Introduced by: Peter Williams
Introduction Date October 25, 2022
Public Hearing Date: November 8, 2022

Action: Passed Vote: 7-0

CITY OF BETHEL, ALASKA

Ordinance #22-37

AN ORDINANCE BY THE BETHEL CITY COUNCIL AMENDING BETHEL MUNICIPAL CODE BY CREATING A NEW SECTION 5.08.200, APPLICATION OF STATE LAW

WHEREAS, in order for the City of Bethel to issue citations and retain the fines associated with those citations, the Bethel Municipal Code (BMC) must clearly include those offenses as a municipal offense;

WHEREAS, BMC 5.08, Alcoholic Beverages, creates municipal laws related to alcohol but does not clearly incorporate the alcohol laws from Alaska Statutes Title 4 into the municipal code, thereby arguably limiting the fines the municipality may collect;

WHEREAS, following the clear adoption by reference of Alaska Statutes Title 4, the City may collect fines for violations of the BMC and Alaska Statutes Title 4;

NOW THEREFORE BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BETHEL, ALASKA:

SECTION 1. Classification. This is a codified Ordinance of general and permanent nature and shall become part of the Bethel Municipal Code.

SECTION 2. Amendment. Bethel Municipal Code Section 5.08.200, is created as follows, new language is underlined and old language is stricken. The subsections within the chapter will be renumbered accordingly following adoption.

05.08.200 Adoption of state law.

- A. Except as otherwise provided in this chapter, the provisions of Title 4 of the Alaska Statutes, including but not limited to AS 04.16.049-.050, shall apply and are hereby incorporated as if fully set forth herein.
- B. <u>Upon citation under this section, court appearance is mandatory.</u>

SECTION 3. Effective Date. This Ordinance shall become effective immediately, following adoption by the Bethel City Council.

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BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BETHEL, ALASKA THIS 8th DAY OF NOVEMBER 2022 BY A VOTE OF 7 IN FAVOR AND 0 OPPOSED.

Rose Henderson, May

V.

City of Bethel