

Sponsors: Reber Stein and Jack Ozment

**CITY AND BOROUGH OF SITKA**

**ORDINANCE NO. 2010-01A**

**AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA AMENDING  
SITKA GENERAL CODE SECTION 11.13.02.295 ENTITLED "MINIMUM  
SPEED REGULATION" TO AUTHORIZE LOW-SPEED VEHICLES ON  
SITKA'S HIGHWAYS, ROADS AND STREETS**

1. **CLASSIFICATION.** This ordinance is of a permanent nature and is intended to become a part of the Sitka General Code ("SGC").

2. **SEVERABILITY.** If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and application to any person or circumstance shall not be affected.

3. **PURPOSE.** The purpose of this ordinance is to implement HCS CSSB 59, recently passed into law, by adding SGC 11.13.02.295C, to authorize low-speed vehicles on highways, roads or streets in Sitka. Such low-speed vehicles as defined at AS 28.90.990(a)(15) have a maximum speed of 25 mph. HCS CSSB 59 amends AS 28.35.261(b) to allow low-speed vehicles with a maximum speed of 25 mph to drive on highways, roads and streets with a maximum speed limit of 45 mph in small communities like Sitka, that are not connected by road to Anchorage or Fairbanks.

4. **NOW, THEREFORE, BE IT ENACTED** by the Assembly of the City and Borough of Sitka that SGC 11.13.02.295 is amended to add subsection C as follows (new language underlined; deleted language stricken):

**11.13.02.295 Minimum speed regulation.**

A. No person may drive a motor vehicle so slowly as to impede the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation or in compliance with statutes, regulations, or ordinances.

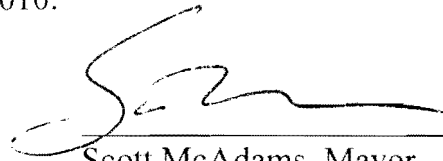
B. When the Department of Transportation and Public Facilities, or a municipality, in their respective jurisdictions, determines under 13 AAC 02.280 that slow speeds on a highway or part of a highway unreasonably impede the normal movement of traffic, the respective authority may determine a minimum speed limit not in excess of fifty-five miles per hour for the highway or part of a

highway below which no person may drive a vehicle, except when necessary as prescribed in subsection A of this section. The limit is effective when posted on fixed or variable signs.

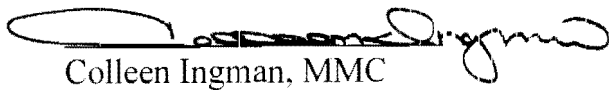
C. Notwithstanding any other provision of this Code, the operator of a low-speed vehicle defined by AS 28.90.990(a) that has a maximum speed of twenty-five miles per hour may operate that vehicle on a highway, road or street that has a maximum speed limit of forty-five miles per hour.

5. **EFFECTIVE DATE.** This ordinance shall become effective on May 17, 2010, the effective date of HCS CSSB 59 which amends AS 28.35.261(b), if passed by the Assembly of the City and Borough of Sitka.

**PASSED, APPROVED, AND ADOPTED** by the Assembly of the City and Borough of Sitka, Alaska this 23 day of March, 2010.

  
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Scott McAdams, Mayor

**ATTEST:**

  
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Colleen Ingman, MMC  
Municipal Clerk