



TITLE 10

VEHICLES & TRAFFIC

Thorne Bay Municipal Code

Codified June 2022

TITLE 10 - VEHICLES AND TRAFFIC

| | |
|---|-----------|
| CHAPTER 10.04 - GENERAL PROVISIONS | 4 |
| 10.04.010 STATE LAW GENERALLY-ADOPTION BY REFERENCE. | 4 |
| 10.04.015 TRAFFIC FINE SCHEDULE - ADOPTION OF STATE BAIL FORFEITURE SCHEDULES BY REFERENCE. | 4 |
| 10.04.020 DEFINITIONS. | 4 |
| 10.04.030 AAC TITLE 13 PROVISIONS-ADOPTION BY REFERENCE. | 4 |
| 10.04.040 AAC TITLE 17 PROVISIONS-ADOPTION BY REFERENCE. | 7 |
| 10.04.050 AS TITLE 11 PROVISIONS-ADOPTION BY REFERENCE. | 7 |
| 10.04.060 AS TITLE 12 PROVISIONS-ADOPTION BY REFERENCE. | 7 |
| 10.04.070 AS TITLE 19 PROVISIONS-ADOPTION BY REFERENCE. | 7 |
| 10.04.080 AS TITLE 28 PROVISIONS-ADOPTION BY REFERENCE. REPEALED. | 7 |
| 10.04.090 AS TITLE 42 PROVISIONS | 7 |
| 10.04.100 ENFORCEMENT AUTHORITY. | 7 |
| 10.04.110 OBEDIENCE TO TRAFFIC LAWS REQUIRED. | 7 |
| 10.04.120 OBEDIENCE TO OFFICIALS REQUIRED. | 7 |
| 10.04.130 PUSH CARTS-ANIMALS. | 8 |
| 10.04.140 PROHIBITED DEVICES. | 8 |
| 10.04.150 APPLICABILITY TO PUBLIC EMPLOYEES. | 8 |
| 10.04.160 VIOLATIONS-PENALTIES. | 8 |
| 10.04.170 DISPOSITION OF FINES AND FORFEITURES. | 8 |
| CHAPTER 10.08 - CITATIONS: | 9 |
| 10.08.070 ILLEGALLY PARKED VEHICLE. | 9 |
| 10.08.080 FAILURE TO COMPLY WITH CITATION ATTACHED TO VEHICLE. | 9 |
| 10.08.090 OWNER PRESUMED DRIVER. | 9 |
| 10.08.100 WARRANT ISSUANCE. REPEALED. | 9 |
| 10.08.110 RECORDS. | 9 |
| CHAPTER 10.12 - IMPOUNDING: | 10 |
| 10.12.010 AUTHORITY. | 10 |
| 10.12.020 COSTS AND FEES. | 11 |
| 10.12.030 ABANDONED VEHICLE. | 11 |
| 10.12.040 SALE OF ABANDONED VEHICLES. | 11 |
| CHAPTER 10.16 - TRAFFIC CONTROL AUTHORITY: | 13 |
| 10.16.010 APPLICABILITY. | 13 |
| 10.16.020 POLICE DEPARTMENT DUTIES-POLICE AND FIRE DEPARTMENT OFFICIAL'S AUTHORITY. | 13 |
| 10.16.030 TRAFFIC VIOLATION RECORD. | 13 |
| 10.16.040 TRAFFIC ACCIDENT REPORTS. | 13 |
| 10.16.050 ACCIDENT REPORTS CONFIDENTIALITY. | 14 |

| | |
|---|-----------|
| 10.16.060 ACCIDENT STUDIES. | 14 |
| 10.16.070 ANNUAL REPORT-POLICE DEPARTMENT. | 14 |
| 10.16.080 EXPERIMENTAL REGULATIONS. | 14 |
| 10.16.090 AUTHORITY TO CHANGE SPEED LIMITS. | 15 |
| 10.16.100 REGULATION OF SPEED BY TRAFFIC CONTROL SIGNALS. | 15 |
| 10.16.110 SPECIAL STOPS-ARTERIAL STREETS OR HIGHWAYS. | 15 |
| 10.16.120 STOP INTERSECTIONS. | 15 |
| 10.16.130 TRAFFIC CONTROL DEVICE INSTALLATION AUTHORITY. | 15 |
| 10.16.140 CROSSWALKS-SAFETY ZONES. | 16 |
| 10.16.150 TRAFFIC LANES. | 16 |
| 10.16.160 ONE-WAY STREETS AND ALLEYS. | 16 |
| 10.16.170 STREET CLOSED TO TRAFFIC. | 17 |
| 10.16.180 MARKER PLACEMENT AUTHORITY. | 17 |
| 10.16.190 RESTRICTED TURN SIGN PLACEMENT AUTHORITY. | 17 |
| 10.16.200 PEDESTRIAN AND VEHICLE OPERATION RESTRICTION AUTHORITY. | 17 |
| 10.16.210 ANGLE PARKING-SIGNS AND MARKING. | 18 |
| 10.16.220 TRAFFIC CONTROL DEVICES-SPECIFICATIONS. | 18 |
| 10.16.230 STOP SIGN-SPECIFICATIONS. | 18 |
| CHAPTER 10.20 - PARKING, STANDING AND STOPPING – | 19 |
| 10.20.010 RESTRICTIONS AND EXCEPTIONS - AUTHORITY. | 19 |
| 10.20.020 PARKING PROHIBITED: | 19 |
| 10.20.030 OFF-STREET PARKING PLACE – TIME LIMITED PARKING/PERMIT PARKING | 21 |
| 10.20.040 PARKING IN EXCESS OF POSTED TIME LIMIT – PERMIT PARKING. | 22 |
| 10.20.050 EMERGENCY, STREET MAINTENANCE AND SNOW REMOVAL VEHICLES- OBSTRUCTION PROHIBITED. | 22 |
| 10.20.060 OFF-STREET PARKING PLACE--REMOVAL OF UNAUTHORIZED VEHICLES. | 22 |
| 10.20.070 REPEALED. | 23 |
| 10.20.080 VIOLATIONS-PENALTIES. | 23 |
| 1.16.035 MINOR OFFENSE FINE SCHEDULE. | 23 |

CHAPTER 10.04 - GENERAL PROVISIONS**10.04.010 STATE LAW GENERALLY-ADOPTION BY REFERENCE.**

State traffic laws adopted by reference.

- A. The city adopts by reference all vehicle and 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.
- B. At least one copy of the chapters of the Alaska Administrative Code, the Alaska Statutes and the schedule of fines for bail able offenses adopted herein shall be filed in the office of the city clerk and shall there be kept available for public use, inspection and examination so long as the provisions thereof remain in force. (Ordinance 18-01-02-01; Prior Ord. 88-07 § 4(1.010), 1988)

10.04.015 TRAFFIC FINE SCHEDULE - ADOPTION OF STATE BAIL FORFEITURE SCHEDULES BY REFERENCE.

The city adopts as its traffic fine schedule the “traffic bail forfeiture schedule” and the “oversize vehicle bail forfeiture schedule” in administrative rules 43.1 and 43.6 of the Alaska rules of court and any other bail forfeiture schedules relating to vehicles adopted by the Alaska supreme court. In addition, the city adopts all amendments of those schedules that become effective after the effective date of this ordinance. Citations for offenses listed on these schedules may be disposed of as provided in as 12.25.195 - .230, without a court appearance, upon payment of the amounts listed plus the state surcharge required by as 12.55.039 and as 29.25.074. Fines must be paid to the Court. If a traffic offense is not listed on this fine schedule or another fine schedule ordinance, the defendant must appear in court to answer to the charges. Citations charging these offenses must meet the requirements of minor offense rule 3 of the Alaska rules of court. If a person charged with one of these offenses appears in court and is found guilty, the penalty imposed for the offense may not exceed the amount listed for that offense on the schedule. (Ordinance 18-01-02-01; Prior Ord. 88-07 § 4(1.010), 1988)

10.04.020 DEFINITIONS.

REPEALED. (ORDINANCE 18-01-02-01; PRIOR ORD. 88-07 § 4(1.020), 1988)

10.04.030 AAC TITLE 13 PROVISIONS-ADOPTION BY REFERENCE.

The following provisions OF Title 13 of the Alaska Administrative Code are adopted by reference:

- A. AAC TITLE 13, Chapter 2: Motor Vehicle and Driving Offenses: Rules of the Road;

B. Pursuant to the authority granted in 13 AAC 02.455 (a)(3) regarding municipal authority to allow off-highway vehicles to drive on roadways and highways under the municipality's jurisdiction, off-highway vehicles may be driven on a city right-of-way, city roadway, or on designated property over which the city has jurisdiction subject to the following restrictions:

1. DEFINITION, EQUIPMENT REQUIREMENTS, EXEMPTION.

- a) Notwithstanding section 10.04.020, for purposes of this chapter, off-highway vehicle means any motorized vehicle with three or more wheels other than an automobile, truck, sport utility vehicle, motorcycle (any type of motorized bike, dirt bike), snowmobile, or motor home; off-highway vehicle includes all terrain vehicles (ATV'S), utility task vehicles (UTV'S), golf carts, and vehicles commonly referred to as amphibious ATV'S.
- b) All off-highway vehicles must be equipped with a current vehicle registration issued by the state of Alaska and all equipment required under the Alaska Administrative Code, Title 13, Chapter 4, Sections 400-420, equipment on off-highway vehicles, snowmobiles and golf carts. In addition, a properly equipped off-highway vehicle should have operational seat belts; however, seatbelts are required only if the off-highway vehicle was originally manufactured with seatbelts.
- c) Exemption. Off-highway vehicles used for maintenance of public utilities are exempt from this ordinance.

2. OPERATIONS AND RESTRICTIONS:

- a) No person shall operate an off-highway vehicle faster than the posted speed limit;
- b) Off-highway vehicles may be driven only on the extreme right-hand side of the roadway and in the same direction as the roadway motor vehicle traffic in the nearest lane of the roadway;
- c) All off-highway vehicles must be equipped with a fluorescent orange flag measuring at least four inches by ten inches, mounted on a pole attached to the rear portion of the vehicle at a height of no less than six feet from the ground;
- D. Use of a protective helmet is required by an operator or any passenger under the age of 16 on an off-highway vehicle that is not equipped with manufacturer installed seat belts; use of a protective helmet is highly recommended for all other operators or passengers.
- d) Passengers on off-highway vehicles will be limited to one per vehicle unless the vehicle was designed by the manufacturer to carry more than one passenger. Passengers must wear seatbelts if the vehicle is equipped with manufacturer installed seatbelts.
- e) No person is allowed to drive an off-highway vehicle on a city right-of-way, a city roadway, or on designated property over which the city has jurisdiction, without

- a valid instruction permit, a valid provisional license, or a valid driver's license, issued by the state of Alaska.
- f) Off-highway vehicles shall not pass other moving vehicles on the roadway.
 - g) Off-highway vehicle use will not be permitted between the hours of dusk and dawn unless the vehicle is equipped with operational headlights which provide adequate illumination to at least 15 feet, an operational taillight and brake light, and, if manufacturer installed, operational noise suppression muffler and turn signal lights.
 - h) All wheels of the off-highway vehicle shall remain in contact with the road at all times.
 - i) The driver of the off-highway vehicle shall not follow another vehicle closer than twenty-five (25) feet or five (5) lengths of the off-highway vehicle, whichever is greater.
 - j) Every person operating an off-highway vehicle must comply with all other motor vehicle laws of the state of Alaska.
 - k) Insurance required. Every off-highway vehicle that operates on a city right-of-way, city roadway, or on designated property over which the city has jurisdiction shall be insured under a motor vehicle liability policy that provides coverage in at least the minimum amounts as required for motor vehicles under Alaska statute 28.22.101.
 - l) No off-highway vehicle shall be operated in a manner so as to produce sufficient noise to disturb the peace and quiet of another.
 - m) No off-highway vehicle shall be operated in a careless, reckless, or negligent manner so as to endanger the person or property of another, or to cause injury or damage to such person or property.
 - n) No off-highway vehicle shall tow a sled, toboggan or other object, unless such object is attached to the vehicle by a rigid bar and the towed object is equipped with a red reflector.
 - o) Annual inspection of off-highway vehicles:
 - 1) All off-highway vehicles will be subject to annual inspection by the chief law enforcement officer, mayor or another person designated by the city of Thorne Bay.
 - 2) All off-highway vehicles will have an off-highway vehicle inspection certification sticker affixed to a prominent area of the vehicle. The inspection certification sticker must be renewed every year.
 - 3) No off-highway vehicle will be allowed on a city right-of-way, city roadway, or designated property under the jurisdiction of the city, without a current inspection certification sticker. (Ordinance 18-01-02-01; Prior Ord 89-26 § 5, 1989)(Ord. 17-02-07-01)

10.04.040 AAC TITLE 17 PROVISIONS-ADOPTION BY REFERENCE.

REPEALED. (ORDINANCE 18-01-02-01; PRIOR ORD. 88-07 § 4(3.020), 1988)

10.04.050 AS TITLE 11 PROVISIONS-ADOPTION BY REFERENCE.

(ORDINANCE 18-01-02-01; PRIOR ORD. 88-07 § 4(3.030), 1988)

10.04.060 AS TITLE 12 PROVISIONS-ADOPTION BY REFERENCE.

REPEALED. (ORDINANCE 18-01-02-01; PRIOR ORD. 88-07 § 4(3.040), 1988)

10.04.070 AS TITLE 19 PROVISIONS-ADOPTION BY REFERENCE.

The following provisions from Title 19 of Alaska Statutes are adopted by reference:

- A. Driving Through Obstructions/Closed Area/Damaging Obstruction or Sign: AS 19.25.030. (Ord. 88-07 § 4(3.050), 1988)

10.04.080 AS TITLE 28 PROVISIONS-ADOPTION BY REFERENCE. REPEALED.

(ORDINANCE 18-01-02-01; PRIOR ORD. 88-07 § 4(3.060), 1988)

10.04.090 AS TITLE 42 PROVISIONS

(Ordinance 18-01-02-01; prior ord. 88-07 § 4(3.070), 1988)

10.04.100 ENFORCEMENT AUTHORITY.

REPEALED. (ORDINANCE 18-01-02-01; PRIOR ORD. 88-07 § 4(2.010), 1988)

10.04.110 OBEDIENCE TO TRAFFIC LAWS REQUIRED.

REPEALED. (ORDINANCE 18-01-02-01; PRIOR ORD. 88-07 § 4(2.020), 1988)

10.04.120 OBEDIENCE TO OFFICIALS REQUIRED.

The failure or refusal to comply with any lawful order or direction of a public safety officer or fire department official is a violation of this title. (Ord. 88-07 § 4(2.030), 1988)

10.04.130 PUSH CARTS-ANIMALS.

Every person propelling any pushcart or riding an animal upon a roadway, and every person driving any animal-drawn vehicle shall be subject to the provisions of this title applicable to the driver of any vehicle, except those provisions which by their very nature can have no application. (Ord. 88-07 § 4(2.040), 1988)

10.04.140 PROHIBITED DEVICES.

- A. No person upon roller skates, or riding in or by means of any coaster, toy vehicle, sled or similar device shall go upon any street or roadway open to through traffic except while crossing a street on a crosswalk; and when so crossing, such person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians.
- B. Any person violating any provision of this section is guilty of an infraction and shall be punished by the fine established in 1.16.035 if the offense is listed in that fine schedule, or by a fine up to \$50.00 if the offense is not listed in the 1.16.035 fine schedule.

(ORDINANCE 18-01-02-01; PRIOR ORD. 88-07 § 4(2.050), 1988)

10.04.150 APPLICABILITY TO PUBLIC EMPLOYEES.

The provisions of this title apply to the driver of any vehicle owned by or used in the service of the United States Government, of the state of Alaska or of the city, and it is unlawful for any driver to violate any of the provisions of this title, except as otherwise permitted herein or by state statute. (Ord. 88-07 § 4(2.060), 1988)

10.04.160 VIOLATIONS-PENALTIES.

- A. Every person who violates any provision of this title shall be subject to the fines established in 1.16.035 if the offense is listed in that fine schedule or by a fine of up to \$50.00 if the offense is not listed in the 1.16.035 fine schedule.
- B. Any person who fails or refuses to pay fines duly assessed against him for violations of this title, after the accumulated fines equal or exceed three hundred dollars, shall become subject to impoundment of any motor vehicle of which he is a registered owner, and which was involved in any of such violations. (Ordinance 18-01-02-01; Prior Ord. 88-07 § 4(2.070), 1988)

10.04.170 DISPOSITION OF FINES AND FORFEITURES.

REPEALED. (ORDINANCE 18-01-02-01; PRIOR ORD. 88-07 § 4(2.080), 1988)

CHAPTER 10.08 - CITATIONS:**10.08.070 ILLEGALLY PARKED VEHICLE.**

Whenever any motor vehicle without a driver is found parked or stopped in violation of any of the restrictions imposed by ordinances of the city or by state law, the officer finding such vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user and shall conspicuously affix to such vehicle a traffic citation for the driver to answer to the charge against him. (Ordinance 18-01-02-01; Prior Ord. 88-07 § 4(4.070), 1988)

10.08.080 FAILURE TO COMPLY WITH CITATION ATTACHED TO VEHICLE.

REPEALED. (Ordinance 18-01-02-01; Prior Ord. 88-07 § 4 (4.080), 1988)

10.08.090 OWNER PRESUMED DRIVER.

- A. In any prosecution charging a violation of any law or regulation governing the standing or parking of a vehicle, proof that the particular vehicle described in the citation was parked in violation of any such law or regulation, together with proof that the defendant named in the complaint was at the time of such parking the registered owner of such vehicle, constitutes in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked or placed such vehicle at the point where, and for the time during which such violation occurred.
- B. The foregoing stated presumption applies only when the procedure as prescribed in Section 10.08.070 and 10.08.080 has been followed. (Ordinance 18-01-02-01; Prior Ord. 88-07 § 4(4.090), 1988)

10.08.100 WARRANT ISSUANCE. REPEALED.

(Ordinance 18-01-02-01; Prior Ord. 88-07 § 4(4.100), 1988)

10.08.110 RECORDS.

The city clerk shall keep or cause to be kept a record of every traffic citation deposited with or presented to the office of the clerk and shall keep a record of every official action by the city in reference thereto, including the disposition of each citation. (Ordinance 18-01-02-01; Prior Ord. 88-07 § 4(4.110), 1988)

CHAPTER 10.12 - IMPOUNDING:**10.12.010 AUTHORITY.**

- A. The chief of public safety is authorized to impound a vehicle from a street or highway to the nearest garage or other place of safety, or if no such place exists within the city, the vehicle shall be impounded where it is as is, under the circumstances hereinafter enumerated:
1. When any vehicle is left unattended upon any bridge or causeway where such vehicle constitutes an obstruction of traffic;
 2. When a vehicle upon a street or highway is so disabled as to constitute an obstruction of traffic and the person or persons in charge of the vehicle are by reason of physical disability incapacitated to such an extent as to be unable to provide for its custody or removal;
 3. When any vehicle is left unattended upon a street and is so parked illegally as to constitute a definite hazard or obstruction to the normal movement of traffic;
 4. When any vehicle is parked in violation of parking prohibitions defined by Alaska regulations adopted herein by reference;
 5. When any vehicle is left unattended on the private property of any other person, without such other person's permission and such other person requests the chief of public safety to remove the same;
 6. When any vehicle has been parked within the right-of-way of any public street or roadway for longer than forty-eight hours or abandoned within such right-of-way. The presence of any vehicle which is inoperative and upon such right-of-way shall be prima facie evidence of abandonment;
 7. When the vehicle's owner has accumulated three hundred dollars or more in unpaid fees or penalties pursuant to this chapter. (Ordinance 18-01-02-01)
- B. Whenever a public safety officer removes a vehicle from a street as authorized in this section, and the officer knows or is able to ascertain from the registration record in the vehicle the name and address for the owner thereof, such officer shall immediately give or cause to be given notice in writing to such owner of the fact of such removal, the reason therefore and of the place to which such vehicle has been removed. In the event any such vehicle is stored in a public garage; a copy of such notice shall be given to the proprietor of such garage.
- C. Whenever an officer removes a vehicle from a street under this section and does not know and is not able to ascertain the name of the owner, and in the event the vehicle is not returned to the owner within the period of three days, then and in that event the officer shall immediately send or cause to be sent written report of such removal by mail to the state department or agency whose duty it is to register motor vehicles, and shall file copy of such notice with the proprietor of any public garage in which the vehicle may

be stored. Such notice shall include a complete description of the vehicle, the date, time and place from which removed, the reasons for such removal, and the name of the garage or other place where the vehicle is stored. (Ord. 88-07 § 4(5.010), 1988)

10.12.020 COSTS AND FEES.

Before any vehicle which has been impounded is released, there shall be paid all costs incident to the removal and impounding of such vehicle. In addition, the following fee schedule shall apply:

Impoundment Fees:

| | |
|--|-----------|
| All vehicles, travel trailers, boats on trailers, storage containers or like items: | \$ 250.00 |
| Boat trailers, motorcycles or ATVs: | \$ 100.00 |
| Storage fee (per day): | \$ 2.00 |

(Ordinance 18-01-02-01; Prior Ord. 02-09-05-03 § 3, 2002; Ord. 88-07 § 4(5.020), 1988)

10.12.030 ABANDONED VEHICLE.

When a vehicle has been impounded as provided in Section 10.12.010, then if it has not been claimed or reported as a stolen vehicle within thirty days subsequent to the date when notice of such impounding was given as provided in subsection B of Section 10.12.010, it shall be deemed to be an abandoned vehicle. (Ord. 88-07 § 4(5.030), 1988)

10.12.040 SALE OF ABANDONED VEHICLES.

- A. Any abandoned vehicle may be sold by the city as follows:
1. The clerk shall send via registered or certified mail (return receipt) to the owner of such vehicle, and to any person who holds a lien upon such vehicle, at such owner's or such lien holder's last known address, a notice which shall contain the following: an accurate description of the vehicle, the date that the vehicle was impounded, and a statement that unless the owner or lien holder reclaims the vehicle within ten days from the date of mailing the notice, that such vehicle shall be sold at public auction at a designated time and place. If with the exercise of reasonable diligence, the name of the owner or of a lien holder in respect to such vehicle cannot be ascertained, or if no address can be found with respect to any such person, then the requirement for sending such notice shall be dispensed with.

2. After ten days have elapsed subsequent to the date of the mailing of the notice provided in subsection A of this section, or if no such notice is required then at any time an abandoned vehicle shall be sold at public auction after notice is given as follows: a written notice of the time and place of such sale shall be posted in three public places within five miles of the place where the sale is to be held, not less than ten days prior the date of sale, and one of such notices shall be posted at the post office nearest to the place where the sale is to be held.
 3. At the time and place of such sale, such abandoned vehicle shall be sold to the bidder who makes the highest and best bid for cash. Any surplus remaining from the proceeds of such sale, after deducting the costs incident to the impounding and storage of such vehicle and in giving notice of such sale and selling the same, and deducting any accumulated fines owed to the city pursuant to this title, shall be held for the owner of such vehicle for a period of ten days, and if not claimed by the expiration thereof shall be abandoned into the city treasury.
- B. The owner of any abandoned vehicle or lien holder in respect thereof may reclaim such vehicle at any time prior to the date of sale upon payment to the city of the following: any fine that may be imposed upon the owner or operator of such vehicle by reason of a violation of any provision of this title, and the costs incident to the impounding and storage of the vehicle.
- C. If any abandoned vehicle is judged by the impounding officer under reasonable grounds to be worth less than the impound fee, the vehicle will be classified not for sale, and shall be turned over to the public works department for disposal of such vehicle. (Ord. 88-07 § 4(5.040), 1988)

CHAPTER 10.16 - TRAFFIC CONTROL AUTHORITY:**10.16.010 APPLICABILITY.**

The provisions of this chapter shall apply to all streets, roads and alleys within the corporate boundaries of the city of Thorne Bay. (Ord. 83-07-14 § 1, 1983)

10.16.020 POLICE DEPARTMENT DUTIES-POLICE AND FIRE DEPARTMENT OFFICIAL'S AUTHORITY.

- A. It shall be the duty of the chief of police and such officers as are assigned by the mayor or chief of police to enforce all traffic regulations and all of the state of Alaska Motor Vehicle Laws applicable to street and highway traffic of the city, to make arrests for traffic violations, to investigate accidents and to carry out those duties especially imposed upon the department of public safety by this chapter.
- B. Officers of the police department and such officers as are assigned by the chief of police are authorized to direct all traffic by voice, hand or signal in conformance with traffic laws; provided, that, in the event of a fire or other emergency or to expedite traffic or safeguard pedestrians, officers of the police department may direct traffic as conditions may require notwithstanding the provisions of the traffic laws.
- C. Officers of the fire department, when at the scene of a fire or when operating firefighting apparatus on public streets may direct or assist the police in directing traffic thereat or in the immediate vicinity. (Ord. 83-07-14 § 2, 1983)

10.16.030 TRAFFIC VIOLATION RECORD.

- A. The police department shall keep a record of all moving violations of the traffic code of the city or the state of Alaska Motor Vehicle Laws of which any person has been charged. Such records shall be so maintained as to show all such types of moving violations and the total of each. The records shall accumulate during at least a five-year period, and from that time on the records shall be maintained for at least the most recent five-year period.
- B. All forms for records of the herein mentioned violations and notices of the violation shall be serially numbered. For each month and year, a written record shall be kept available to the public, showing the disposal of all such forms. (Ord. 83-07-14 § 3, 1983)

10.16.040 TRAFFIC ACCIDENT REPORTS.

The police department shall receive and properly record all traffic accident reports made under any provision of this code or state statute or regulation. (Ord. 83-07-14 § 4, 1983)

10.16.050 ACCIDENT REPORTS CONFIDENTIALITY.

All written reports made of traffic accidents shall be without prejudice to the individual so reporting and shall be for the confidential use of the police department and the Alaska Department of Public Safety, except that the Police Department may disclose the identity of a person involved in an accident when such identity is not otherwise known or when such person denies his presence at such accident. No written report of a traffic accident shall be used as evidence at any civil trial and no written report made by the defendant in a criminal prosecution shall be used as evidence in a criminal trial, arising out of the reported accident, except that the police department shall furnish upon demand of any person who has, or claims to have, made such a report or upon demand of any court a certificate showing that the specified accident report has or has not been made to the police department solely to prove the compliance or failure to comply with the requirement that the report be made to the department. (Ord. 83-07-14 § 5, 1983)

10.16.060 ACCIDENT STUDIES.

Whenever the accidents in any particular location become numerous, the police department shall conduct studies of such accidents and determine remedial measures. (Ord. 83-07-14 § 6, 1983)

10.16.070 ANNUAL REPORT-POLICE DEPARTMENT.

The police department shall annually prepare a traffic report which will be filed with the mayor. Such report shall contain information on traffic matters in the city as follows:

- A. The number of traffic accidents, the number of persons killed, the number of persons injured, and other pertinent traffic accident data;
 - B. The number of traffic accidents investigated and other pertinent data on the safety activities of the police.
 - C. The plans and recommendations of the department for future traffic safety activities.
- (Ord. 83-07-14 § 7, 1983)

10.16.080 EXPERIMENTAL REGULATIONS.

- A. The mayor or his/her designee is empowered to make emergency and experimental regulations; such regulations are not to remain in effect for more than ninety days.
- B. The mayor or chief of police may test traffic control devices under actual conditions of traffic. (Ord. 83-07-14 § 8, 1983)

10.16.090 AUTHORITY TO CHANGE SPEED LIMITS.

Whenever the mayor or the chief of police determines upon the basis of an engineering and traffic investigation that a speed greater or less than the speed limits set forth in this chapter would facilitate the orderly movement of vehicular traffic, he may determine and declare a speed limit which is found to be most appropriate to facilitate an orderly movement of traffic and is reasonable and safe, which declared speed limit shall be effective when appropriate signs giving notice thereof are erected upon the street, road or highway. (Ord. 83-07-14 § 9, 1983)

10.16.100 REGULATION OF SPEED BY TRAFFIC CONTROL SIGNALS.

The mayor or the chief of police is authorized to regulate the timing of traffic control signals so as to permit the movement of traffic in an orderly and safe manner at speeds slightly at variance with the speeds otherwise applicable under this chapter. (Ord. 83-07-14 § 10, 1983)

10.16.110 SPECIAL STOPS-ARTERIAL STREETS OR HIGHWAYS.

The mayor or the chief of police may designate and describe arterial street or highways and when so designated it shall be the duty of the chief of police, or his designee, to place and maintain a "stop" sign on each and every street or highway intersection such arterial street or highway or intersecting that portion thereof described and designated as such unless traffic at any such intersection is controlled at all times by traffic control signals; provided, however, that at the intersection of two such arterial streets or highways or at the intersection of any arterial street and a heavy traffic street not so designated, "stop" signs shall be erected at the approaches of either of the streets as may be determined by the chief of police on the basis of a traffic study. (Ord. 83-07-14 § 11, 1983)

10.16.120 STOP INTERSECTIONS.

The mayor or the chief of police is authorized to determine and designate intersection where particular hazard exists upon other than arterial streets or highways and to determine and designate intersections where particular hazard exists upon other than arterial streets or highways and to determine whether vehicles shall stop at one or more entrances to any such intersection and shall erect a "stop" sign at every place where a stop is required. (Ord. 83-07-14 § 12, 1983)

10.16.130 TRAFFIC CONTROL DEVICE INSTALLATION AUTHORITY.

The chief of police, or his designee, shall place and maintain traffic control signs, signals and devices when required under the traffic laws of the city to make effective the provisions of the laws, and may place and maintain such additional traffic control devices as the mayor or his designee may deem necessary to regulate traffic under the traffic laws

of the city or under state law, or to guide and warn traffic. The mayor or his designee may determine whose intersections at which it would facilitate the orderly movement of traffic and would be reasonable and safe to permit vehicles to turn right after stopping and shall place property signs at such intersections. Vehicular traffic facing the red signal and signs permitting a right turn shall stop before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection, and after stopping, may proceed with caution to make a right turn but shall yield the right-of-way to pedestrians lawfully within a crosswalk and to other traffic lawfully using the intersection. (Ord. 83-07-14 § 13, 1983)

10.16.140 CROSSWALKS-SAFETY ZONES.

The mayor or his designee is authorized:

- A. To designate and maintain, by appropriate devices, marks or lines upon the surface of roadway, crosswalks at intersections where in his opinion there is particular danger to pedestrians crossing the roadways, and at such other places as he may deem necessary;
- B. To establish safety zones of such kind and character and at such places as he may deem necessary for the protection of pedestrians. (Ord. 83-07-14 § 14, 1983)

10.16.150 TRAFFIC LANES.

The chief of police or his designee may mark lanes upon the roadway of any street or highway where a regular alignment of traffic is necessary. (ORD. 83-07-14 § 15, 1983)

10.16.160 ONE-WAY STREETS AND ALLEYS.

- A. The mayor or his designee may designate any one-way street or alley and when so designated the chief of police shall cause a sign to be placed and maintained giving notice thereof and no such regulations shall be effective unless such signs are in place. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited.
- B. Upon those streets and parts of streets and in those alleys designated as one-way, vehicular traffic shall move only in the indicated direction when signs or other markings indicating the direction of traffic are erected and maintained at every intersection where movement in the opposite direction is prohibited.
- C. The mayor or his designee is authorized to determine and designate streets, parts of streets, or specific lanes thereon upon which vehicular traffic shall proceed in one direction during one period of the day and shall place and maintain appropriate markings, signs, barriers or other devices to give notice thereof. The chief of police may erect signs temporarily designating lanes to be used by traffic moving in a particular direction, regardless of the centerline of the roadway. (Ord. 83-07-14 §16, 1983)

10.16.170 STREET CLOSED TO TRAFFIC.

- A. The mayor or his designee is authorized to close streets to vehicle or pedestrian traffic
- B. Whenever any street is closed to the use of traffic and the same so indicates by authorized signs or barriers, no vehicle shall proceed into the street or any portion thereof except as directed by the signs. Whenever a street is closed, notice shall immediately be given to the fire chief and the chief of police, if appropriate, by the person who closed the street. (Ord. 83-07-14 § 17, 1983)

10.16.180 MARKER PLACEMENT AUTHORITY.

The chief of police is authorized to place markers, buttons or signs within or adjacent to intersections indicating the course to be traveled by vehicles turning at such intersections, and such course to be traveled so as indicated may conform to or be other than as prescribed by law. (Ord. 83-07-14 § 18, 1983)

10.16.190 RESTRICTED TURN SIGN PLACEMENT AUTHORITY.

- A. The mayor or his designee is authorized to determine those intersections at which drivers of vehicles shall not make a right or left turn and shall place proper signs at such intersections. The making of such turns may be prohibited between certain hours of any day and permitted at other hours, in which event the same shall be plainly indicated on the signs so they may be removed when such turns are permitted.
- B. Whenever authorized signs are erected indicating that no right or left turn is permitted, no driver of a vehicle shall disobey the directions of any such sign. (Ord. 83-07-14 § 19, 1983)

10.16.200 PEDESTRIAN AND VEHICLE OPERATION RESTRICTION AUTHORITY.

- A. The mayor or his designee is authorized to post signs where necessary:
 - 1. To prohibit the operation of commercial vehicles on certain Residential streets or highways where such operation would create exceptional hazardous conditions or cause undue public inconvenience;
 - 2. Where signs are erected giving notice thereof, no person shall operate any commercial vehicles at any time upon any of the streets or highways or part of streets or highways so designated, except that such vehicles may be operated thereon for the purpose of delivering or picking up materials or merchandise and then only by entering such street or highway at the intersection nearest the destination of the vehicle and proceeding thereon no further than the nearest intersection thereafter.

- B. To prohibit pedestrians and non-motorized vehicles on certain heavily traveled streets or highways. No person shall do any act in violation of such signs. (Ord. 83-07-14 § 20, 1983)

10.16.210 ANGLE PARKING-SIGNS AND MARKING.

The mayor or his designee shall determine upon what streets or highways angle parking shall be permitted and shall mark or sign such streets. Angle parking shall not be indicated or permitted at any place where passing traffic would thereby be caused or required to drive on the left side of the roadway or where angle parking would create a hazard to passing traffic. (Ord. 83-07-14 § 21, 1983)

10.16.220 TRAFFIC CONTROL DEVICES-SPECIFICATIONS.

All traffic control signs, signals and devices shall, so far as is practical, conform to the "Manual of Uniform Traffic Control Devices for Streets and Highways." All signs and signals required hereunder for a particular purpose shall, so far as is practical, be uniform as to type and location throughout the city. All traffic control devices so erected and not inconsistent with the provisions of state law or this chapter shall be official traffic control devices. (Ord. 83-07-14 § 22, 1983)

10.16.230 STOP SIGN-SPECIFICATIONS.

Every sign erected pursuant to this chapter shall be of hexagonal design and in conformance to the National Safety Council Standards and shall bear the word "STOP" in letters not less than eight inches in height and such signs shall at nighttime be rendered luminous by efficient reflecting elements on the face of the sign. Every stop sign shall be located as near as practical at the nearest line of the crosswalk on the near side of the intersection or, if none, at the nearest line of the roadway and shall be placed on the right side of such street. (Ord. 83-07-14 § 23, 1983)

CHAPTER 10.20 - PARKING, STANDING AND STOPPING –**10.20.010 RESTRICTIONS AND EXCEPTIONS - AUTHORITY.**

The mayor or his/her designee is authorized to determine when and where parking, standing or stopping restrictions or exceptions enumerated in this section are required, or will contribute to the safe and orderly flow of traffic, or will contribute to the efficient use of public streets or public places or property; and to implement such restrictions or exceptions by causing signs to be erected:

- A. To authorize parking on the left-hand side of certain one-way streets where such parking would otherwise be prohibited;
- B. To prohibit parking or standing on the left-hand side of any one-way street. No person shall park or stand a vehicle in violation of such signs;
- C. To prohibit parking upon any street or highway when the width of the roadway does not exceed twenty-four feet, or upon one side of a street or highway as indicated by such signs when the width of the roadway does not exceed thirty-six feet. No person shall park a vehicle in violation of such signs
- D. To prohibit parking upon either or both sides of any street or highway adjacent to any school property when such parking would in his opinion, interfere with traffic or create a hazardous situation. No person shall park a vehicle in violation of such signs;
- E. Limiting the length of time, a vehicle may occupy a parking space. No person shall park a vehicle in violation of such signs;
- F. To prohibit parking, standing, or stopping of vehicles during certain hours of the day or night. No person may park, stand or stop a vehicle in violation of such signs;
- G. To prohibit the parking of any of certain large vehicles such as trailers, travel homes, trucks, etc., on designated streets within the central business district between the hours of six a.m. and eight p.m. No person may park any such vehicle in violation of such signs;
- H. To prohibit parking, standing or stopping where such would create an especially hazardous condition or would cause an unusual delay in traffic. No person may stop, stand or park a vehicle in violation of such signs. (Ord. 18-08-21-02; renumbering of prior section 10.20.070; Prior Ord. 84-03-22-01 § 14, 1984)

10.20.020 PARKING PROHIBITED:

- A. No person shall park a vehicle upon a roadway for the purpose of:
 - 1. Commercial advertising;
 - 2. Displaying such vehicle for sale;
 - 3. Greasing or repairing such vehicle, not necessitated by an emergency;

4. Washing such vehicle when the person so engaged is in the business of washing vehicles. (Ord. 84-03-22-01 § 3, 1984) (Prior Section 10.20.030 (a-d))
- B. No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or traffic control device, in any of the following places and no signs are required:
1. Within ten feet of an intersection;
 2. Within fifteen feet of any fire hydrant;
 3. Within five feet of a crosswalk, except at an intersection where it shall be ten feet. (Prior Section 10.20.040 (a-c))
- C. No person shall park any vehicle upon a street or highway, other than an alley, in such a manner or under such conditions as to leave available less than ten feet of such roadway for the free movement of vehicular traffic. (Prior Section 10.20.010)
- D. No person may remove, obliterate, obscure, cover or move any chalk mark or other mark or indication placed by a police officer or parking enforcement officer upon a tire or any part of a vehicle which is parked in a public parking zone or space; provided such marks or objects may be moved or removed in the process of moving the vehicle from the parking space or after the vehicle has been moved from the space. (Prior Section 10.20.080 (a))
1. A vehicle which has not moved from a parking space shall be deemed to have remained parked or standing in such space until moved. For the purpose of this chapter, a vehicle must vacate the space occupied and be driven completely through a street intersection before it shall be deemed to have been moved from the space. (Prior Section 10.20.080 (b))
 2. Each period or part of a period of time a vehicle remains parked or standing beyond that time permitted under this chapter or as posted shall constitute a separate violation, except that each separate day upon which such a continuing violation exist shall be separate violation if the period of permitted parking is twenty-four hours or greater. Only one citation may be issued during each period which constitutes a separate violation. (Prior Section 10.20.080 (c))
 3. No overnight camping allowed on City property unless otherwise posted. (Prior Section 10.20.080 (d))
 4. No person shall park a vehicle within an alley in the central business traffic district or any business district except for the expeditious loading or unloading of freight or materials and then the vehicle shall be parked in such manner or under such conditions as to leave available not less than ten feet of width of the alley for the free movement of vehicular traffic. (Prior Section 10.20.020)
- E. No person shall leave a disabled or abandoned property on any public street, alley or road for more than forty-eight hours. (Prior Section 10.20.050 (a))(Ordinance 18-08-21-02)

10.20.030 OFF-STREET PARKING PLACE – TIME LIMITED PARKING/PERMIT PARKING

- A. **Definition.** For the purpose of this section,
- 1) "**Public parking spaces**" include all city owned lands including roadways and rights-of-ways
 - 2) "**Private parking spaces**" include both publicly and privately-owned off-street parking spaces which are reserved for the use of a specific individual or group of individuals or are otherwise restricted when such reservations or restrictions are posted.
 - 3) "**Time limited parking/permit parking**" include both publicly and privately-owned off-street parking spaces which are reserved for the use of a specific individual or group of individuals or are otherwise restricted when such reservations or restrictions are posted.
 - 4) **Harbor Parking- Harbor Zone.** Loading and unloading, except for the space designed for the harbormaster, handicapped, ATV vehicles or special use vehicles. (Ordinance 18-08-21-02 § 1-4)
- B. **Harbor Parking.** The parking of any vehicle, boat and/or trailer, motorcycle, RV or motor vehicle at the main harbor, boat launch, and Davidson Landing Harbor areas shall be for no longer than the posted time limits. (Ordinance 22-06-21-02)
- C. **Park and Sell – Permit Required.** Permits are sold on a thirty-day period extendable for one additional thirty-day period. Park and Sell is designated to Shoreline Drive across from the Port. The permit shall be placed in such a position that it is easily viewed through the windshield. All vehicles with no visible way to identify the owner will be marked and impounded after two weeks.
- D. **Permit Parking** - Permit parking is available only where posted. Monthly parking permits may be obtained at city hall. The permit shall be placed in such a position that it is easily viewed through the windshield, or attached in a secure manner to trailers, etc., as long as the permit is easily viewable by city personnel. All vehicles with no visible way to identify the owner will be marked and impounded after two weeks.
- E. **Parking Permit Billings** - All fee structures for Parking Permits will be set by resolution. Parking Permits will continue to be billed to the customer until the permit has been returned and written notification of removal is submitted to the City of Thorne Bay. The first month's permit fee shall be paid in advance at the time of application plus applicable deposit. If the subsequent invoice is not paid by the due date of the invoice, it shall be considered revoked, and the vehicle shall be subject to any applicable provision of the municipal code. The billing cycle for permit parking in these areas shall be from the first of each month to the first of the following month, to correspond to the city's billing cycle. (Ordinance 22-06-21-02; Prior Ord. 18-08-21-02; Ord. 03-06-05-02 §3, 2003; Ord. 84-03-22-01 §13, 1984 Ord. 09-01-06-01 ~2009; Ord. 15-09-01-01 §: D; Prior Section 10.20.060)

10.20.040 PARKING IN EXCESS OF POSTED TIME LIMIT – PERMIT PARKING.

- A. No person in charge of a vehicle shall park or leave such vehicle in a parking space in the herein established parking lots in excess of the posted time limit.
- B. Any owner or operator of a vehicle who parks or leaves such vehicle in a parking space in the herein established time limited parking/permit parking lots in excess of the time permitted is guilty of an infraction and will be punished by the fine established in 1.16.035 if the offense is listed in that fine schedule or by the fine established in 1.16.030 if the offense is not listed in the fine schedule. (Ordinance 18-08-21-02)

10.20.050 EMERGENCY, STREET MAINTENANCE AND SNOW REMOVAL VEHICLES-OBSTRUCTION PROHIBITED.

- A. The mayor or his/her designee shall post signs on any streets where routine repairs are planned. These posted notices shall be in a prominent place and displayed at least eighteen hours before the work is to be performed. This section does not apply to emergency work that may, from time to time, become necessary on any public utility which is accessible from a street, alley or roadway and which work is required without time for planning and notification of the public. (Prior section 10.20.050 (d))
- B. No person shall leave any vehicle parked on any public street, alley or road when snow removal or road maintenance activities are planned or are in progress. Any vehicle that is parked on a public street, alley or road shall be moved by the owner or the owner's representative within four hours after notification by the mayor or the mayor's designated representative.
- C. In the event that the owner of a vehicle, which is parked on a public street, alley or road, is absent from his/her home, does not have a telephone, or lives in a place that is not readily accessible to the mayor, his designee or street maintenance crews, shall notify the city clerk in advance of a person who is available to move such parked vehicle. (Ord. 18-08-21-02, (Part), Prior Ord. 84-03-22-01 §12, 1984)

10.20.060 OFF-STREET PARKING PLACE--REMOVAL OF UNAUTHORIZED VEHICLES.

- A. Definition. For the purpose of this section, "private parking spaces" include both publicly and privately-owned off-street parking spaces which are reserved for the use of a specific individual or group of individuals or are otherwise restricted when such reservations or restrictions are posted.
- B. Removal of Unauthorized Vehicles. The rightful owner, lessee or other person authorized to control or use an off-street private parking space may remove an

unauthorized vehicle from an off-street private parking space by requesting a towing company authorized by the state of Alaska to conduct towing operations in the city.

- c. The city shall not be liable for any towing, storage or other charges of for the acts of any person taken under the authority of this chapter. (Ord. 18-08-21-02; Prior Ord. 15-09-01-01 SS: D; Prior Ord. 09-01-06-01 ~2009; Ord. 03-06-05-02 §3, 2003: Ord. 84-03-22-01 §13, 1984)

10.20.070 REPEALED.

RENUMBERED AS SECTION 10.20.010 BY ORDINANCE 18-08-21-02.

10.20.080 VIOLATIONS-PENALTIES.

Any person violating any provision of this chapter is guilty of an infraction and shall be punished by the fine established in 1.16.035 if the offense is listed in that fine schedule or by the fine established in 1.16.030 if the offense is not listed in the fine schedule. (Ordinance 18-08-21-02; Prior Ord. 18-01-02-01; Ord. 84-03-22-01 § 16, 1984)

1.16.035 MINOR OFFENSE FINE SCHEDULE.

In accordance with as 29.25.070(a), citations for the following offenses may be disposed of as provided in as 12.25.195-.230, without a court appearance, upon payment of the fine amounts listed below plus the state surcharge required by as 12.55.039 and as 29.25.074.

FINES MUST BE PAID TO THE COURT.

If an offense is not listed on a fine schedule, the defendant must appear in court to answer the charges. The Alaska court system's rules of minor offense procedure apply to all offenses listed below. Citations charging these offenses must meet the requirements of minor offense rule 3. If a person charged with one of these offenses appears in court and is found guilty, the penalty imposed for the offense may not exceed the fine amount for that offense listed below.

1.16.035 - FINE SCHEDULE FOR VIOLATIONS OF TBMC TITLE 10-VEHICLES AND TRAFFIC

| Ordinance Number | Ordinance Description | Offense Appearance type: | Fine Schedule Amount | Maximum Fine for Mandatory |
|--------------------------------------|---|--------------------------|----------------------|----------------------------|
| TBMC 10.20.020(a)(1) | Parking on Roadway Prohibited for Purpose of Commercial Advertising | Optional | \$50.00 | |
| TBMC 10.20.020(a)(2) | Parking on Roadway Prohibited for Purpose of Displaying "For Sale" Signs | Optional | \$50.00 | |
| TBMC 10.20.020(a)(3) | Parking on Roadway Prohibited for Non-Emergency Vehicle Greasing / Repairing | Optional | \$50.00 | |
| TBMC 10.20.020(a)(4) | Parking on Roadway Prohibited for Commercial Car Washing | Optional | \$50.00 | |
| TBMC 10.20.020(c) | Parking Prohibited - Obstructing Movement of Vehicular Traffic | Optional | \$50.00 | |
| TBMC 10.20.020(d)(3) | Parking Prohibited - Camping Prohibited | Optional | \$50.00 | |
| TBMC 10.20.020(d)(4) | Parking Prohibited - Parking in Loading/Unloading Zone Prohibited | Optional | \$50.00 | |
| TBMC 10.20.020(e) | Parking Prohibited - Disabled or Abandoned Vehicle Longer Than 48 Hrs. | Optional | \$50.00 | |
| TBMC 10.20.030(a) | Parking in Excess of Posted Time Limit- Harbor Parking Permit Required >12 hrs. | Optional | \$50.00 | |
| TBMC 10.20.030(c) | Parking in Excess of Posted Time Limit- Park & Sell Permit Required | Optional | \$50.00 | |
| TBMC 10.20.040 | Parking, Standing, Stopping - Parking in Excess of Posted Time Limit | Optional | \$50.00 | |
| TBMC 10.20.050(b) | Emergency, Street Maintenance and Snow Removal Vehicles-Obstruction | Optional | \$100.00 | |

| ORDINANCE LIST & DISPOSITION TABLE | |
|------------------------------------|--|
| Ordinance No. | Ordinance Description |
| 83-07-14 | Traffic Regulations (10.16) |
| 83-11-04-02 | Road Access for Fire, Maintenance and Snow Removal Equipment (10.08) |
| 84-03-22-01 | Parking (Adding Sections: .01 Parking Not to Obstruct Traffic, .02 Parking In Alleys, .03 Parking for Certain Purposes Prohibited, .04 Stopping, Standing Or Parking Prohibited In Certain Places, .05 (Reserved), .06 (Reserved), .07 (Reserved) .08 (Reserved) .09 (Reserved), .10 (Reserved), .11 (Reserved), .12 Prohibition of Parking Which Hinders the Movement of Emergency, Street Maintenance and/or Snow Removal Vehicles, .13 Off-Street Parking Place - Owner Or Lessee Permitted to Remove Unauthorized Vehicles, .14 Authority to Make Parking Restrictions and Exceptions .15 Additional Restrictions In Time-Limited Parking Spaces, .16 Penalty for Violations.) (10.20) |
| 88-07 | Traffic Laws (An Ordinance Adopting by Reference Specific State Traffic Municipal Law. Laws) (10.04, 10.08, 10.12) |
| 89-26 | Repeals and Replaces § 10.04.030, Traffic and Vehicles (Amends 10.04.030 In Its Entirety and Adopts State Traffic Laws AAC Title 13-Provisions, Adopted by Reference) (10.04) |
| 02-09-05-03 | Amends §10.12.020, Costs and Fines (Adding the Following Fine Schedule Shall Apply: Impoundment Fine All Vehicles, Travel Trailers, Boats on Trailers, Storage Containers or Like Items: \$250.00 Boat Trailers, Motorcycles or ATVs: \$100.00 Storage Fee- \$2.00 Per Day (10.12) |
| 03-06-05-02 | Amends §10.20.060, Parking, Standing and Stopping (Adds Harbor Parking Limitations to Code) (10.20) |
| 06-09-05-01 | An Ordinance of the City Council Adding to Title 10-Vehicles and Traffic, Chapter 10.04-General Provisions, Section 10.04.030- AAC Title 13-Provisions-Adoption By Reference (Defining "ATV", Setting Minimum Age of 18 for Operations; Requires Valid DL; Remain 15' from Another Vehicle) (10.04) |
| 07-09-04-01 | Amending the Thorne Bay Municipal Code, Title 10-Vehicles and Traffic; Chapter 10.20-Parking, Standing and Stopping; Section 10.20.060-Off-Street Parking Place-Removal of Unauthorized Vehicles; Adding 10.20.060(E)Park and Sell By Permit Required and 10.20.060 (F) Long Term Parking and Storage Designation (10.20) |
| 08-04-01-01 | Amending Title 10-Vehicles and Traffic, Chapter 10.04-General Provisions, Section 10.04.030-AAC Title 13-Provisionsadoption By Reference (Adding "No One Is Allowed to Drive an A1v Without A Valid Drivers Permit, Valid Driver's License or City Youth Permit. A. the City Youth Permit (CYP) Is for Youth's Age 12 Thru Age 15.") (10.04) |

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| | Drivers Permit, Valid Driver's License or City Youth Permit. A. the City Youth Permit (CYP) Is for Youth's Age 12 Thru Age 15.") (10.04) |
| 08-07-15-01 | Amending Ordinance 08-04-01-01, and Title 10-Vehicles and Traffic, Chapter 10.04-General Provisions, Section 10.04.030-AAC Title 13 -Provisions Adoption by Reference (Adding "City Youth Permit" for Children 12 and Up to Operate ATV) (10.04) |
| 08-10-21-02 | Amending Title 10-Vehicles and Traffic, Chapter 10.04-General Provisions, Section 10.04.030- AAC Title 13 Provisions adoption By Reference (Amending Speed Limit to "Posted" Rather Than 10mph, Changing Yearly Renewal from \$25 to \$10 for ATV'S, Adding Fluorescent Flag as A Requirement) (10.04) |
| 09-01-06-01 | Amending Title 10-Vehicles and Traffic, Chapter 10.20-Parking, Standing and Stopping, Section 10.20.060- Off Street Parking Place, Removal of Unauthorized Vehicles. Adding "All vehicles with no visible way to identify the owner will be marked and impounded after two weeks." (10.04) |
| 09-06-02-01 | Title 10-Vehicles and Traffic, Chapter 10.04-General Provisions, Section 10.04.160(A) (I)-Violations and Penalties. (adding the State Traffic Fine Schedule) (10.04) |
| 09-07-21-02 | Amending Title 10-Vehicles and Traffic, Chapter 10.20-Parking Standing and Stopping, Section 10. 20.080-Time limited parking spaces and additional restrictions. Adding Subsection 10.20.080 (D) "NO OVERNIGHT CAMPING". (10.20) |
| 09-11-03-02 | Amending Title 12-Streets Sidewalks and Public Places, Chapter 12.04-RV Park, Section 12.04.070-Parking Limitations. Increasing the number of vehicles allowed per RV Space from 1 vehicle to 2 vehicles. (12.04) |
| 10-06-15-05 | Amending Title 10-Vehicles and Traffic, Chapter 10.04-General Provisions, Section 10.04.160-Violations and Penalties, |
| 10-06-15-06 | Amending Title 10-Vehicles and Traffic, Chapter 10.20-Parking, Standing and Stopping, Section 10.20.040-Stopping, Standing or Parking Are Prohibited Where, |
| 10-07-20-02 | Amending Title 10-Vehicles and Traffic, Chapter 10.20-Parking Standing and Stopping, Section 10.20.040-Stopping, Standing or Parking Prohibited, |
| 14-12-02-01 | Establishing an Abandoned Vehicle Ordinance for the Thorne Bay Municipal Code (10.20) |
| 16-09-20-01 | Amending Title 10-Vehicles and Traffic, Chapter 10.04-General Provisions. (10.04) |
| 16-09-20-01 | Amending Title 10-Vehicles and Traffic, Chapter 10.04-General Provisions. (10.04) |
| 17-02-07-01 | Amending Title 10-Vehicles and Traffic, Chapter 10.04-General Provisions, Section 10.04.030-Title 13-Provisions Adoption by Reference – ATV Code Amendment. (10.20) |

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|-------------|---|
| 18-08-21-02 | Amending Title 10-Vehicles and Traffic, Chapter 10.20 – Parking, Standing and Stopping. (10.20) |
| 18-09-01-01 | Amending Title 10 – Vehicles and Traffic, Chapter 10.20-Parking Standing and Stopping, Section 10.20.060-Off Street Parking Place and Removal of Unauthorized Vehicles. (10.20) |
| 22-06-21-02 | Amending Harbor Parking Time – Removing Permit Parking language adding “where posted” |
| | |