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**CITY OF HOMER
HOMER, ALASKA**

City Manager/
Port and Harbor Director

ORDINANCE 11-15

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING HOMER CITY CODE 10.04.100, VEHICLES AND OTHER WHEELED CONVEYANCES; AND HOMER CITY CODE 10.04.110, VIOLATION--PENALTY; REGARDING THE REGULATION OF PARKING IN THE HARBOR AREA.

THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code 10.04.100, Vehicles and other wheeled conveyances, is amended to read as follows:

10.04.100 Vehicles and other wheeled conveyances. a. The harbormaster may designate restricted parking areas in the harbor area. In a restricted parking area, the harbormaster may:

- (1) Establish time limits for parking;
- (2) Designate areas for paid parking, and establish fees for paid parking there; and
- (3) Designate areas for permit parking, and establish the fees and qualifications for obtaining a permit.

"Restricted parking" areas pertain to the parking of any vehicle or trailer, private or commercial.

b. The harbormaster shall notify the public of time limits in restricted parking areas, fees required to park in restricted parking areas, and permit requirements for parking in restricted parking areas by the placement of official traffic control devices. No person may stop, stand or park a vehicle in violation of such an official traffic control device. Every day in which such a violation continues shall constitute a separate offense.

c. No person other than an employee of the City or other person acting on City business shall drive a vehicle upon the inside gravel slope of the Small Boat Harbor except in case of emergency. Parking or leaving boats, trailers and/or other vehicles and equipment related thereto by the public shall be limited to specific areas designated for such use.

d. Hauling out boats on skids is prohibited unless approved in advance by the harbormaster.

Section 2. Homer City Code 10.04.110, Violation--Penalty, is amended to read as follows:

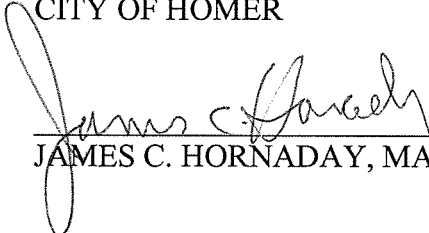
10.04.110 Violation--Penalty. a. Except as provided in (b) of this section, any violation of the provisions contained in this title or regulations adopted pursuant to this title shall be unlawful and punishable as provided in Section 1.16.010 of this Code.

b. A violation of HCC 10.04.100(b) is amenable to disposition without court appearance upon payment of a fine in the amount of \$25.00. The person cited for the violation may mail or personally deliver to the clerk of court the amount of the fine plus any surcharge required to be imposed by AS 29.25.074, together with a copy of the citation signed by the person indicating

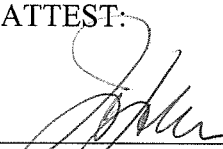
47 the person's waiver of court appearance, entry of plea of no contest, and forfeiture of the fine.
48 The payment of a fine under this subsection shall be treated as a judgment of conviction. The
49 fine paid is complete satisfaction for the offense. If a person cited for a violation of HCC
50 10.04.100(b) appears in court to contest the citation and is found guilty, the maximum sentence
51 which may be imposed is the scheduled fine amount plus any surcharge required to be imposed
52 by AS 29.25.074.

53
54 Section 3. This Ordinance is of a permanent and general character and shall be included
55 in the City Code.

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57 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 9th day of May,
58 2011.

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60 CITY OF HOMER
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64 JAMES C. HORNADAY, MAYOR
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66 ATTEST:

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70 JO JOHNSON, CMC, CITY CLERK
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72 YES: 5

73 NO: 0

74 ABSTAIN: 0

75 ABSENT: 1

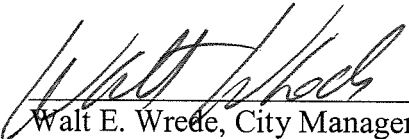
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77 First Reading: 4/25/11

78 Public Hearing: 5/10/11

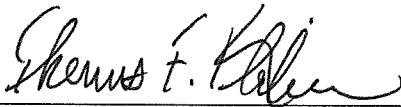
79 Second Reading: 5/10/11

80 Effective Date: 5/10/11
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82 Reviewed and approved as to form:

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84 
85
86 Walt E. Wreede, City Manager

87 Date: 5/13/11
88


Thomas F. Klinkner, City Attorney

Date: 5-17-11