

**CITY OF WASILLA
ORDINANCE SERIAL NO. 00-13(AM)**

AN ORDINANCE OF THE WASILLA CITY COUNCIL AMENDING WMC 14.17.020, OFF-ROAD VEHICLE OPERATION, ADOPTING WMC 14.17.080, EQUIPMENT, ADOPTING 14.17.090, TOWING, AND ADOPTING WMC 14.17.100, PENALTIES AND IMPOUNDMENT.

BE IT ENACTED:

* **Section 1. Classification.** This ordinance is of a general and permanent nature and shall become part of the city code.

* **Section 2. Amendment of section.** WMC 14.17.020, Off-Road Vehicle Operation, is amended to read as follows:

14.17.020 OFF-ROAD VEHICLE OPERATION.

(E) On or within 20 feet of any railroad track except while crossing the tracks perpendicularly at a designated track crossing only after coming to a complete stop and yielding to all rail traffic.

(F) On the railroad right-of-way between 20 and 100 feet from the railroad track except in areas which are permitted as street rights-of-way, and off of the roadway.

* **Section 3. Adoption of section.** WMC 14.17.080, Equipment, is adopted to read as follows:

14.17.080 EQUIPMENT.

(A) No person may drive or operate an off-road vehicle unless the vehicle is equipped with:

(1) A headlamp, with the beam aimed and of sufficient intensity to reveal persons and vehicles at a distance of at least 100 feet ahead during the hours of darkness. Such headlamp shall be so aimed that glaring rays are not projected into the eyes of an oncoming driver.

(2) At least one rear lamp exhibiting a red light plainly visible from a distance of 500 feet to the rear during the hours of darkness.

(3) Adequate brakes to control the movement of and to stop and hold the vehicle.

* Section 4. Adoption of section. WMC 14.17.090, Towing, is adopted to read as follows:

14.17.090 TOWING.

No person may operate an off-road vehicle in the Alaska Rail Road while towing a sled, toboggan, or other object, unless such sled, toboggan, or other is attached to the off-road vehicle by a rigid bar and the towed object is equipped with a red reflector.

Section 5. Adoption of section. WMC 14.17.100 Penalties and Impoundment, is adopted to read as follows:

14.17.100 PENALTIES AND IMPOUNDMENT.

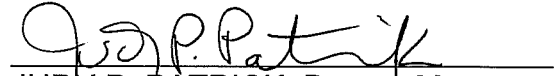
(A) A violation of any provision of this shall be punished by a fine of \$100.

(B) An off-road vehicle in violation or whose owner or operator is in violation of this chapter, or as incident to an arrest or other situation where the vehicle may require protection, may be impounded immediately by a police officer or other authorized official. The vehicle may be released only upon proof

of ownership, payment in full of transportation and storage charges, and the posting of a bond for court appearance when such bond is required.

* **Section 6. Effective date.** This ordinance shall take effect upon adoption by the Wasilla City Council.

ADOPTED by the Wasilla City Council, Alaska, on February 14, 2000.


JUDY P. PATRICK, Deputy Mayor

ATTEST:


KRISTIE L. VANGORDER, CMC/AAE
City Clerk

[SEAL]

SUBJECT: Off-Road Vehicle Operation

PREPARED BY: Chief Fannon

DATE: January 18, 2000

FOR AGENDA OF: January 24, 2000

SUMMARY:

This ordinance serves the dual purposes of housekeeping and preparing for the future. The present ordinance has no penalty section, this adds a penalty section. The other sections are adopting several state statues into city code. This will allow any funds received from citations to be city revenue instead of state revenue.

This ordinance will also help us meet the expectations of the Railroad and DOT so that they are more willing to allow us to use some of their right-of-ways for our trail system.

FISCAL IMPACT: ___ NO X YES, Amount requested: Depending on the number of citations issues. Fund: 01-52-421-110-00

RECOMMENDED ACTION: Council consideration.



Reviewed by: SARAH PALIN, Mayor

Presented with: Ord 0013
Date: 2/14/00 Verified by: [Signature]