

Original Sponsor: Smith

Offered: 3/11/68
Referred: Rules

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 345

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the codification of ordinances."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. AS 29.08.200 is amended to read:

9 Sec. 29.08.200. LIMIT ON HOME RULE POWER TO PUNISH ORDINANCE
10 VIOLATIONS. (a) A home rule city may not impose criminal penalties
11 for the violation of a general ordinance unless the ordinance is codi-
12 fied and copies of the ordinance are made available for distribution to
13 the public.

14 (b) In this section "codified" means that

15 (1) the ordinance has been given a serial number or other
16 permanent identifying number and, bearing a notation of the date of
17 adoption and the designation of the adopting authority, it has been
18 entered by the municipal clerk in a properly indexed book maintained
19 for the purposes of organizing and recording the ordinances; or

20 (2) the ordinance is a provision included, or to be in-
21 cluded, in a code of ordinances or other complete system of positive
22 law promulgated by the council and kept current by the city at
23 reasonable intervals.

24 * Sec. 2. AS 29.10.195(a) is amended to read:

25 (a) The council may prescribe the punishment for the violation of
26 any ordinance, but the punishment shall not exceed a fine of \$300 or
27 imprisonment in a city jail for 30 days, or both, together with the
28 costs of prosecution. However, the punishment authorized under this
29 subsection may be imposed only if the ordinance is codified and copies

1 of the ordinance are made available for distribution to the public. In
2 this subsection "codified" means that

3 (1) the ordinance has been given a serial number or other
4 permanent identifying number and, bearing a notation of the date of
5 adoption and the designation of the adopting authority, it has been
6 entered by the municipal clerk in a properly indexed book maintained
7 for the purposes of organizing and recording the ordinances; or

8 (2) the ordinance is a provision included, or to be included
9 in a code of ordinances or other complete system of positive law
10 promulgated by the council and kept current by the city at reasonable
11 intervals.

12 * Sec. 3. AS 07.12 is amended by adding a new section to read:

13 Sec. 07.12.020. LIMIT ON POWER TO PUNISH ORDINANCE VIOLATIONS.
14 AS 29.10.195(a), relating to the codification of ordinances imposing
15 a penalty, applies to home rule boroughs.

16 * Sec. 4. AS 07.15.010(8) is amended to read:

17 (8) to prescribe and impose penalties for violations of
18 borough ordinances in the manner provided for first class cities;
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