the
29 school bus contractor by whom he or she
30 is employed, shall furnish a copy of the
31 current operator's license for each operator
32 to be so exempted to the Homer Police
Department. This exemption shall be in
force when verification of the existence
of such a current school bus operator's
license satisfactory to the Homer Police
Department is obtained and the exemption
shall continue in effect only so long as
the operator holds a current and valid
school bus operator's license. Any
suspension or revocation of such license
shall automatically and concurrently
terminate the exemption under this section.

The fee charged by the City of Homer under
this section shall be \$ 5.00 .

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1 Section 4. Section 8.12.310 is hereby added to read:

2 Section 8.12.310. State School Bus Opera-
3 tions - Vehicle permit - inspection of
4 vehicles.

5 Any school bus which is inspected by the
6 Alaska State Police in accordance with the
7 school bus contract requirements within the
8 State, shall be exempt from the inspection
9 requirements of this chapter. The owner/
10 contractor shall furnish evidence of current
11 vehicle inspection by the State Police to the
12 Homer Police Department for each school bus
13 to be operated within the City of Homer.
14 Failure to provide satisfactory evidence
15 of inspection shall terminate the exemption
16 provided in this paragraph. The fee charged
17 by the City of Homer under this exemption
18 provision shall be \$ 5.00 .

19 Section 5. Section 8.12.320 is hereby added to read:

20 Section 8.12.320. State School Bus Operations -
21 Limitation.

22 Any person, firm or corporation operating under
23 the exemption provisions of Sections 8.12.290 -
24 310 of this chapter shall not provide a service
25 in competition with any taxi or other for hire
26 vehicle franchise authorized by the Homer City
27 Council. Any operations other than under a
28 valid existing state school bus contract must
29 first be approved by the Council.

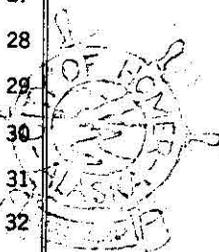
30 Section 6. Section 8.12.330 is hereby added to read:

31 Section 8.12.330. Waivers. The Chief of Police
32 is hereby authorized to waive any requirement
33 under this Chapter, for good cause shown,
34 on a temporary or emergency basis for a
35 period not to exceed thirty (30) days. If
36 the matter has not been resolved within
37 said thirty (30) day period, the Chief of
38 Police at his discretion may extend said
39 waiver for an additional ten (10) day period.
40 No further extension shall be granted.

CITY OF HOMER


LEO RHODE, Mayor

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ATTEST:

Kathleen P. Herold
Kathleen P. Herold, City Clerk

First Reading 9-27-82

Public Hearing 10-11-82

Second Reading 10-11-82

Effective Date 10-12-82

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