

MATANUSKA-SUSITNA BOROUGH

Transportation Advisory Board Agenda

Edna DeVries, Mayor

Terri Lyons
Randy Durham
Donna McBride
Scott Adams
Jennifer Busch
Antonio Weese
Joshua Cross - Chair

Kim Sollien - Staff



Michael Brown, Borough Manager

PLANNING & LAND USE DEPARTMENT
Alex Strawn, Planning & Land Use Director
Kim Sollien, Planning Services Manager
Jason Ortiz, Development Services Manager
Fred Wagner, Platting Officer

In Person + Virtual Meeting

April 22nd REGULAR MEETING 10:00 am

Ways to participate in the Transportation Advisory Board meetings:

Join on your computer or mobile app

[Click here to join the meeting](#)

TELEPHONIC TESTIMONY:

- Dial [+1 907-290-7880](#) Password: 969 334 059#
- State your name for the record, spell your last name and provide your testimony.

I. CALL TO ORDER

II. ROLL CALL – DETERMINATION OF QUORUM

III. APPROVAL OF AGENDA

IV. APPROVAL OF MINUTES

A. February 25, 2022, Regular Meeting Minutes

V. AUDIENCE PARTICIPATION (*three minutes per person, for items not scheduled for public hearing*)

VI. STAFF/AGENCY REPORTS & PRESENTATIONS

- A. Bike and Pedestrian Plan Update
- B. MPO Update
- C. Subdivision Construction Manual (*Special Meeting Proposal – May 20, 2022*)
- D. OSHP – Resolution of Support (*Postponed to Special Meeting*)
- E. RSA Board Update – DJ McBride

VII. UNFINISHED BUSINESS

A. State Regulation allowing ATV's on roadways of 45 mph or less

- i. <https://doa.alaska.gov/dmv/reg/snow.htm>
- ii. <https://www.cityofwasilla.com/services/departments/police/atv-information>
- iii. <https://palmer.municipal.codes/PMC/10.08.040>
- iv. https://www.fairbanksalaska.us/sites/default/files/fileattachments/ordinance/31241/ord_6186_as_amended_to_prohibit_all-purpose_vehicles_on_public_roadways_within_the_city.pdf
- v. https://www.kenai.city/sites/default/files/fileattachments/police/page/3101/atv-off_road_flier_informational_flyer.pdf
- vi. https://www.cityofhomer-ak.gov/sites/default/files/fileattachments/ordinance/73296/ord_21-33_signed.pdf

VIII. NEW BUSINESS

A. TAB involvement with MSB Road Service Task Force

IX. MEMBER COMMENTS

X. NEXT MEETING DATE TBD

XI. ADJOURNMENT

MATANUSKA-SUSITNA BOROUGH

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PLANNING & LAND USE DEPARTMENT
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Kim Sollien, Planning Services Manager
Jason Ortiz, Development Services Manager
Fred Wagner, Platting Officer

Virtual Meeting

February 25th, 2022
REGULAR MEETING
10:00 am

I. CALL TO ORDER

Meeting called to order at 10:02 am

II. ROLL CALL – DETERMINATION OF QUORUM

Members Present: DJ McBride (left at 11am)
Terri Lyons
Randy Durham
Jennifer Busch
Antonio Weese
Joshua Cross

Staff Present: Kim Sollien, Planning Services Manager
Alex Strawn, Planning & Land Use Director
Jason Ortiz, Development Services Manager
Fred Wagner, Platting Officer
Adam Bradway, Planner II
Gerrit Verbeek, Planner I
Kelsey Anderson, Planner II
Maija DiSalvo, Planning Division Admin

III. APPROVAL OF AGENDA

Motion: Jennifer Busch made a motion to approve, second Randy Durham
Vote: All in favor

IV. ELECTION OF NEW POSITIONS

A. Chair: DJ McBride nominated Josh Cross, uncontested

Vote: All in favor

B. Vice Chair: DJ McBride nominated Antonio Weese, uncontested

Vote: All in favor

V. APPROVAL OF MINUTES

- A. August 30, 2021, Regular Meeting Minutes
- B. September 24, 2021, Special Meeting Minutes
- C. December 17, 2021, Regular Meeting Minutes

Motion: Antonio Weese made a motion to approve, second DJ McBride

Vote: All in favor

VI. AUDIENCE PARTICIPATION (*three minutes per person, for items not scheduled for public hearing*)

Clint Adler:	Chief of Mat Su district DOT/Public Facilities
Crystal Smith:	MSB School District Transportation Supervisor with school and road-related project knowledge
Dave Palmer:	Chair of AAB
907-841-7171:	No response on the phone line
Adam Bradway:	MSB Planner, to present on Official Streets & Highways Plan
Alex Strawn:	Planning Director, to present on Subdivision Construction Manual
Fred Wagner:	MSB Platting Officer
Gerrit Verbeek:	MSB Planner
Jason Ortiz:	Development Services Manager
Kelsey Anderson:	MSB Planner, to present on Bike & Pedestrian Plan
Kim Sollien:	Planning Services Manager – Staffing TAB
Terri Lyons:	New TAB member
Randy Durham:	New TAB member, also on AAB, military, heavy maintenance background, manages a store in Wasilla, DOT experience (water systems in FL)
DJ McBride:	TAB Board Member, Chair of RSA 15, with an engineering background
Antonio Weese:	MSB School District, facilities and construction/planning projects, CIPs, maintenance upgrades
Jennifer Busch:	Valley Transit Executive Director
Josh Cross:	2 nd term as chair, experience as a civil engineer in the valley. Welcome to all new members and guests, looking forward to working together

VII. STAFF/AGENCY REPORTS & PRESENTATIONS

A. OSHP – Public Involvement Timeline – Adam Bradway

- i. The MSB is growing rapidly and is forecasted to continue to grow. This means we have changing transportation needs, and with that, the transportation system has to change to match the growth. OSHP is a guide to standardize roads and preserve space for future road development.
- ii. Public Outreach includes presentations to: RSA Board, TAB, Planning Board, Planning Commission, Assembly, as well as a public outreach via the OSHP Website, that asks for individual map-based comments. Public Comment is currently open through March 31st, 2022. OSHP will be presented to the Assembly in late April/early May, with the Planning Commission right before that.
- iii. Public Outreach Action: OSHP asks for a supporting resolution from TAB to take to the Assembly. A resolution will be drafted for the April Meeting.

B. MPO Update – Kim Sollien

- i. Anticipated Core Area urbanized designation via April census designation
- ii. Currently advertising position of Pre-MPO Project Manager
- iii. Next Steering Committee meeting: March 8th (Antonio Weese is the TAB representative on Steering Committee)
- iv. Next Policy Board meeting March 16th

C. RSA Board Update – DJ McBride

- i. 21-04: Admin superintendents to stop responding to off-hour calls, no response from the Assembly.
- ii. 21-05: To add road superintendent position. Will present at budget meeting.
- iii. 22-01: Reduction of the contract threshold from \$25K to \$15K, no response so will have to go through purchasing for small repairs.
- iv. RSA to draft a letter to the Assembly about the current and future role of our board and TAB. RSA doesn't feel they're being contacted about transportation and road issues, or listened to.
- v. 22-02: Big Lake pilot program, time and materials. Was shot down at last meeting, converted into forming a task force instead. RSA requested a spot on task force:
 - 1. Request for TAB to draft a resolution to have a spot on the new Borough Task Force.
- vi. Design Construction Manual – Anchorage: Outlines consistent design throughout the borough and is a set of specifications that show how all repairs and road sewer stormwater construction should be done. Creates consistency between DCM, SCM, and General Manual for repair. TAB wrote a resolution last year to Assembly to start creating a DCM in relation to SCM and the process has started. It was originally rejected by Assembly because of cost to contractors.

VIII. UNFINISHED BUSINESS

A. MSB administrative change to procurement rules

- i. Non-compete cap for contracts of up to \$25K was administratively

reduced to \$15K last fall. The RSA board is concerned about slower response times for repairs. Borough Manager supported the decision, expressing concerns over the abuse of contracts and wanted to increase competition. It was decided that TAB doesn't have a good view of the processes to make that decision and it doesn't fall under TAB's mission. This business is considered finished.

IX. NEW BUSINESS

B. Bike and Pedestrian Plan TAB Steering Committee Representative – Kelsey Anderson

- i. Kelsey gave a brief update of the stages of development for the Bike & Ped Plan (existing conditions report, public outreach, plan development, economic analysis: plan completion May/June 2023). She asked for a volunteer from TAB to be a member of the Bike & Ped Steering Committee, which meets monthly. No volunteers yet, if there are none, Kelsey could come to quarterly TAB meetings with updates.

Motion: Jennifer Busch made a motion to extend the meeting to 12:00 pm, second Antonio Weese

Vote: All in favor

C. MS4 Stakeholder TAB Steering Committee Representative

- i. Along with the Borough's predicted urbanized designation, a plan for MS4 stormwater management will need to be implemented by December per federal requirements that protect water bodies and prevent pollution.
- ii. Antonio Weese volunteered to be a TAB representative on the MS4 Steering Committee, as he has familiarity with MS4.

D. State Regulation allowing ATV's on roadways of 45 mph or less

- i. January 1st amendment to title 13, allowing ATVs on state-owned roads w/ speed limit under 45mph. City of Palmer, City of Wasilla, Fairbanks, and Soldotna have issued ordinances banning ATV use.
- ii. Discussion about TAB's stance on this, including: safety for users, safety for the community, Core-Area specific restrictions, requirements such as license plates, headlights, helmets and safety equipment, AK right to recreate freely, those using ATV's as primary transportation, proper ATV registration process, insurance coverages, bike and ped conflict, specific problem roads such as Hyer Rd., lack of seatbelts and airbags when on mixed traffic roadways. It was decided the group would like to take time to research and come back to the conversation.

Motion: Terri Lyons made a motion to postpone the discussion regarding ATV's on roadways to the next meeting, second Randy Durham

Vote: All in Favor

E. Subdivision Construction Manual Update – Alex Strawn

- i. SCM updates included primarily: stabilizing ditches, energy dissipation

culverts, minimum freeboard requirement, MEA allowing drainage basements in utility easements, definition updates, general cleanup, new typicals and diagrams, and adding clarifications for density and compaction of roads. Alex will follow up with a summary of changes. These updates should bring us closer to MS4 requirements, though additional amendments may need to be made once MS4 is in place. Some concern was expressed that the changes may be too developer-driven.

- ii. A resolution is requested from TAB regarding the updates, whether in support or not, or if changes are suggested.

Motion: Jennifer Busch made a motion to extend for 10 minutes to 12:10 pm, second Randy Durham
Vote: All in favor

X. MEMBER COMMENTS

Terri Lyons:	No comment
Randy Durham:	No comment
Jennifer Busch:	No comment
Antonio Weese:	No comment
Joshua Cross:	Thanks to new volunteers and TAB members. It's nice to have a full board and perspectives. Thanks to AAB for sitting in, thank you MSB staff for getting us caught up on minutes and current projects.

XI. NEXT MEETING DATE

April 15th, 2022 – 10:00 am (tentative)

XII. ADJOURNMENT

Motion : Terri Lyons made a motion to adjourn, second Randy Durham.
Meeting adjourned at 12:04pm

**MATANUSKA-SUSITNA BOROUGH
TRANSPORTATION ADVISORY BOARD
RESOLUTION SERIAL NO. TAB 22-01**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH TRANSPORTATION ADVISORY BOARD IN SUPPORT OF THE MATANUSKA-SUSITNA BOROUGH 2022 OFFICIAL STREETS AND HIGHWAYS PLAN UPDATE.

WHEREAS, the Matanuska-Susitna Borough Transportation Advisory Board advises the Assembly on transportation-related issues; and

WHEREAS, the Official Streets and Highways Plan (OSHP) is a transportation planning tool that identifies future road corridors and road upgrades necessary to accommodate the Borough's growing population and its transportation needs; and

WHEREAS, the OSHP is a part of the Borough's Long Range Transportation Plan, is map-based, and focuses on road infrastructure needs; and

WHEREAS, the OSHP provides a thoughtful, proactive, and comprehensive basis for planning, platting, and transportation infrastructure investment decisions; and

WHEREAS, the OSHP will help preserve future road corridors; reducing right-of-way costs by minimizing building conflicts and addressing road network deficiencies before they happen; and

WHEREAS, implementation of the OSHP will enhance road safety, reduce congestion, reduce negative impacts on neighborhoods, and lower transportation costs; and

WHERE AS, future road corridors and upgrades to existing roads should be planned early in order to ensure a safe and efficient road network.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Transportation Advisory Board hereby recommends adoption of the 2022 Matanuska-Susitna Borough Official Streets and Highways Plan Update.

ADOPTED by the Matanuska-Susitna Borough Transportation Advisory Board this _____ day of _____, ____.

Joshua Cross, Chair

ATTEST:

Kim Sollien, Planning Services Manager
Staff Support

LOCAL ROAD SERVICE AREA ADVISORY BOARD

RESOLUTION 22-01

A RESOLUTION BY THE MATANUSKA-SUSITNA BOROUGH LOCAL ROAD
SERVICE AREA ADVISORY BOARD (LRSAAB) IN SUPPORT OF THE
MATANUSKA-SUSITNA BOROUGH 2022 OFFICIAL STREETS AND HIGHWAYS
PLAN UPDATE

WHEREAS: the Local Road Service Area Advisory Board advises the Assembly on local road policy within the Matanuska-Susitna Borough; and

WHEREAS: the Official Streets and Highways Plan (OSHP) is a transportation planning tool that identifies future road corridors and road upgrades necessary to accommodate the Borough's growing population and its transportation needs; and

WHEREAS: the OSHP is a part of the Borough's Long Range Transportation Plan, is map-based, and focuses on road infrastructure needs; and

WHEREAS: the OSHP provides a thoughtful, proactive, and comprehensive basis for planning, platting, and transportation infrastructure investment decisions; and

WHEREAS: the OSHP will help preserve future road corridors; reducing right-of-way costs by minimizing building conflicts and addressing road network deficiencies before they happen; and

WHEREAS: implementation of the OSHP will enhance road safety, reduce congestion, reduce negative impacts on neighborhoods, and lower transportation costs; and

WHEREAS: future road corridors and upgrades to existing roads should be planned early in order to ensure a safe and efficient road network.

NOW, THEREFORE, BE IT RESOLVED: The Local Road Service Area Advisory Board hereby recommends the adoption of the 2022 Matanuska-Susitna Borough Official Streets and Highways Plan Update.

Adopted by unanimous vote on **January 20, 2022**

Stephen Edwards _____ Board Chair

Mike Shields _____ Board Secretary

TAB response to changes to Title 13 of the Alaska Administrative Code

On January 1, 2022 the amendments to Title 13 of the Alaska Administrative Code ((13 AAC) became effective. The amendments to 13 AAC allow All Terrain Vehicles (ATVs), with the exception of snowmobiles, to operate within the State's Right of Way (ROW). The Transportation Advisory Board (TAB) recommends that the Mayor and Assembly adopt a resolution to restrict ATV use inside Borough ROW within the Core Area of the Matanuska-Susitna Borough. For the purpose of this response, the Core Area is from the Matanuska-Susitna Borough Core Planning Area map dated April 2007. It should be noted that the Core Area depicted on this map does not include the rapidly growing areas along Knik Goose Bay Road or the areas north of Wolf Lake that are experiencing rapid growth.

The TAB has the following concerns regarding the Amendments to 13 AAC:

Safety

An ATV's design is not conducive to operating on paved roads. ATVs contain a narrow wheelbase, low-pressure tires, and a high center of gravity. The combination of these three items result in a high likelihood of loss of control at highway speeds and when turning. ATV instruction manuals and warning labels caution owners against riding their ATV on roadways. For example the operating manual on the Polaris Sportsman reads, "Operating an ATV on paved surfaces (including sidewalks, paths, parking lots and driveways) may adversely affect the handling of the ATV and could result in loss of control and accident or rollover. Avoid operating the ATV on pavement. ATV tires are designed for off-road use. If it's unavoidable, travel slowly and avoid sudden turns or stops." Other manufacturer's manuals contain similar language.

Furthermore, the Specialty Vehicle Institute of America (SVIA), the trade association that represents manufacturers and distributors of ATVs opposes the trend in states allowing ATVs on public roads. The SVIA is a trade association that may benefit from less restrictive rules to ATVs. However, they recognize the same safety concerns that we do. As stated on the SVIA.org website:

ATVs are designed, manufactured and sold for off-road use only. On-road vehicles must be manufactured and certified to comply with U.S. Department of Transportation Federal Motor Vehicle Safety Standards (FMVSS). These safety standards consist of extensive and detailed compliance requirements. Since ATVs are not intended to be used on-road, they are not designed, equipped or tested to meet such standards.

Permitting on-road use of ATVs, including modified ATVs, would be in conflict with manufacturers' intentions for their proper use, and would be contrary to federal safety requirements.

Exacerbating this safety issue is that the amendments to 13 AAC do not require the operator to wear a helmet or other safety equipment. This conflicts with manufacturer and industry recommendations.

Noise

The noise associated with ATV engines and exhaust lowers the quality of life in the MSB. During idle most stock ATVs register an exhaust noise of around 90 decibels. During operation, the decibel levels increase. For comparison, a work truck is around 80 decibels.

The amendments do not distinguish between day and night use. During our long daylight hours of summertime is when ATV use is likely to be more prevalent. Within the denser Core Area of the MSB,

and along roads where the posted speed limit allows for on-road ATV use is the very area where people are most likely to be disturbed by ATV noise.

Volume

The Annual Average Daily Traffic (AADT) is a measure of the average 24-hour traffic volume at a given location over a year. A higher AADT indicate more vehicles on a road each day and more potential for vehicle ATV interaction. Under the current amendments, the following is a sample of MSB roads that would allow ATV use. The AADTs were taken from the State of Alaska's traffic data website. Please note that the data below is from 2019. The data from 2020 is likely skewed due to the schools being remote learning and many businesses being closed or using remote work during 2020.

Engstrom Road – 3,226 vehicles per day.

Schrock Road – 2,880 vehicles per day.

Lakeview Road – 1,003 vehicles per day.

Church Road – 3,041 vehicles per day.

Caribou Street – 1,873 vehicles per day.

Pamela Drive 1,172 vehicles per day.

Hyer Road – 1,146 vehicles per day.

Enforcement

The amendments to 13 AAC require the following: operators must be licensed and insured, ATVs must be registered and display a front and rear license plate, and ATVs must have a headlight, break light, and reflectors. If violations to these requirements occur, who will enforce them? Our local Alaska State Troopers are already stretched thin and have higher priority work to do. By ignoring complaints and not enforcing the requirements, we in-turn reduce safety and lower the quality of life in the MSB.

Proposed Action

The TAB recommends the MSB Assembly passes and ordinance that restricts ATV use on Borough roads within the Core Area of the Borough.



For questions or concerns please contact:

**Kenai Police Department
107 South Willow Street
Kenai, Alaska 99611
(907) 283-7879**

www.ci.kenai.ak.us/policedept.html

**OFF ROAD VEHICLES
CITY OF KENAI**

Steady increases in off-road vehicle travel have created a growing concern for public safety and environmental considerations.

The City of Kenai, through its police department, enforces local ordinances in an effort to address problems associated with operation of any vehicle defined as an off-road motorized vehicle within the city limits. These laws are located in Kenai Municipal Code (KMC) Subsection 13.40.010 – 13.40.080.

DEFINITION: KMC13.40.010

Off road vehicle operation is defined as:
Any motor vehicle not authorized for operation on a public roadway according to state law or regulation.

OR

Any motorized vehicle that is being operated off of the maintained streets and roadways.

Most common examples of off road vehicle operation within the City include riding of three-wheelers, four-wheelers, and snow machines, however motorized go-karts, skateboards, or any licensed motor vehicle driven off of streets and roadways also meet this definition by city ordinance.

All state and local laws regarding Off Road Vehicle Operation apply within the Kenai City Limits.

OPERATION: KMC13.40.020 (a-f)

The following examples of violations listed in KMC are intended as a quick reference guide and are not complete listings. Please refer to a current copy of

the Kenai Municipal Code for complete and current definitions and associated fines for violations.

- a. Operating off-road vehicle on public or private property without express, written permission of the owner. \$100.00
- b. Operating off-road vehicle on municipal parks, municipal playgrounds, or school playgrounds. \$100.00
- c. On a City or State maintained roadway, sidewalk, path, or trail designed for bicycles or pedestrians. \$100.00
- d. On City or State maintained right-of-way that has been landscaped, seeded, or otherwise improved. \$100.00
- e. Operate off-road vehicles in such a manner as to disturb the peace and quiet of another. \$100.00
- f. Operate off-road vehicles in such a manner as to damage or destroy improved property or the terrain. \$100.00

All operators of off-road vehicles must be able to reach and operate all controls necessary for safety.

SPECIAL STOPS REQUIRED:

KMC13.40.030

In addition to all state laws, off-road vehicles must stop prior to crossing any street, roadway, or private drive. \$90.00

SPEED LIMITS: KMC13.40.040

KMC code defines a maximum speed limit of 10 miles per hour when riding in close proximity of persons or a right-of-way for business areas, residential areas, parking lots, sidewalks, paths and trails designed for pedestrians or bicycles. \$75.00

HELMETS: KMC13.40.050

No person under the age of 18 is allowed to operate any off-road vehicle without a helmet that meets the safety standards set by the State of Alaska. \$100.00

PARENTAL/GUARDIAN RESPONSIBILITY: KMC13.40.070

The parent of a person in violation of any of the municipal ordinances governing off-road vehicle operation may be charged in addition to their child if:

1. They knowingly allow the violation to take place.

OR

2. The parent fails to take reasonable precautions to prevent the violation.

OTHER APPLICABLE LAWS:

13AAC02.345(b)(2) States: A police officer may impound and remove to a place of safety a vehicle that is found or operated on a highway without license plates or registration.

Alaska Statue 28.10.011 requires that all motor vehicles driven “upon a highway or other public place” shall be registered.

ATV’S do not, however, comply with the Federal Department of Transportation standards for tires and rims. No ATV on the market today meets the federal emission standards since no manufacturer has made such application. Therefore, they are deemed unsafe for road use and cannot be registered as motor vehicles.

13AAC 02.455. OPERATION ON HIGHWAYS AND OTHER LOCATIONS: A snowmobile or an off-highway vehicle may be driven on a roadway or shoulder of a highway only under the following circumstances:

(1) When crossing a highway as provided in (f) of this section, or when traversing a bridge or culvert on a highway, but then only by driving at the extreme right-hand edge of the bridge or culvert and only when the traverse can be completed with safety and without interfering with other traffic on the highway.

(2) When use of the highway by other motor vehicles is impossible because of snow or ice accumulation or other natural conditions or when the highway is posted or otherwise designated as being open to travel by off-highway vehicles.

(3) When highway driving is authorized by an authority having jurisdiction over the highway, but only in accordance with restrictions which may be imposed by that authority with regard to highway use;

(f) A snowmobile or an off-highway 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.

(g) No snowmobile or other off-highway vehicle may cross or travel on a sidewalk, a location intended for pedestrian or other nonmotorized traffic, an alley, or other vehicular way or area which is not open to snowmobile or off-highway vehicle operation, except as provided in (f) of this section.

OFF ROAD VEHICLES

CITY OF KENAI

CITY OF HOMER
HOMER, ALASKA

Aderhold

ORDINANCE 21-33

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
AMENDING HOMER CITY CODE CHAPTER 7.20 SNOWMACHINES
TO INCLUDE ALL-PURPOSE VEHICLES.

WHEREAS, On March 16, 2021 the Dunleavy Administration proposed a statewide rule change which would allow snowmachines and all-purpose vehicles to be operated on roads with speed limits of 45 miles per hour or less; and

WHEREAS, The proposed rule change allows municipalities to adopt ordinances that prohibit snowmachines and all-purpose vehicles to operate on public roadways; and

WHEREAS, All public roadways within the city limits of Homer have posted speed limits of 45 miles per hour or less; and

WHEREAS, Allowing snowmachines and all-purpose vehicles on public roadways is not compatible with Homer's roads and traffic patterns.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code Chapter 7.20 is hereby amended as follows:

Chapter 7.20
SNOWMACHINES **AND ALL-PURPOSE VEHICLES**¹

Sections:

7.20.010 *Repealed.*

7.20.020 ~~Street and alley defined~~ **Definitions.**

7.20.030 Use of snowmachines **and all-purpose vehicles.**

7.20.040 Time restriction.

7.20.050 Driver's license requirement.

7.20.055 Operation in designated areas.

7.20.060 Towing.

7.20.070 Exceptions.

7.20.080 *Repealed.*

Prior legislation: Ord. 72-5.

7.20.010 Compliance with State law.

Repealed by Ord. 13-40. [Code 1967 § 12-400.1].

~~Strike-out~~ is deleted language, **bold underline** is new language

7.20.020 ~~Street and alley defined~~ **Definitions.**

For the purpose of this chapter the following definitions shall apply:

“All-purpose vehicle” means any self-propelled vehicle designed primarily for cross-country travel on land and water, or on more than one type of terrain, and steered by wheels, treads, skis, or any combination thereof, including vehicles that operate on a cushion of air, vehicles commonly known as all-terrain vehicles, all-season vehicles, and utility terrain vehicles.

“Snowmachine” means a self-propelled vehicle primarily designed or altered for travel on snow or ice when supported in part by skis, belts, or cleats.

“Street” and “alley” mean any street, highway, or alley from property line to property line, officially classified by the City as a “local arterial” on its official street and highway plan.

7.20.030 Use of snowmachines **and all-purpose vehicles.**

No person shall drive, operate, stop or move a snowmachine **or all-purpose vehicle:**

a. Upon a sidewalk, alley, street, **right-of-way**, or highway except:

1. To cross, provided the crossing is made at an angle of approximately 90 degrees to the direction of the ~~highroad~~ **highway** at a place where no obstruction prohibits a quick and safe crossing, and the snowmachine **or all-purpose vehicle** is brought to a complete stop before crossing the shoulder or main traveled way, and the driver yields the right-of-way to oncoming traffic; and

2. When operated on a path or shoulder adjacent to the roadway provided it is driven six feet or more from the extreme edge of the roadway; **and**

3. When the snowmachine or all-purpose vehicle is a government operated vehicle used for official business.

b. In or upon a park or other City-owned property, except:

1. In areas as provided in this chapter, which are designated as snowmachine or all-purpose vehicle areas;

2. When the snowmachine or all-purpose vehicle is a government operated vehicle used for official business.

c. On private property of another without the express permission to do so by the owner or authorized occupant of the property;

d. In a careless, reckless or negligent manner so as to endanger or likely to endanger the safety of any person or property of any other person;

e. While under the influence of intoxicating liquor, narcotics or drugs;

f. Within 100 feet of any established skating rink, sliding area, skiing area or any location where the operation of a snowmachine **or all-purpose vehicle** would conflict with the use of the area for the intended purpose thereof, or endanger other persons or property;

g. To intentionally drive, chase, run over or kill any animal;

h. Without having such snowmachine registered as provided for in AS 28.39;

i. While transporting weapons or other instruments used to hunt in other than unloaded and enclosed conditions;

j. Operate or ride on a snowmachine **or all-purpose vehicle** without wearing a properly fitted full coverage crash helmet which has Snell Foundation Z-90.1 or equivalent rating and such rating shall be affixed to and protected from mutilation in or on the helmet.

7.20.040 Time restriction.

No person shall drive, operate, stop or move a snowmachine **or all-purpose vehicle** within the City limits after 10:00 p.m., nor before 8:00 a.m., except that this section shall not apply to an employee or an authorized officer of a municipal or State law enforcement agency while in the performance of official duties.

7.20.050 Driver's license requirement.

A driver or operator of a snowmachine **or all-purpose vehicle** shall be required to have a valid current motor vehicle operator's license or permit, or be accompanied by a person having such valid license, while operating a snowmachine **or all-purpose vehicle** in or upon a park or other City-owned property in the City.

7.20.055 Operation in designated areas.

Snowmachine **or all-purpose vehicle** operation may be permitted in or upon a park or other City-owned property when all or part of the property is designated by the City Manager and approved by the City Council as a snowmachine **or all-purpose vehicle** area.

7.20.060 Towing.

No person shall operate a snowmachine **or all-purpose vehicle** while towing a sled, toboggan or other object, nor any person riding on same unless such sled, toboggan or other object is attached to the snowmachine **or all-purpose vehicle** by a rigid bar, and the towed object shall be equipped with a red reflector on each side of rear.

7.20.070 Exceptions.

Upon recommendation by the City Manager and approved by the City Council controlled special events may be excepted from specific portions of this chapter, when satisfactory evidence is shown that the public health, safety and welfare are protected.

7.20.080 Violation – Penalty.

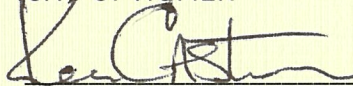
Repealed by Ord. 13-40. [Code 1967 § 12-400.9].

¹ For statutory provisions authorizing the regulation of snow vehicles, see AS 29.35.210.

Section 2. This Ordinance is of a permanent and general character and shall be included in the City Code.

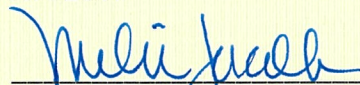
ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 28th day of June, 2021.

CITY OF HOMER



KEN CASTNER, MAYOR

ATTEST:



MELISSA JACOBSEN, MMC, CITY CLERK

YES: 6

NO: 0

ABSTAIN: 0

ABSENT: 0

First Reading: 6.14.21

Public Hearing: 6.28.21

Second Reading: 6.28.21

Effective Date: 6.29.21



ORDINANCE NO. 6186, AS AMENDED

**AN ORDINANCE TO ~~PROHIBIT~~ LIMIT ALL-PURPOSE VEHICLES
ONTO PUBLIC ROADWAYS WITHIN THE CITY OF FAIRBANKS A
~~MAXIMUM SPEED LIMIT NOT GREATER THAN 30 MILES PER HOUR~~**

WHEREAS, the State of Alaska adopted regulations that would allow “all-purpose vehicles” to operate on public roadways where the designated maximum speed limit was not greater than 45 miles per hour; and

WHEREAS, these regulations are set to take effect on January 1, 2022; and

WHEREAS, the State regulations authorize local governments to prohibit or restrict the use of all-purpose vehicles on public roadways withing their jurisdictions; and

WHEREAS, the Council finds that ~~the 45-mile-per-hour maximum speed limit would include~~ roadways in the City ~~that~~ are not appropriate for all-purpose vehicle operation.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, as follows:

Section 1. That Fairbanks General Code Chapter 78, Traffic and Vehicles, Article XV, is hereby amended as follows [new text in **bold/underline** font; deleted text in ~~strikethrough~~ font]:

**ARTICLE XV. SNOWMOBILES, ~~AND~~ OTHER OFF-HIGHWAY VEHICLES,
AND ALL-PURPOSE VEHICLES.**

Sec. 78-542. Operating ~~Limits on~~ All-Purpose Vehicles on a Public Roadway.

(a) All-purpose vehicles, as defined in 13 AAC 40.010, may not be operated on any roadway within the City of Fairbanks where the maximum designated speed limit is greater than 30 miles per hour.

Section 2. That Fairbanks General Code Sec. 78-5, Traffic Fine Schedule, is hereby amended as follows [new text in **bold/underline** font; deleted text in ~~strikethrough~~ font]:

Sec. 78-5. Traffic Fine Schedule.

(a) Unless otherwise provided in this chapter, the city's traffic fine schedule for violations not set forth under section 78-1 shall be as follows:

* * * * *

32. ~~Operating Limits on All-Purpose Vehicles on a Public Roadway (Section 78-542) 125.00~~

332. Carrying animals on outside of vehicle (Section 78-573)40.00

343. Boarding or alighting from vehicles (Section 78-574)40.00

354. Drinking while driving; open container (Section 78-576)200.00

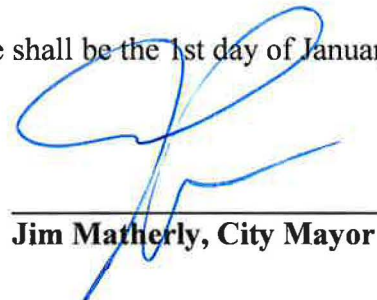
365. Avoidance of traffic controlled intersections (Section 78-579)80.00

376. Overtaking and passing emergency vehicles (no personal injury)
(Section 78-617)150.00

387. License to be carried and exhibited on demand (Section 78-892)50.00

* * * * *

Section 3. That the effective date of this Ordinance shall be the 1st day of January 2022.



Jim Matherly, City Mayor

AYES: Cleworth, Gibson, Rogers, Therrien, Marney

NAYS: Clark

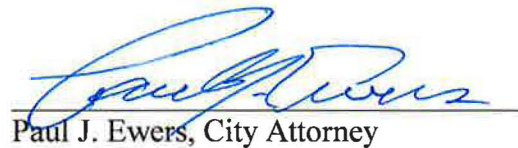
ABSENT: None

ADOPTED: November 22, 2021

ATTEST:

APPROVED AS TO FORM:



D. Danyielle Snider, MMC, City Clerk

Paul J. Ewers, City Attorney

From: [George Hays](#)
To: [Mary Miller](#); [Maija DiSalvo](#)
Cc: [Tiffany Richards](#)
Subject: RE: TAB on Road Service Task Force
Date: Tuesday, April 12, 2022 2:50:17 PM

Hi Maija,

Mary is correct, there was a public Assembly meeting and the Assembly limited the Task Force to five members with two alternates (non-voting unless one of the five members are absent). There was a period of time that advertised for people to submit applications for the positions. Once that was closed, the Mayor selected the five members and two alternate members she wanted to appoint and they were sent to the Assembly for approval, which was also completed. At this point, A member of the TAB would be welcome to attend the meetings, but their inputs would only be during the audience participation.

Having said that, as you know, legislation can be changed if the majority of the Assembly want to do so. The TAB could still send in a resolution to request a seat be added. After receipt of it, an Assemblymember would have to sponsor the legislation to propose the change to add a sixth voting board member, then it would go to the Assembly for approval. As an administrative note, generally we want Boards and Commissions to have an uneven number of members so they don't end up with tie votes. There was talk of making the board 7 or 9 members, but the settled on 5 members.

Thanks,
George

George W. Hays
Deputy Borough Manager
Matanuska-Susitna Borough
350 E. Dahlia
Palmer, AK 99645
PH: (907) 861-8405

MATANUSKA-SUSITNA BOROUGH DIRECTORY OF ORGANIZATIONS

Road Service Area Task Force 2022

Board Exp

12/21/2022

Billinger	Gerard	S	Board Position	RTF Alternate 1	
Company Representing				Term	4/5/2022 to 12/21/2022
PO Box 520593			Type of Term	1	Partial
Big Lake	AK	99652	Member		
Home		Work	(907) 269-0638	Cell	(907) 841-2462
				E-mail	gerardsb@rocketmail.com

Fish	Mark		Board Position	RTF Alternate 2	
Company Representing				Term	4/5/2022 to 12/21/2022
PO Box 521174			Type of Term	1	Partial
Big Lake	AK	99652-1174	Member		
Home		Work	(907) 892-4566	Cell	(907) 306-4566
				E-mail	fishes2@mtaonline.net

Daniels	Pat		Board Position	RTF Member 1	
Company Representing				Term	4/5/2022 to 12/21/2022
PO Box 521655			Type of Term	1	Partial
Big Lake	AK	99652	Member		
Home		Work		Cell	(907) 315-3301
				E-mail	patdinalaska@yahoo.com

Foster	Gary		Board Position	RTF Member 2	
Company Representing				Term	4/5/2022 to 12/21/2022
22481 W Pt MacKenzie Rd			Type of Term	1	Partial
Wasilla	AK	99623	Member		
Home	(907) 232-3313	Work		Cell	
				E-mail	gary.foster61@outlook.com

Leatham	Jashua		Board Position	RTF Member 3	
Company Representing				Term	4/5/2022 to 12/21/2022
7400 E Waldron Cove Ct			Type of Term	1	Partial
Palmer	AK	99645	Member		
Home		Work	(907) 390-0780	Cell	(951) 970-1564
				E-mail	jashua.leatham@gmail.com

MATANUSKA-SUSITNA BOROUGH DIRECTORY OF ORGANIZATIONS

Road Service Area Task Force 2022

Board Exp

12/21/2022

Walch	Kenneth	B	Board Position	RTF Member 4	
Company Representing			Term	4/5/2022	to 12/21/2022
PO Box 520172			Type of Term	1	Partial
Big Lake	AK	99652	Member		
Home	(907) 892-2400	Work		Cell	
				E-mail	kwalch@mtaonline.net

Zimmer	Darren		Board Position	RTF Member 5	
Company Representing			Term	4/5/2022	to 12/21/2022
PO Box 521612			Type of Term	1	Partial
Big Lake	AK	99652	Member		
Home	(907) 795-6486	Work		Cell	
				E-mail	zimmerdb@yahoo.com

Information Contact

George Hays 907-861-8405

Total Board Members

5 Members / 2 Alternates

Meeting Schedule

TBD

Meeting Location

TBD

Board Notes: