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**CITY OF HOMER
HOMER, ALASKA**

ORDINANCE 98-22

AN ORDINANCE OF THE CITY OF HOMER
AMENDING HOMER CITY CODE CHAPTER 1.16 TO
PROVIDE FOR THE ASSESSMENT AND
COLLECTION OF THE SURCHARGE REQUIRED BY
ALASKA STATUTE SECTION 12.55.039

WHEREAS, AS 29.25.074 requires that before a city may enforce an ordinance for which certain fines or imprisonment may be imposed as a penalty the city must authorize the imposition and provide for the collection of the surcharge imposed under AS 12.55.039, now, therefore

THE CITY OF HOMER HEREBY ORDAINS:

Section 1. The Homer City Code is hereby amended to add a new section 1.16.030 to read as follows:

1.16.030 Surcharge. In addition to any fine or other penalty prescribed by law, a defendant who pleads guilty or nolo contendere to, forfeits bail for, or is convicted of violating this Code or any rule or regulation adopted or issued in pursuance thereof shall be assessed a surcharge in the amount, if any, prescribed by AS 12.55.039. The surcharge shall be collected as provided in AS 12.55.039 and AS 29.25.075. The failure to pay the surcharge is punishable as contempt of court as provided in AS 12.55.039.

Section 2. This ordinance is of a permanent and general character and shall be included in the City code.

ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER,
ALASKA, this 14th day of December, 1998.

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CITY OF HOMER

Jack Cushing

Jack Cushing, Mayor

ATTEST:

Mary L. Calhoun

Mary L. Calhoun, City Clerk

AYES: 4
NOES: 0
ABSTAIN: 0
ABSENT: 2

First Reading: 11/23/98
Public Hearing: 12/7/98
Second Reading: 12/14/98
Effective Date: 12/15/98

Reviewed and approved as to form:

Val Koeberlein

Val Koeberlein
City Manager

Gordon J Tans

Gordon J Tans
City Attorney