

1 CITY OF HOMER  
2 HOMER, ALASKA

Aderhold

3  
4 ORDINANCE 21-33

5  
6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA  
7 AMENDING HOMER CITY CODE CHAPTER 7.20 SNOWMACHINES  
8 TO INCLUDE ALL-PURPOSE VEHICLES.  
9

10 WHEREAS, On March 16, 2021 the Dunleavy Administration proposed a statewide rule  
11 change which would allow snowmachines and all-purpose vehicles to be operated on roads  
12 with speed limits of 45 miles per hour or less; and  
13

14 WHEREAS, The proposed rule change allows municipalities to adopt ordinances that  
15 prohibit snowmachines and all-purpose vehicles to operate on public roadways; and  
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17 WHEREAS, All public roadways within the city limits of Homer have posted speed limits  
18 of 45 miles per hour or less; and  
19

20 WHEREAS, Allowing snowmachines and all-purpose vehicles on public roadways is not  
21 compatible with Homer's roads and traffic patterns.  
22

23 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:  
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25 Section 1. Homer City Code Chapter 7.20 is hereby amended as follows:  
26

27 Chapter 7.20  
28 SNOWMACHINES **AND ALL-PURPOSE VEHICLES**<sup>1</sup>

29 Sections:

30 7.20.010 *Repealed.*

31 7.20.020 ~~Street and alley defined~~ **Definitions.**

32 7.20.030 Use of snowmachines **and all-purpose vehicles.**

33 7.20.040 Time restriction.

34 7.20.050 Driver's license requirement.

35 7.20.055 Operation in designated areas.

36 7.20.060 Towing.

37 7.20.070 Exceptions.

38 7.20.080 *Repealed.*

39 Prior legislation: Ord. 72-5.  
40

41 7.20.010 Compliance with State law.

42 *Repealed by Ord. 13-40. [Code 1967 § 12-400.1].*

~~Strike out~~ is deleted language, **bold underline** is new language



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7.20.020 ~~Street and alley defined~~ **Definitions.**

For the purpose of this chapter the following definitions shall apply:

**“All-purpose vehicle” means any self-propelled vehicle designed primarily for cross-country travel on land and water, or on more than one type of terrain, and steered by wheels, treads, skis, or any combination thereof, including vehicles that operate on a cushion of air, vehicles commonly known as all-terrain vehicles, all-season vehicles, and utility terrain vehicles.**

**“Snowmachine” means a self-propelled vehicle primarily designed or altered for travel on snow or ice when supported in part by skis, belts, or cleats.**

“Street” and “alley” mean any street, highway, or alley from property line to property line, officially classified by the City as a “local arterial” on its official street and highway plan.

7.20.030 Use of snowmachines **and all-purpose vehicles.**

No person shall drive, operate, stop or move a snowmachine **or all-purpose vehicle:**

a. Upon a sidewalk, alley, street, **right-of-way**, or highway except:

1. To cross, provided the crossing is made at an angle of approximately 90 degrees to the direction of the ~~high~~**road**way at a place where no obstruction prohibits a quick and safe crossing, and the snowmachine **or all-purpose vehicle** is brought to a complete stop before crossing the shoulder or main traveled way, and the driver yields the right-of-way to oncoming traffic; and

2. When operated on a path or shoulder adjacent to the roadway provided it is driven six feet or more from the extreme edge of the roadway; **and**

**3. When the snowmachine or all-purpose vehicle is a government operated vehicle used for official business.**

b. In or upon a park or other City-owned property, except:

**1. In** areas as provided in this chapter, which are designated as snowmachine **or all-purpose vehicle** areas;

**2. When the snowmachine or all-purpose vehicle is a government operated vehicle used for official business.**



85 c. On private property of another without the express permission to do so by the owner or  
86 authorized occupant of the property;

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88 d. In a careless, reckless or negligent manner so as to endanger or likely to endanger the safety  
89 of any person or property of any other person;

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91 e. While under the influence of intoxicating liquor, narcotics or drugs;

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93 f. Within 100 feet of any established skating rink, sliding area, skiing area or any location where  
94 the operation of a snowmachine **or all-purpose vehicle** would conflict with the use of the area  
95 for the intended purpose thereof, or endanger other persons or property;

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97 g. To intentionally drive, chase, run over or kill any animal;

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99 h. Without having such snowmachine registered as provided for in AS 28.39;

100  
101 i. While transporting weapons or other instruments used to hunt in other than unloaded and  
102 enclosed conditions;

103  
104 j. Operate or ride on a snowmachine **or all-purpose vehicle** without wearing a properly fitted  
105 full coverage crash helmet which has Snell Foundation Z-90.1 or equivalent rating and such  
106 rating shall be affixed to and protected from mutilation in or on the helmet.

107  
108 7.20.040 Time restriction.

109 No person shall drive, operate, stop or move a snowmachine **or all-purpose vehicle** within the  
110 City limits after 10:00 p.m., nor before 8:00 a.m., except that this section shall not apply to an  
111 employee or an authorized officer of a municipal or State law enforcement agency while in the  
112 performance of official duties.

113  
114 7.20.050 Driver's license requirement.

115 A driver or operator of a snowmachine **or all-purpose vehicle** shall be required to have a valid  
116 current motor vehicle operator's license or permit, or be accompanied by a person having such  
117 valid license, while operating a snowmachine **or all-purpose vehicle** in or upon a park or other  
118 City-owned property in the City.

119  
120 7.20.055 Operation in designated areas.

121 Snowmachine **or all-purpose vehicle** operation may be permitted in or upon a park or other  
122 City-owned property when all or part of the property is designated by the City Manager and  
123 approved by the City Council as a snowmachine **or all-purpose vehicle** area.

124  
125 7.20.060 Towing.



126 No person shall operate a snowmachine **or all-purpose vehicle** while towing a sled, toboggan  
127 or other object, nor any person riding on same unless such sled, toboggan or other object is  
128 attached to the snowmachine **or all-purpose vehicle** by a rigid bar, and the towed object shall  
129 be equipped with a red reflector on each side of rear.

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131 7.20.070 Exceptions.

132 Upon recommendation by the City Manager and approved by the City Council controlled  
133 special events may be excepted from specific portions of this chapter, when satisfactory  
134 evidence is shown that the public health, safety and welfare are protected.

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136 7.20.080 Violation – Penalty.

137 *Repealed by Ord. 13-40. [Code 1967 § 12-400.9].*

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139 <sup>1</sup> For statutory provisions authorizing the regulation of snow vehicles, see AS 29.35.210.

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141 Section 2. This Ordinance is of a permanent and general character and shall be included  
142 in the City Code.

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144 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 28th day of June, 2021.

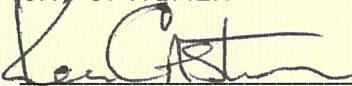
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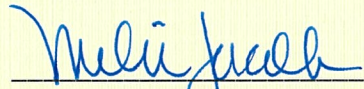
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CITY OF HOMER  
  
KEN CASTNER, MAYOR

150 ATTEST:

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MELISSA JACOBSEN, MMC, CITY CLERK

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YES: 6  
NO: 0  
ABSTAIN: 0  
ABSENT: 0  
First Reading: 6-14-21  
Public Hearing: 6-28-21  
Second Reading: 6-28-21  
Effective Date: 6-29-21

