

**CITY OF WASILLA  
 ORDINANCE SERIAL NO. 03-46**

**AN ORDINANCE OF THE WASILLA CITY COUNCIL AMENDING WMC 1.20.030.C, FINE SCHEDULE, TO ESTABLISH FINES FOR OFFENSES RELATED TO STOPPING, STANDING AND PARKING OF VEHICLES, ADOPTING WMC CHAPTER 10.20, REGULATING THE STOPPING, STANDING AND PARKING OF VEHICLES AND REPEALING WMC 10.08.030 UNAUTHORIZED USE OF HANDICAPPED PARKING.**

- \* **Section 1. Classification.** This ordinance is of a general and permanent nature and shall become part of the city code
- \* **Section 2. Amendment of subsection.** WMC Subsection 1.20.030.C is amended by adding the following offenses and fines to the table in that subsection:

| <b>CODE SECTION</b> | <b>DESCRIPTION OF OFFENSE</b>                    | <b>FINE</b> |
|---------------------|--|-------------|
| WMC 10.20.010       | Stopping, Standing or Parking Where Prohibited   | \$25        |
| WMC 10.20.020       | Parking to Display Vehicle for Sale              | \$50        |
| WMC 10.20.030       | Stopping, Standing or Parking at Prohibited Time | \$25        |
| WMC 10.20.040       | Stopping, Standing or Parking Beyond Time Limit  | \$25        |
| WMC 10.20.050       | Unauthorized Use of Handicapped Parking          | \$100       |

- \* **Section 3. Repeal of section.** WMC Section 10.08.030, Unauthorized Use of Handicapped Parking, is repealed:

**[10.08.030 UNAUTHORIZED USE OF HANDICAPPED PARKING.**

A. A VEHICLE MAY NOT BE PARKED IN A HANDICAPPED PARKING ZONE RESERVED FOR DISABLED OR MEDICALLY HANDICAPPED PERSONS UNLESS:

1. THE PERSON USING THE VEHICLE HAS A SPECIAL PERMIT ISSUED BY THE DEPARTMENT OF MOTOR VEHICLES UNDER AS 28.10.495; OR
2. THE MOTOR VEHICLE DISPLAYS A SPECIAL LICENSE PLATE ISSUED TO DISABLED OR HANDICAPPED PERSONS UNDER AS 28.10.181(D); OR
3. THE MOTOR VEHICLE DISPLAYS A SPECIAL LICENSE PLATE OR PERMIT ISSUED TO DISABLED OR HANDICAPPED PERSONS BY ANOTHER STATE, PROVINCE, TERRITORY OR COUNTRY.

B. A VEHICLE THAT IS STOPPED, PARKED OR STANDING IN VIOLATION OF THIS SECTION IS CONSIDERED TO HAVE BEEN STOPPED, PARKED OR LEFT STANDING BY THE REGISTERED OWNER OF THE VEHICLE UNLESS THE REGISTERED OWNER IS ABLE TO PROVE THAT AT THE TIME OF THE VIOLATION THE VEHICLE WAS DRIVEN OR PARKED WITHOUT THE OWNER'S CONSENT.

C. A VIOLATION OF THIS SECTION SHALL BE AN INFRACTION. A CITATION ISSUED FOR THIS VIOLATION SHALL BE AGAINST THE REGISTERED OWNER OF THE OFFENDING VEHICLE. THE FINE SHALL BE ONE HUNDRED DOLLARS (\$100.00) FOR EACH VIOLATION.]

\* **Section 4. Adoption of chapter.** WMC Chapter 10.20, Stopping, standing and parking, is adopted to read as follows:

**10.20.010 Stopping, standing and parking prohibited in specified places.**

A. The public works director is authorized to designate places on streets and roadways where the parking of vehicles is prohibited, in order to prevent hazardous conditions or traffic congestion. The public works director shall post signs at such places stating that parking is prohibited.

B. Except when necessary to comply with the directions of a police officer or other person authorized to direct traffic, no person may stop, stand or park a vehicle in violation of a sign posted under this section.

C. No person may stop, stand or park a vehicle on city property in a place not designated by signs or other markings as an area available for public parking.

**10.20.020 Parking to display vehicle for sale prohibited.**

No person may park a vehicle upon a street, roadway, right-of-way, city parking lot or other public property for the purpose of displaying the vehicle for sale. A vehicle is parked for the purpose of displaying the vehicle for sale if the vehicle remains stationary at the same location for more than sixteen (16) hours, and there are one or more signs on or near the vehicle, visible from a street or roadway, communicating to passers-by that the vehicle is offered for sale.

**10.20.030 Parking prohibited during certain hours.**

A. The public works director is authorized to designate places on streets and roadways where parking of vehicles during certain hours of the day is prohibited, in order to prevent hazardous conditions or traffic congestion. The public works director shall post signs at such places stating the hours during which parking is prohibited.

B. The public works director is authorized to designate hours of the day during which the parking of vehicles is prohibited in an area on city property designated for public parking, in order to restrict access to the property during hours that the property is closed to the public. The public works director shall post signs at the area stating the hours during which parking is prohibited.

C. No person may stop, stand or park a vehicle in violation of a sign posted under this section.

**10.20.040 Parking time limits.**

A. The public works director is authorized to designate places on streets, roadways and areas on city property designated for public parking where there is public demand or necessity for short-time parking and to post signs at such places stating the time limit for parking.

B. No person may stop, stand or park a vehicle in violation of a sign posted under this section.

**10.20.050 Unauthorized use of handicapped parking.**

A. A vehicle may not be parked in a handicapped-parking zone reserved for disabled or medically handicapped persons unless:

1. The person using the vehicle has a special permit issued by the department of motor vehicles under AS 28.10.495; or

2. The motor vehicle displays a special license plate issued to disabled or handicapped persons under AS 28.10.181(d); or

3. The motor vehicle displays a special license plate or permit issued to disabled or handicapped persons by another state, province, territory or country.

**10.20.060 Citation for violation.**

A police officer may issue a citation for a violation of a provision of this chapter, and deliver it to the operator of the vehicle or affix it to the vehicle if the vehicle is unattended at the time of issuance.

**10.20.070 Owner of vehicle presumed responsible for violations.**

A. It shall be presumed that the registered owner of a vehicle that is found to be stopped, parked or standing in violation of this chapter has been so operated by its registered owner, the vehicle to which a citation pertains being a public nuisance for which the registered owner holds legal responsibility.

B. The presumption in subsection A of this section may be rebutted by the registered owner of the vehicle presenting satisfactory evidence that another person had been assigned the title in the vehicle before the date of the violation, in which case it shall be presumed that the person holding title to the vehicle so operated the vehicle.

C. The presumption in subsection A or subsection B of this section may be rebutted by the registered owner or title holder, respectively, presenting satisfactory evidence that another person operated the vehicle at the time of the violation.

**10.20.080 Remedies and penalties.**

Remedies and penalties for violations of this chapter are as provided in Chapter 1.20.

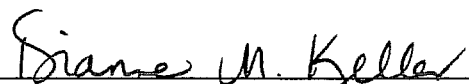
\* **Section 5. Effective date.** This ordinance shall take effect upon adoption by the Wasilla City Council.

ADOPTED by the Wasilla City Council, on October 27, 2003.

ATTEST:



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KRISTIE SMITHERS, CMC  
City Clerk

  
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DIANNE M. KELLER, Mayor

[SEAL]



**CITY OF WASILLA**

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TO: Wasilla City Council  
THRU: Mayor Dianne M. Keller *DMK*  
FROM: Kristie Smithers, City Clerk *KS*  
DATE: October 2, 2003  
**SUBJECT: Ordinance Serial Nos. 03-46 and 03-62**

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**SUMMARY:**

Ordinance Serial No. 03-46 relating to stopping, standing and parking of vehicles is proposed for your consideration. Several members of our local business community have requested that the city draft an ordinance to prohibit the sale of vehicles on public property. This ordinance is drafted to assist with enforcement issues and to prohibit parking in any area that is not designated for parking in order to prevent hazardous conditions or traffic congestion.

Ordinance Serial No. 03-62 is also presented for your review. It accompanies Ordinance Serial No. 03-46 and was drafted to update the definitions of roadway, street and right of way.

**FISCAL IMPACT:** If yes, amount requested:  
Account No.:

**RECOMMENDED ACTION:**

Introduce and set for public hearing. ‘