

Introduced by: Council Member Cleworth
Date: April 6, 2009

ORDINANCE NO. 5771

AN ORDINANCE TO AMEND F.G.C. CHAPTER 78, TRAFFIC AND VEHICLES, SECTION 78-402, PERTAINING TO CONTESTED TRAFFIC CITATIONS; AND SETTING AN EFFECTIVE DATE.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF

FAIRBANKS, ALASKA, as follows:

Section 1. That F.G.C. Chapter 78, Traffic and Vehicles, Section 78-402, be and hereby is amended as follows:

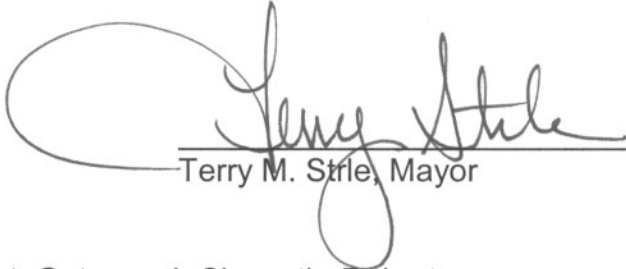
Sec. 78-402. Failure to comply with traffic citations attached to parked vehicle.

(a) If a violator of the restrictions on stopping, standing or parking under the traffic laws or ordinances of this city does not appear in response to a traffic citation affixed to such motor vehicle within a period of five business days, the city clerk shall send to the owner of the motor vehicle to which the traffic citation was affixed a notice informing him of the violation and warning him that if such letter is disregarded for a period of 14 days, a summons and complaint shall be issued.

(b) Where a traffic citation is issued under the authority of the parking authority, a violator of the restrictions on stopping, standing or parking under the traffic laws or ordinances of this city shall pay the amount on the face of the citation or contest the citation to the parking authority within five days of issuance. **A person desiring to contest a ticket may first bring their ticket to the parking authority office and state the reasons for protest. If there is no resolution, then the person may request a hearing with the parking authority board which will render final judgment. After the hearing, upheld tickets must be paid within three business days. The parking authority will convene to hear ticket protests at least once a month.** [A VIOLATOR WISHING TO CONTEST A CITATION MAY APPEAR INFORMALLY BEFORE A MEMBER OF THE PARKING AUTHORITY APPOINTED FOR THAT PURPOSE AND PRESENT RELEVANT EVIDENCE AND WITNESSES ON HIS BEHALF.

FOLLOWING THE HEARING, THE VIOLATOR MAY PAY THE AMOUNT OF THE TRAFFIC CITATION OR WITHIN THREE BUSINESS DAYS FOLLOWING THE HEARING PROVIDE NOTICE TO THE PARKING AUTHORITY THAT HE WISHES TO FURTHER CONTEST THE VIOLATION IF THE VIOLATION HAS NOT BEEN SATISFACTORILY RESOLVED BETWEEN THE VIOLATOR AND THE AUTHORITY.]

Section 2. That the effective date of this ordinance shall be the 25th day of April, 2009.



Terry M. Stfle, Mayor

AYES: Stiver, Eberhart, Gatewood, Cleworth, Roberts
NAYS: None
ABSTAIN:
ABSENT:

ADOPTED: June 08, 2009

ATTEST:

APPROVED AS TO FORM:



Janey Hovenden, City Clerk



Herbert Kuss, City Attorney