



# CITY OF BETHEL

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907-543-2087

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Introduced By: Council Member Wintersteen

Date: August 9, 1994

Public Hearing: August 23, 1994

Second Public Hearing: September 27, 1994

Action: Failed

Vote: 1-Yes, 5-No (Chris, Jones, Metcalfe, Miller, Tubbs)

## ORDINANCE #94-20

### AN ORDINANCE AMENDING TITLE 14, HARBORS AND PORTS, BY ADDING CHAPTERS 14.08.060-.070, PERSONAL FLOATATION DEVICE REQUIRED

**WHEREAS**, fishing and other activities conducted at or near the seawall are potentially dangerous to life and limb and a potential hazard to navigation; and

**WHEREAS**, such activities carry the risk of drowning; and

**WHEREAS**, the City of Bethel has the power under Title 29 of the Alaska Statutes to regulate in the interests of health and safety, and to regulate the operation and use of municipal facilities and services.

**NOW, THEREFORE, BE IT ENACTED** by the City Council of the City of Bethel, Alaska, as follows:

Section 1. Title 14 of the Bethel Municipal Code is hereby amended by adding Sections 14.08.060-.070, Personal Floatation Device Required.

Section 2. Sections 14.08.060-.070 are hereby adopted as follows:

14.08.060 Personal Floatation Device Required. Any person on the seawall shall wear a personal floatation device, approved by a State or Federal agency for safety purposes. As used in this section, "seawall" means the bulkhead constructed of pipe piling or other material, and floating docks, located along the waterfront within the corporate limits of the City of Bethel.

14.08.070 Fine. For each violation of Section 14.08.060, the City may assess a penalty in the amount of \$25. The City may assess and collect this penalty without a court appearance.

Section 3. If any part or provision of this ordinance or application thereof to any person or circumstance is adjudged invalid by any court of competent jurisdiction, such judgement shall be confined in its operation to the part, provision or application directly involved in any controversy in which this judgement shall have been rendered, and shall not affect or impair the validity of the

City of Bethel  
Ordinance #94-20  
Page 1 of 2 Pages

remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision or application.

Section 4. This ordinance shall be effective upon adoption.

PASSED AND APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 1994.

\_\_\_\_\_  
Donna J. Chris, Mayor

ATTEST:

\_\_\_\_\_  
Connie Tucker, City Clerk