

**CITY OF KODIAK
ORDINANCE NUMBER 1424**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KODIAK AMENDING CHAPTER 10.28 OF THE KODIAK CITY CODE TO CONTINUE PROHIBITING USE OF OFF-ROAD VEHICLES ON PUBLIC STREETS AND TO CLARIFY AND RE-STATE WHEN USE OF OFF-ROAD VEHICLES ON PUBLIC STREETS IS AUTHORIZED

WHEREAS, the Kodiak City Code, by reference to the Alaska Administrative Code, currently prohibits use of off-road vehicles on public streets; and

WHEREAS, effective January 1, 2022, the Alaska Administrative Code will no longer prohibit use of off-road vehicles on public streets; and

WHEREAS, use of off-road vehicles on public streets in the City of Kodiak poses risks to off-road vehicles operators and passengers, other motorists, and pedestrians that outweigh the benefit of allowing such use; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kodiak, Alaska, as follows:

Section 1: This ordinance is of a permanent and general nature and shall be included in the Kodiak City Code.

Section 2: Section 10.28.030 of the Kodiak City is hereby repealed and a new Section 10.28.030, to read as follows, is hereby adopted:

10.28.030 Use regulated

(a) No person shall operate or ride upon a snowmachine or off-road vehicle, whether licensed or not, on a highway or public roadway within city limits except as expressly provided in § 10.28.040.

(b) No person shall operate or ride upon a snowmachine or off-road vehicle on the private property of another without the express permission to do so by the owner or authorized occupant of the property.

Section 3: Section 10.28.040 of the Kodiak City is hereby repealed and a new Section 10.28.040, to read as follows, is hereby adopted:

10.28.040 Operation on highways and other locations.

(a) A snowmachine or off-road vehicle may make a direct crossing of a highway if:

(1) the crossing is made approximately at a right angle to the highway and at a location where visibility along the highway in both directions is clear for a sufficient distance to assure safety, and the crossing can be completed safely and without interfering with other traffic on the highway; and

(2) the vehicle is brought to a complete stop before crossing the shoulder or roadway, and the driver yields the right-of-way to all traffic on the highway.

(b) The City Manager or Police Chief may temporarily authorize snowmachine or off-road vehicle use on public roadways within City limits when the use of the roadway(s) by other motor vehicles is difficult because of snow, ice, or other natural conditions.

Section 4: Section 1.12.040 of the Kodiak City Code is hereby amended such that the offense and fine schedule set forth in subsection (c) shall contain the following:

Code Section	Description of Offense	Fine
10.28.030	Unlawful use of off-road vehicle	100

Section 5: This ordinance shall go into effect one month after its passage and publication.

CITY OF KODIAK

MAYOR

ATTEST:

CITY CLERK

First Reading: January 13, 2022
Second Reading: Not applicable, postponed indefinitely
Effective Date: