

THE CITY OF KETCHIKAN, ALASKA

ORDINANCE NO. 23-1978

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KETCHIKAN, ALASKA; AMENDING KETCHIKAN MUNICIPAL CODE SECTIONS 5.40.030(a)(6) and (a)(7) ENTITLED "PUBLIC VEHICLES;" SECTION 5.40.060(c) ENTITLED "CERTIFICATE TERM-RENEWAL;" SECTION 5.40.085(a) and (b) ENTITLED "PENALTIES AND INJUNCTIVE RELIEF;" SECTION 5.40.090(a) ENTITLED "CERTIFICATE-INDEMNITY BOND OR LIABILITY INSURANCE REQUIRED;" SECTION 5.40.100(a) ENTITLED "LICENSE FEES;" AND ADDING NEW SECTION 5.40.125 ENTITLED "DESIGNATION OF SIGHTSEEING VEHICLES;" TO THE KETCHIKAN MUNICIPAL CODE AND ESTABLISHING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KETCHIKAN, ALASKA, AS FOLLOWS:

Section 1. **Amendment:** Subsections (a)(6) and (a)(7) of Section 5.40.030 of the Ketchikan Municipal Code, entitled "Public vehicles," is hereby amended to read as follows:

"(6) For taxicab operations, the color scheme or insignia to be used to designate the vehicle or vehicles of the applicant and for sightseeing vehicles proof of compliance with display of the information required by Ketchikan Municipal Code Section 5.40.125;

(7) A statement that the motorized vehicles to be used in the proposed operation are in a safe and legal operating condition together with a signed report to that effect issued within 10 days by a qualified independent third party mechanic approved by the chief of police;"

Section 2. **Amendment:** Subsection (c) of Section 5.40.060 of the Ketchikan Municipal Code, entitled "Certificate - Term - Renewal," is hereby amended to read as follows:

"(c) The holder submits a signed report issued within 10 days from a qualified independent third party mechanic, approved by the chief of police, that each of the motorized vehicles operated under the certificate are in safe and legal operating condition, and proof of compliance with the insurance requirements of this chapter.

Section 3. **Amendment:** Subsection (a) and (b) of Section 5.40.085 of the Ketchikan Municipal Code, entitled "Penalties and injunctive relief," is hereby amended to read as follows:

"(a) Pursuant to Ketchikan Municipal Code 1.02.220 the fine established for the violation of any provision of this chapter is \$1,000.00.

(b) In addition to any other remedy or penalty provided by this section, a person who violates a provision of this chapter or a municipal regulation promulgated under this chapter shall be subject to injunctive relief to restrain the person from continuing the violation or threat of violation, or both such civil penalty and injunctive relief. Upon application by the city for injunctive relief and a finding that a person is violating or threatening to violate a provision of this chapter, the superior court shall grant injunctive relief to restrain the violation.

(c) Each day during which a violation described in this section occurs shall constitute a separate offense.

Section 4. **Amendment:** Subsection (a) of Section 5.40.090 of the Ketchikan Municipal Code, entitled “Certificate - Indemnity bond or liability insurance required,” is hereby amended to read as follows:

“5.40.090 Certificate – Liability insurance required.

(a) Effective January 1, 2024, no certificate shall be issued or continued in operation unless there is in full force and effect a liability insurance policy for each vehicle authorized in the amount of \$300,000 for taxicabs and \$1,000,000 for other public vehicles combined single limit. The policy shall inure to the benefit of any person who shall be injured or who shall sustain damage to property proximately caused by the negligence of a holder, his servants or agents, and issued by an insurance company authorized to do business in the state.

Section 5. **Amendment:** Subsection (a) of Section 5.40.100 of the Ketchikan Municipal Code, entitled “License fees,” is hereby amended to read as follows:

“(a) No certificate shall be issued or renewed unless the holder thereof has paid a license fee of \$30 to engage in the public vehicle business plus a fee of \$50 for each vehicle operated under a certificate.

(b) The license fees shall not be prorated. Fees shall be for one year beginning on the first day of January and shall be in addition to any other license fees or charges established by any proper authority and applicable to the owner or holder of a vehicle or vehicles under the holder’s operation and control.”

Section 6. **New Section.** A new section, to be numbered 5.40.125, entitled “Designation of sightseeing vehicles,” is added to Title 5, Chapter 40, of the Ketchikan Municipal Code, to read as follows:

“Effective January 1, 2024, each sightseeing vehicle shall bear on the outside of the passenger and driver side of the vehicle in painted letters and numbers, or decals not less than two inches in height, the business name and telephone number of the tour operator.”

Section 7: Effective Date. This ordinance is effective one (1) month after its final passage and publication.

PASSED ON FIRST READING September 21, 2023.

FINAL PASSAGE October 5, 2023.



Dave Kiffer, Mayor

ATTEST:



Kim Stanker, MMC
City Clerk

EFFECTIVE DATE: November 7, 2023			
ROLL CALL	YEA	NAY	ABS
KISTLER	X		
BRADBERRY	X		
FLORA	X		
GAGE	X		
GASS		X	
MAHTANI		X	
FINNEGAN	X		
MAYOR			