

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2015-20

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA, ALASKA  
PROPOSING TO CLARIFY THE SITKA GENERAL CODE BY AMENDING  
TITLE 11 VEHICLES AND TRAFFIC AT SECTIONS 11.17.25.010 PROHIBITED VEHICLES  
AND LOADS AND 11.17.25.020 WIDTH OF VEHICLES, SECTION 11.28.010 TRAFFIC  
CODE—ADOPTION OF STATE TRAFFIC LAWS, AND AMENDING TITLE 15 PUBLIC  
UTILITIES AT SECTIONS 15.05.590 AND 15.05.600 FIRE PROTECTION SERVICES AND  
SYSTEMS

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

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 circumstances shall not be affected.

3. **PURPOSE.** As found in Alaska Statute 29.25.050, the municipal clerk is responsible for ensuring that the municipal code is kept current. Sitka's municipal clerk sought legal analysis from Code Publishing Company for a review of the Sitka General Code for state and federal constitutional issues and apparent conflicts. These clarifying changes are derived from that review and further analysis.

Sections 11.17.25.010 and 11.17.25.020 refer to Alaska Statutes for oversize vehicle permits that are now covered under Alaska Administrative Code. Inserting the words "state traffic" in Section 11.28.010 clarifies that the city and borough did not intend to adopt all statutes and regulations of the state of Alaska. The changes to Sections 15.05.590 and 15.05.600 correct the referenced title number.

4. **ENACTMENT.** NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that the following section of the Sitka General Code is hereby amended to read as follows:

Title 11  
VEHICLES AND TRAFFIC

11.17 Vehicle Weight and Load Limitations

Section

**11.17.25.010 Prohibited vehicles and loads.**

B. The provisions of this chapter governing size, weight, and load do not apply to a vehicle or vehicles with a load operated under the terms of a permit issued, under

**17 AAC 25.011.** ~~AS 44.33.020(25).~~

**11.17.25.020 Width of vehicles.**

A. The total outside width of any vehicle or load on a vehicle may not exceed ninety-six inches, except by permit as provided in **17 AAC 25.011** ~~AS 28.05.011(8).~~

\* \* \*

### 11.28 State Traffic Laws Adopted

Section

**11.28.010 Traffic Code—Adoption of state traffic laws.**

City and borough of Sitka adopts all state traffic statutes and regulations of the state of Alaska, as they presently exist and as they may be revised in the future as the traffic code for the city and borough of Sitka.

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### Title 15 PUBLIC UTILITIES

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### Chapter 15.05 Water System

Section

**15.05.590 Fire protection services.**

D. Violations of Regulations. ... Every person convicted of a violation of this chapter shall be guilty of a misdemeanor, and penalties assessed as prescribed in Title 1 40 of the Sitka General Code.

**15.05.600 Fire protection systems.**

B. An unmetered fire protection service .... Every person convicted of a violation of this chapter shall be guilty of a misdemeanor, and penalties assessed as prescribed in Title 1 40 of the Sitka General Code.


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5. **EFFECTIVE DATE.** This ordinance shall become effective on the day after the date of its passage.

**PASSED, APPROVED, AND ADOPTED** by the Assembly of the City and Borough of Sitka, Alaska this 14th day of April, 2015.

  
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Matthew Hunter, Deputy Mayor

**ATTEST:**

  
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Sara Peterson, CMC  
Deputy Municipal Clerk