

CITY OF HOMER

HOMER, ALASKA

ORDINANCE 86-15

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF HOMER REPEALING AND REENACTING SECTION 8.12.300 STATE SCHOOL BUS OPERATIONS EXEMPTIONS, OF THE HOMER MUNICIPAL CODE AND ADDING SECTION 8.12.460, WAIVER, OF DIRECTOR OF THE HOMER DEPARTMENT OF PUBLIC SAFETY TO WAIVE OTHER REQUIREMENTS OF CHAPTER ON AN EMERGENCY OR TEMPORARY BASIS.

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

WHEREAS, the requirements for school bus contractors to provide a public transportation service only if authorized and permitted by the City Council when they are operating under contract with the State of Alaska, is unnecessarily duplicative and burdensome, 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:

Section 1. Section 8.12.300 State School bus operations--Exemptions. of the Homer Municipal Code is hereby repealed in its entirety and reenacted to read:

Section 8.12.300. State School bus operations--Exemptions.

(a) Any person, firm or corporation owning or leasing and operating school bus equipment under a valid existing school bus contract with the State of Alaska shall be exempt from the provisions of this Chapter for the duration of such contract. This exemption shall also include transportation to and from sports events and other extra-curricular, school-related activities.

(b) Chauffeur's license--Any school bus operator who has a valid and subsisting operator's license from the State of Alaska and is currently operating under the requirements of the State shall not be required to obtain a Chauffeur's license under Sections 8.12.200-8.12.230 of this Code. Any such operator, or the school bus contractor by whom he or she is employed, shall furnish a copy of the current operator's license for each operator to be so exempted to the Homer Department of Public Safety. This exemption shall be in force when verification of the existence of such a current school bus operator's license satisfactory to the Homer Department of Public Safety 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.

(c) Vehicle Permit/Inspection of Vehicles-Any school bus which is inspected by the Alaska State Troopers in accordance with contract requirements within the State of Alaska, shall be exempt from the inspection requirements of this section. The owner/contractor shall furnish evidence of current vehicle inspection by the Alaska State Troopers to the Homer Department of Public Safety for each school bus to be operated within the City of Homer. Failure to provide satisfactory evidence of inspection shall terminate the exemption provided in this paragraph.

Section 2. Section 8.12.460, Waiver of Director of Homer Department of Public Safety, is added to the Homer City Code to read as follows:

Section 8.12.460. Waiver of Director of Homer Department of Public Safety. The Director of the Homer Department of Public Safety is hereby authorized to waive any requirement under this Chapter, for good cause shown, on a temporary or emergency basis for a period not to exceed thirty (30) days. If the matter has not been resolved within said thirty (30) day period, the Director, at his discretion, may extend said waiver for an additional (10) ten day period. No further extension shall be granted.

CITY OF HOMER



*John P. Calhoun*  
John P. Calhoun, Mayor

*Patti J. Whalin*  
Patti J. Whalin, City Clerk

Reviewed and approved as to form and content:

*Phil C. Shealy*  
Phil C. Shealy, City Manager

*A. Robert Hahn*  
A. Robert Hahn, City Attorney

Date: 6/24/86

Date: 5/16/86

First Reading: 05/27/86  
Public Hearing: 06/09/86  
Second Reading: 06/23/86  
Date of Adoption: 6/23/86  
Effective Date: 6/24/86