

CITY OF HOMER

HOMER, ALASKA

ORDINANCE 84-9(S)

AN ORDINANCE AMENDING CHAPTER 8.12, VEHICLES FOR HIRE, OF THE HOMER MUNICIPAL CODE TO PROVIDE THAT CERTAIN CRIMINAL CHARGES CONSTITUTE GROUNDS FOR SUSPENSION OR REFUSAL TO ISSUE CHAUFFEUR'S LICENSES AND TO ALLOW APPLICATION FOR LICENSES BY PERSONS CONVICTED OF CRIMES AFTER AN APPROPRIATE NUMBER OF YEARS.

WHEREAS, existing Municipal Code Sections provide for suspension of or refusal to issue a chauffeur's license only upon conviction of certain criminal offenses, and

WHEREAS, it may be appropriate to suspend or deny issuance of a chauffeur's license pending the outcome of a hearing or trial concerning persons charged with such offenses.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. Section 8.12.240 d of the Homer Municipal Code is amended to read as follows:

d. The applicant shall not have been:

1. Convicted of a sexual offense;
2. Convicted of a felony or a misdemeanor involving a crime of violence;
3. Convicted of more than one felony and imprisoned under such convictions under sentences which were not concurrent;
4. Convicted of a felony wherein any portion of the sentence imposed thereon existed within five years immediately preceding the application;
5. Currently charged and awaiting trial or other disposition under any of the foregoing offenses listed in Subparagraph d.

1 Section 2. Section 8.12.270 e of the Homer Municipal
2 Code is amended to read as follows:

3 e. Conviction of a felony, or conviction
4 of a misdemeanor involving moral turpitude,
5 or criminal violence.

6 Section 3. Section 8.12.270 of the Homer Municipal Code
7 is amended by adding Subparagraph 1 to read as follows:

8 1. A chauffeur's license shall be suspended
9 if licensee has been charged with any felony
10 or misdemeanor involving violence or moral
11 turpitude pending trial or other disposition
12 of said charge.

13 Section 4. Section 8.12.240 i of the Homer Municipal Code
14 is amended by changing the reference to fees in the first
15 line from five to ten dollars and the reference to fees in
16 the third line from ten to five dollars.


17 Section 5. Section 8.12.300 of the Homer Municipal
18 Code is amended by changing the fee charged by the City from
19 five dollars to ten dollars.

20 Section 6. Chapter 8.12 of the Homer Municipal Code
21 is amended by adding Section 8.12.340 to read as follows:

22 8.12.340 Purging of Criminal Record

23 A person who applies for any license
24 under this chapter two (2) years or more
25 after conviction of a misdemeanor and
26 ten (10) years or more after conviction
 of a felony shall be considered purged of
 his criminal record and the prior conviction
 alone shall not bar the issuance of a
 license to the applicant.

CITY OF HOMER


Erle Cooper, Mayor

1 ATTEST:

2 Kathleen F. Richardson
3 Kathleen F. Richardson, City Clerk

4 First Reading 4-9-84

5 Public Hearing 4-23-84

6 Second Reading 5-14-84

7 Effective 5-15-84

8 Reviewed and approved as to form
9 this 12 day of April, 1984.

10 A. Robert Hahn, Jr.
11 A. Robert Hahn, Jr.
12 City Attorney
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