



City of Bethel Police Dept.

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Bethel, AK 99559
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PUBLIC NOTICE
REGULAR MEETING OF THE
PUBLIC SAFETY & TRANSPORTATION COMMISSION
Tuesday, October 4th, 2016 -7:00 p.m.
300 STATE HIGHWAY – CITY COUNCIL CHAMBERS
AGENDA

Members

Joan Dewey
Chair

Eileen Henrikson
Vice Chair

Mary Weiss
Council Representative

Naim Shabani

Julene Webber

Daniel Maczynski

Ex-Officio Members

Andre Achee
Chief of Police

William Howell III
Fire Chief

Christina Him
Recorder

- I. CALL TO ORDER
- II. ROLL CALL
- III. PEOPLE TO BE HEARD
- IV. APPROVAL OF AGENDA
- V. APPROVAL OF MINUTES FROM THE REGULAR MEETING OF September 6th, 2016
- VI. CHIEFS' COMMENTS
Fire Chief
Police Chief
- VII. TRANSPORTATION INSPECTOR'S REPORT
- VIII. COUNCIL REPRESENTATIVE'S COMMENTS
- IX. UNFINISHED BUSINESS
- X. NEW BUSINESS
 - A. Statewide Task Force Update on Heroin (Byron Maczynski, *Council Member*)
 - B. Clarification of Roadway Use for ATVs (Mary Weiss, *Council Member*)
 - (i). Proposition of Ordinance 16-00: Operation of Snow Machines and ATV's on Bethel Roads (Rick Robb, *Mayor*)
- XI. COMMISSION MEMBER'S COMMENTS
- XII. ADJOURNMENT

Christina Him, *Recorder*
POSTED on September 27th, 2016
POST OFFICE, AC QUICKSTOP, CORINA'S CASE LOT, CITY HALL, & POLICE DEPT.
Next Public Safety and Transportation Commission Meeting will be **November 1st, 2016.**

"Deep Sea Port and Transportation Center of the Kuskokwim"

PUBLIC SAFETY AND TRANSPORTATION COMMISSION

PEOPLE TO BE HEARD

October 4th, 2016

Scott Greydanus ATV

NAME	TOPIC
Ray Watson	ATV
Mayor Leni Leif Albertson	ATV ATV
Rick Roff	Snow Go
Scammel Hare	ATV + Snowmobile
GARY HANSON 545-5257 HANSON GARY B@gmail	ATV, SNO GO
Ira S. Flowes #	ATV
Brian Hughes 907 699-1624	ATV
Fedosa Hyman	ATV
Vernon Blevins	ATV
Bridget Hughes	ATV
907-672-545 Jennifer Fiess ^{Happy to help}	ATV
Chief Achee	ATV

I'd like to be involved on help if I can

City of Bethel, Alaska

Public Safety & Transportation Commission

September 6, 2016

Regular Meeting

Bethel, Alaska

I. CALL TO ORDER

A regular meeting of the Public Safety and Transportation Commission was held on June 7th, 2016 in the Bethel City Hall Council Chambers.

This meeting was called to order at 7:03 pm.

II. ROLL CALL

Present: Joan Dewey *Chair*
Mary Weiss *Council Representative*
Julene Webber
Daniel Maczynski
Ted Meyer *Planning Director*
Teri Forst *Clinician, Bethel Family Clinic*

Absent: Eileen Henrikson *Vice Chair*
Naim Shabani

Ex-Officio Present: Andre Achee *Chief of Police*
Christina Him *Recorder and Transportation Inspector Designee*

Ex-Officio Absent: Bill Howell *Fire Chief*

III. PEOPLE TO BE HEARD

No one to be heard.

IV. APPROVAL OF AGENDA

MOVED:	Webber	Motion to approve the agenda.
SECONDED:	Weiss	
VOTE ON MAIN MOTION	All in favor.	

V. APPROVAL OF MINUTES

MOVED:	Webber	Motion to approve the minutes from the regular meeting of June 7 th , 2016
SECONDED:	Weiss	
VOTE ON MAIN MOTION	All in favor.	

MOVED:	Webber	Motion to approve the minutes from the regular meeting of July 5 th , 2016
SECONDED:	Maczynski	
VOTE ON MAIN MOTION	All in favor.	

MOVED:	Webber	Motion to approve the minutes from the regular meeting of August 2 nd , 2016
SECONDED:	Maczynski	
VOTE ON MAIN MOTION	All in favor.	

VI. SPECIAL ITEM OF BUSINESS

- A. Public Hearing on the price and quality of service provided by all regulated vehicles, chauffeurs and dispatch services.

No one to be heard.

VII. CHIEFS' COMMENTS

Chief Andre Achee - *See Report in Commission Packet*

VIII. TRANSPORTATION INSPECTOR REPORT

See Report in Commission Packet

IX. COUNCIL MEMBER'S COMMENTS

Council Member Weiss – *None.*

X. UNFINISHED BUSINESS

- A. **Traffic Impact Analysis of the YKHC's Hospital Expansion Project and Ayaprun Elitnaurvik's relocation to the Kipusvik Building** (Ted Meyer, *City Planning Director*)

See Report in Commission Packet

B. Consideration of a “Neighborhood Watch” Program (Commission Member Maczynski)

Requested to be removed and postponed to later date by Commission Member Maczynski

XI. NEW BUSINESS

A. Community Service Options for Juvenile Offenses (Commission Member Maczynski)

Requested to be removed and postponed to later date by Commission Member Maczynski

B. Title 6 Proposal: Animal Control

Requested to be removed by Chief Achee

C. Heroin Issue: Medical & Behavioral Health Approaches & Treatment Options (Teri Forst, Clinician, Bethel Family Clinic)

See Report in Commission Packet

D. Statewide Task Force Update on Heroin (Byron Maczynski, Council Member)

Not Discussed, Byron Maczynski was unable to attend.

E. Western Alaska Alcohol & Narcotics Team (WAANT): Regional Update

Requested to be postponed to next meeting by Commission Member Webber.

XII. COMMISSION MEMBER COMMENTS

Mary Weiss – *I just want to say thank you very much and I think I have obviously very big shoes to fill here. I think it’s been a very interesting and a very informative meeting. I think we’ve got some stuff done, I think it’s been very effective, I’m happy to be here and happy to learn and listen.*

Julene Webber – *I was reading back on the last meeting minutes on Chuck’s last meeting and he said he felt “good”, that he felt for the first time he had a commission that was active and making progress so that was exciting to read that again and be a part of that as well.*

Joan Dewey – *Good luck with your projects (Daniel Maczynski), we need that PATC, so get that roof on over there. I just want to say that it is really great to have Mary on this commission. It is already a pleasure working with you and I’m already really liking it, so thank you. We do still need to promote the need for public service to volunteer for this commission, we can still have 2 alternate members, it will be a good thing to have with travel*

and everything, that way we have more people familiar with all the issues too and bring their ideas. I did get somebody interested, so I'm hoping she applies.

Chief Andre Achee – Just to let you know, I will not be in town for the October 4th meeting, I will be on leave, but regardless if I am on leave, I still call in telephonically. Other than that, welcome Mary on board, I think we are in good shoes with Mary being our council rep, thank you.

XIII. ADJOURNMENT

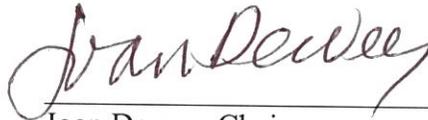
MOVED:	Webber	Motion to adjourn.
SECONDED:	Maczynski	
VOTE ON MAIN MOTION	All in favor.	

Meeting adjourned at 9:14 pm.

APPROVED THIS 4th DAY OF October, 2016.



Christina Him, Recorder



Joan Dewey, Chair



CITY OF BETHEL
Fire Department

William F. Howell III, Fire Chief
P.O. Box 1388, Bethel, Alaska 99559
Phone: (907)-543-2131
Fax: (907)-543-2702
bhowell@cityofbethel.net

Celebrating 50 Years of Service

DATE: September 30, 2016
TO: Pete Williams, Acting City Manager
FROM: Bill Howell, Fire Chief
SUBJECT: September 2016 Management Report

Current Events

- The Fire Chief is currently on approved leave, working half-days until his return in October.
- The department raised \$16,000 in August for the new ambulance, Medic-6. These funds have primarily come from fund raising through food plate donation events, private contributions and raffles for donated items. Donation requests were sent to VFW, VFW auxiliary, Lions Club, Lynden, Donlin Gold, Calista and BCSF. With all grants, City funds and donations included \$101,000 of the \$255,000 needed has been raised thus far, leaving a deficit of \$154,000. Many other fund raising activities are planned for the coming months.
- The Department received \$40,000 in funding for 10 portable radios through the 2016 Homeland Security grant. We are finalizing specifications to purchase under the National Association of State Procurement Officers (NASPO) contract.
- On August 27 volley ball tournament benefitting the new ambulance was held at Pinkie's Park. Approximately \$2,000 was raised by this event. We would like to thank Volunteer FF/EMT Joey Valadez for organizing the event, Bethel Alaska PC Casey's Carpet, Fili's Pizza, Ed's Auto and Chop Stix Restaurant for sponsoring the event and all those that participated or helped with concessions.
- The Department is working with Baba's Pizza, Dimitri's, and Snack Shack Restaurant in accordance with fire and life safety issues identified through inspections triggered by the City alcohol ordinance. Snack Shack has abated all non-compliant conditions. As of this report Baba's Pizza is actively cooperating

with the department to abate cited deficiencies. There are no reportable changes in status at Dimitri's restaurant.

- The Fire Department boat was moved to the asphalt apron in front of the garage doors to deter further theft (last month the propeller was stolen). During the third week in August the interior of the boat was vandalized. The boat is operational at this time.
- The Department is working on a plan review of the Keyes building with YKHC and the State Fire Marshal's office. The Keyes building is being remodeled to house nurses.

Emergency Planning/Homeland Security

- On 08-03-16 the department met with administration and a representative of the DEC to discuss emergency planning in Bethel and comments made by the City in during the recent Donlin EIS public comment period.
- The Department is working with Public Health nursing to conduct a Point of Dispensing (POD) drill.
- The Department is working with planning to develop a new address ordinance. The new style reflective address signs can be seen popping up around town as businesses and new construction are required to install the signs by planning as part of the current code. Draft copies of the policy/ordinance were sent to planning.

Training

- On 09/06/16 at 7:00 p.m. an EMS Meeting was held at the fire station. EMT's reviewed the effects of carbon monoxide poisoning and treatment considerations.
- On 09/08/16 at 7:00 p.m. a Fire Meeting was held at the fire station. Responders conducted donning and doffing drills with turnout gear and SCBA. Also, an inventory was performed on Engine 4.
- On 09/20/16 at 7:00 p.m. an EMS Meeting was held at the fire station. Responders reviewed the EMT's role during Fire Prevention, including refreshing knowledge on Alaska Statutes regarding smoke and carbon monoxide alarm requirements in residences.
- On 09/22/16 at 7:00 p.m. a Fire Meeting was held at the fire station. Responders reviewed Fire Prevention topics, including smoke and carbon monoxide alarms.
- Staff are currently working on scheduling upcoming EMT-1, Firefighter-1, and Firefighter-2 courses. We hope to gain additional volunteers during these programs. Staff are recruiting for the upcoming EMT-1 course, which will begin

on Monday, October 17th and will conclude on January 14th with State of Alaska written and practical skills testing.

Responses

- The Bethel Fire Department responded to 126 EMS and 14 Fire incidents during the month of September.
- On 09-05-16 at 6:11 p.m. medics responded to Ptarmigan Road for the report of a person with a broken arm. The patient was assessed, treated, and transported to the hospital.
- On 09-06-16 at 1:15 a.m. medics responded to area of Standard Oil Road for the report of a person who was injured in a boating accident. The patient was assessed and transported to the hospital.
- On 09-07-16 at 11:13 a.m. medics responded to Chief Eddie Hoffman Highway for a person not breathing. Upon arrival, medics performed CPR and transported the patient to the hospital.
- On 09-25-16 at 11:28 a.m. firefighters responded to the area of the City Dump for a large column of black smoke. On arrival firefighters found no smoke or fire in that area. At that time there was thick fog lifting from that area that made it look like there was a smoke column in the area. Firefighters then cleared and returned to station.
- On 09-26-16 at 6:35 a.m. firefighters responded to the BNC Complex for the report of the smell of smoke. Firefighters found a ballast the was burned out. Firefighters made sure there was no extension and cleared the scene.
- On 09-28-16 at 10:23 p.m. medics responded to the area of Front Street for a person not breathing. Upon arrival, BPD officers were performing CPR. Medics continued CPR and transported the patient to the hospital.

Vehicles & Equipment

- The wildland fire response 4-wheeler stolen and damaged last in June was repaired by back creek marine. The estimate for repair is \$900, this is not covered by insurance. Invoices are being submitted to youth probation to facilitate restitution by the juvenile offender.

- M-5, our 2003 ambulance, had additional breakdowns in August. Air tanks and air water separators were replaced and the patient compartment air conditioning system have been repaired for a cost of \$3,880.
- Engine 3 our 1986 Grumman reserve pumper is still out of service to repair a leaking tank, relief valve, and tank to pump valve and pump packing. This work is being performed by department staff. The department is trying to locate sandblasting contractor or equipment to descale and epoxy coat the water tank. Failure to treat the water tank in this fashion would result in continued pitting and eventual failure.
- A recall was issued for selected air fittings on department Self-Contained Breathing Apparatus (SCBA). We have received the parts from the manufacturer and will begin replacing the affected components.
- The department is completed the annual hydrant testing per NFPA and ISO requirements. Work orders will be sent to Public Works for hydrants needing repairs.
- Pumps on Truck-1 and our 1986 Grumman, Engine-3 are undergoing significant pump and valve overhaul and will be tested once completed by department staff.

Budget/Financial

- Charges for damages to the Dale Construction excavator were submitted to the manager and paid by the City. The excavator was damaged at the Kilbuck Fire.
- The department is working with finance to correct a budget error in our purchased services, acct# 10-60-669. This account was erroneously funded at \$4,000 when it has traditionally been budgeted at \$22,500. The department has already spent over \$8,000 from this account.

Grants

- The Department received \$40,000 in funding for 10 portable radios through the 2016 Homeland Security grant.
- No response has been received for the Department's application to the FEMA 2015 Staffing for Adequate Fire and Emergency Response (SAFER) grant. We seek to fund four additional positions to comply with NFPA 1720. The application filed by the department, seeks \$840,000 total for the two-year period of performance.
- The department has VFA grant funds to purchase portable radios. This grant is approximately \$11,000 and requires a 10% city match.
- The Department applied for funding through the 2015 FEMA Assistance to Firefighters Grant Program. Unfortunately, we did not receive a grant award. We will apply again, once the application period re-opens.

- FEMA Assistance to Firefighters Grant for Self Contained Breathing Apparatus is complete. All goals and objectives of the project were met. Final closeout reports were submitted.

Staffing/recruitment

- The department hired long term Bethel Fire Department volunteer Kyle Inman to the Firefighter/EMT position defunded in FY15. We welcome Kyle to the team and wish him many years of success and enjoyment of his new position with the City of Bethel.
- The department is recruiting qualified applicants for the current vacant Firefighter/EMT position.
- Volunteer Firefighters and EMT's are needed. If you or someone you know might be interested, please invite them to contact the Fire Chief or Fire Captain. Applications are available at the fire station or can be emailed to potential applicants.

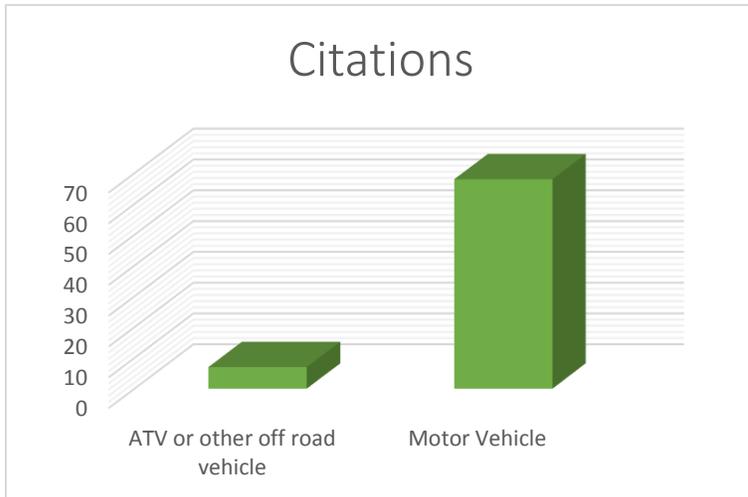
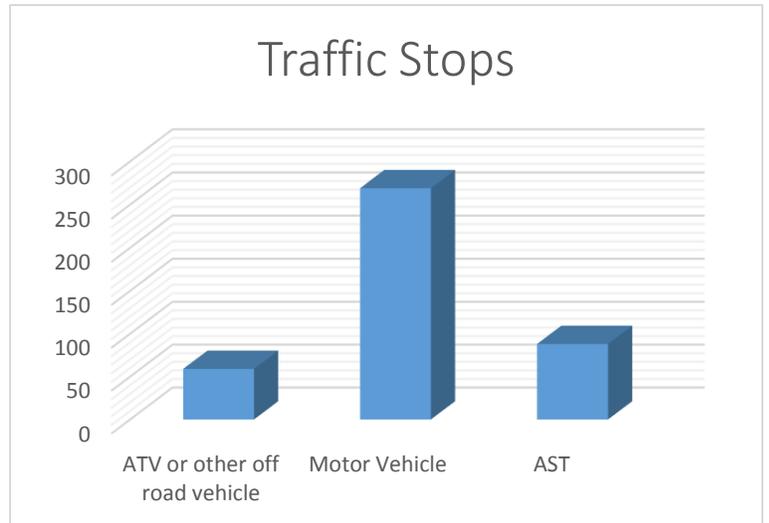
Traffic Stops January-September 2016

The following information represents traffic stop information from January, 1 2016 to September 30, 2016.

AST stops are only included to show a more accurate number of traffic stops in Bethel. The Bethel Police Department does not keep track of their citations or arrests. Additionally, AST does not indicate to dispatch whether they stopped an off-road vehicle or a motor vehicle. Also note, not all AST traffic stops are reported to dispatch

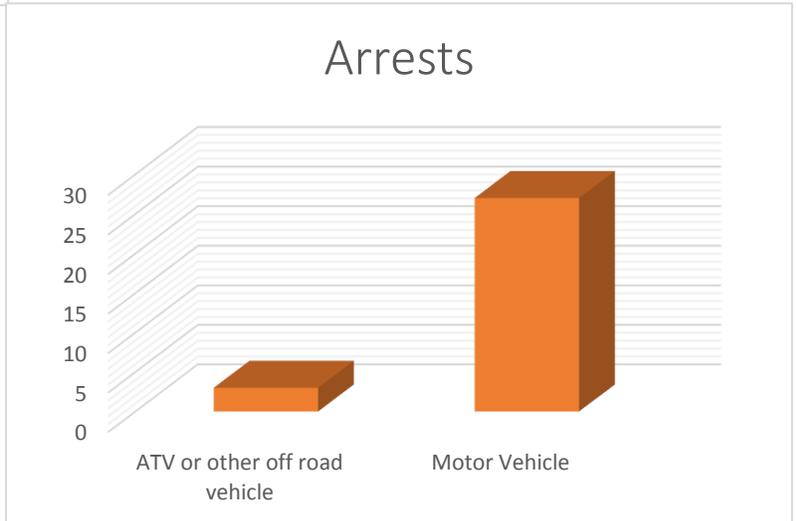
Arrests relate to people who were arrested during the course of a traffic stop and do not necessary indicate they were arrested for a traffic related offense. For example, if the driver had a warrant for their arrest, that arrest is indicated.

ATV or other off-road vehicle	59
Motor Vehicle	269
AST	88
Total Traffic Stops	416



ATV or other off-road vehicle	7
Motor Vehicle	68
Total Citations	75

ATV or other off-road vehicle	3
Motor Vehicle	27
Total Arrests	30



CITY OF BETHEL
POLICE DEPARTMENT



TRANSPORTATION INSPECTOR REPORT: **September 2016**

2016	September
New Chauffeurs	3
Chauffeur Renewals	2
Chauffeur Transfers	1
Vehicle Permit Renewals	0
Vehicle Transfers	14
Inspections	34
Revocations	0
Temporary Permits	0

- Alaska Cab had their semi-annual inspections, there were no major issues noted.
- There were 2 complaints made this month, all were driving complaints and were followed up by an officer. One complaint on a Qu yana cab driver resulted in a citation for driving where prohibited (on the pedestrian path of State Highway). Upon review of the video surveillance camera footage, the complaint was valid and several other driving infractions were observed, subsequently resulting in the suspension of the driver's chauffeur license for 10 days pursuant to BMC 5.20.110 A2.
- 22 random inspections were conducted at the AC Taxi Lane and the YKHC Hospital on 09/23/2016, all cabs were satisfactory.
- In the month of October, Kusko Cab will be having their semi-annual inspections.

ALASKA'S ATV LAW

(ALL TERRAIN VEHICLES)

OFF ROADWAY FUN

Many Alaskan's enjoy riding 3-Wheel and 4-Wheel ATV's (All Terrain Vehicles) because they allow access to many remote areas all year long. Over mountains, trails, through swamps and tundra, across streams, and in hard packed snow, these off highway vehicles excel.

They come in different models, makes, colors, engine sizes and, of course, the manufacturers promise that his is the best work and recreational vehicle available.

There is also the instruction that the vehicle is for OFF-ROAD USE ONLY.

REGISTRATION

Alaska Statute 28.10.011 requires that all motor vehicles driving "upon a highway or other public parking place" shall be registered. However, ATV's do not comply with Federal Department of Transportation standards for tires and rims. No ATV on the market today meets federal emission standards since no manufacturer has applied for such.

Therefore, they are deemed unsafe for road use and cannot be registered as motor vehicles.

SNOW VEHICLES

A vehicle with low-pressure tires, (3-wheel and 4-wheel ATV's) may qualify as a snow vehicle. Such vehicles are required to be registered the same as snowmobiles (AS.05.30.120). This statute will permit you to have your ATV registered to prevent theft but does not mean it is licensed. Under Alaska Statute 05.30.010, a person may not operate a snow vehicle off his private property unless the snow vehicle has been registered with the Division of Motor Vehicles.

AS 28.10.421 (Alaska Statutes) provides for a 2 year registration fee of \$10.00.

Required equipment is outlined in 13 AAC 04.400 through 420 and refers to brakes, headlamps, throttle, and exhaust muffler.

RESPONSIBILITY

Alaska Statues 28.35.050 through 080 are general provisions for snow vehicles which direct procedures for accident reporting, penalty and the definition of snow vehicles.

Section 05.90.001 gives guidelines for operating snow vehicles on state highways for special racing events.

Under the Administrative Code, parents can be cited for allowing their children to violate any of the snow vehicle and off highway vehicle sections.

Just remember, reckless driving with off roadway vehicles is an arrestable offense. You could be charged with trespassing if you ride on private property without permission. Any damages resulting may constitute criminal mischief and you are held criminally liable. Loud mufflers in residential areas bring complaints of disorderly conduct.

IMPOUND

Under 13 AAC 02.345(b) (2), a police officer may impound and remove to a place of safety a vehicle which is found or operated on a highway without license plates or registration.

Parent/Guardians, AS.34.50.020 places liability upon you for civil damages and court costs up to \$2,000 resulting from willful or malicious damage to real or personal property by minors under your legal custody.

Off highway vehicles are good working and recreational outlets for all Alaskans. Just operate them in a reasonable and safe manner, obey the State laws pertaining to them and be courteous toward others.

STATUTE FOR SNOW MACHINE AND OTHER OFF HIGHWAY VEHICLES

STATUTE

13 AAC 02.455 OPERATION ON HIGHWAYS AND OTHER LOCATIONS. (A) a snowmobile or an off-highway vehicle may be driven on the 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 of 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; or
 - (4) When driving on the right-of-way of a highway which is not a controlled-access highway, outside the roadway or shoulder, and no closer than three feet from the nearest edge of the roadway; night driving may be only on the right-hand side of the highway and in the same direction of the highway motor vehicle traffic in the nearest lanes of the roadway; no person may drive an off-highway vehicle within the area dividing the roadways of a divided highway, except to cross the highway as provided in (f) of this section.
- (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 non-motorized traffic, an alley, or a vehicular way or area which is not open to snowmobile or off-highway vehicle operation, except as provided in (f) of this section. (Eff. 12/31/69, Reg. 31; am 7/23/70, Reg. 35; am 6/28/79, Reg. 70)

VIOLATIONS

Snowmobile/Off Highway Vehicle

AS 28.39.010 20

Failure to Display Snowmobile Numbered Registration Decal

AS 28.39.040(c) 20

Failure to Carry Snowmobile Certificate of Registration or Provide Identifying Information

AS 28.39.040(I) MAND/CR

Snowmobile and Other Off-Highway Vehicle Violations

13 AAC 02.445 20

Snowmobile and Other Off-Highway Vehicle Operation on Highways and Other Locations

13 AAC 02.455(a-g) 20

Snowmobile/Off Highway Vehicle Lights and Reflectors

13 AAC 04.400(a-b) Corr/30

Snowmobile/Off Highway Vehicle Brakes

13 AAC 04.410 Corr/60

Snowmobile/Off Highway Vehicle Throttle

13 AAC 04.410 Corr/60

Snowmobile/Off Highway Vehicle Muffler/ Emission Controls

13 AAC 04.415(a-b) Corr/50

Snowmobile/Off Highway Vehicle Other Equipment

13 AAC 04.420(a-b) Corr/30

13 AAC 02.455. Operation on highways and other locations (a) 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; or (4) when driven on the right-of-way of a highway which is not a controlled-access highway, outside the roadway or shoulder, and no closer than three feet from the nearest edge of the roadway; night driving may be only on the right-hand side of the highway and in the same direction as the highway motor vehicle traffic in the nearest lane of the roadway; no person may drive an off-highway vehicle within the area dividing the roadways of a divided highway, except to cross the highway as provided in (f) of this section. (b) Repealed 6/28/79. (c) Repealed 6/28/79. (d) Repealed 6/28/79. (e) Repealed 6/28/79. (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 a vehicular way or area which is not open to snowmobile or off-highway vehicle operation, except as provided in (f) of this section.

13 AAC 02.460. Lamps and other equipment on snow vehicle Repealed 6/28/79.

13 AAC 02.465. Speed restrictions Repealed 6/28/79.

ATV discussion points

At the September 27, 2016 meeting of the city council resolution 16-30 was presented as item c under new business requesting the Alaska State Troopers to assist the city administration in the active enforcement of four wheeler laws and assistance by the Alaska State Troopers

Three issues

1. This issue has been on the agenda for the transportation and public safety committee for the next scheduled meeting which will be Tuesday October 4 since 2 days after the last regularly scheduled monthly meeting. Resolution 16-30 was presented to city council without sufficient airing of relevant issues.
2. This resolution requests actions that are already being done and interferes with the discretionary responsibility of police officers.
3. The resolution is in response to the chronic reckless and dangerous behaviors of a small number of people but the resolution will affect Bethel people who use their ATVs safely and respectfully and who need their ATVs to access essential services. Visitors who have travelled to Bethel on ATVs will also be affected.

A review of the internet regarding ATV use on roads resulted in the following:

Class 1 ATV is less than 50" wide. Class 2 ATVs have side by side seats, a roll bar cage and a steering wheel. Class 2 ATVs are allowed on the roadway under restricted circumstances. All ATVs must have an easily visible identification certificate/license plate on the back.

Fleeing from an enforcement officer is a felony.

All ATVs must have headlight, brake lights and a tail light and a noise muffler.

The states of Michigan and Minnesota have driver education courses. The courses are on line. The Minnesota course takes approximately 4 hours. Passing the course results in a certificate which is required in order to be able to legally use an ATV for users under 16 years of age.

Minnesota has "trail ambassadors" who ride the trails and support safe usage.

Minnesota law (2015) ATVs must travel less than 10 mph when within 100 feet of a pedestrian.

Buchanan and Washington counties in Iowa state that ATVs can ride on gravel roads and may ride on the shoulder of roads.

Wisconsin Bill 527 (2013) provides that ATVs can use roads to access gasoline, trails. Etc.

Consumer Federation of America (2014)

35 states allow ATVs on paved roads and since 2007 access for ATVs is increasing.

It is widely recognized that ATVs are at higher risk for injury due to roll-overs or collisions.

Polaris, Kawasaki, Yamaha, and Honda all have warnings that ATVs should not be driven on paved roads (there is no mention of next to the roads except one statute that states ATVs must be separated by at least 3 feet from a paved highway).

In 2007 there were 750 ATV associated deaths. 500 of those occurred on roadways and 250 on trails

Responses
Anchorage has set aside road easements (O'Malley Road) for horses and for non-motorized traffic
The Mat-Su valley has well used ATV trails next to roadways (not known about legal status)
Register ATVs like motorcycles. Need drivers license, insurance, registration, helmet

Responses found on the internet

1. Impose speed limit on ATV trails (less than 35 mph on ATV trails)
2. Set aside area on shoulder of the road as an ATV roadway
3. Impose time restrictions-operate only during daylight hours within city limits
4. Certify exceptions for need (getting to work, accessing essential services etc)
5. Certify exceptions based on destination (going on/off the river)

Relevant laws

13 AAC 02.455

Alaska Statute sec 28.05.011

Bethel Municipal Code 10.02.395 – 10.02.455

Relevant websites

www.michigan.gov/recreationsafety

www.atvcourse.com/usa/michigan

<http://www.dnr.state.mn.us/safety/vehicle/atv/index.html>

<https://www.offroad-ed.com/minnesota>

Introduced by: Robb
Introduction Date: October 11, 2016
Public Hearing: October 25, 2016
Action:
Vote:

CITY OF BETHEL, ALASKA

Ordinance #16-00

Operation of Snow Machines and ATV's on Bethel Roads

WHEREAS, SNOW MACHINES ARE USED BY MANY PEOPLE OF BETHEL FOR WINTER TRANSPORTATION, SUBSISTENCE HUNTING AND GATHERING, TRAPPING,

WHEREAS, ALL TERRAIN VEHICLES (ATVs) ARE USED BY MANY PEOPLE OF BETHEL FOR YEAR ROUND LOW COST TRANSPORTATION, SUBSISTENCE HUNTING AND GATHERING.

WHEREAS, SNOW MACHINES AND ATVs ARE USED BY MANY MEMBERS OF NEIGHBORING COMMUNITIES TO TRAVEL TO AND FROM BETHEL FOR SHOPPING, TO RECEIVE HEALTH CARE, TO VISIT, AND OTHER REASONS.

WHEREAS, SNOW MACHINES AND ATVs ARE PART OF A WAY OF LIFE FOR MANY PEOPLE OF BETHEL AND OUR NEIGHBORING COMMUNITIES. THEY HAVE BEEN SO SINCE THEY FIRST CAME TO OUR COMMUNITY MANY YEARS AGO.

WHEREAS, THERE IS A CONCERN BY ALL FOR PUBLIC SAFETY, AND SOME OPERATORS OF SNOW MACHINES AND ATVs DO SO IN AN UNSAFE MANNER. ;

WHEREAS, Passed in September 2006, Ordinance 06-21 allowed for some reasonable requirements for operation of Snow machines and ATV's on City Streets

WHEREAS, Ordinance 13-17, passed in June 2013, deleted most Bethel traffic laws and adopted state statute.

WHEREAS, An unintended consequence of Ordinance 13-17 was superseding operating requirements of snow machines and ATVs on city roads.

WHEREAS, From many locations and houses in Bethel, one cannot travel to/from a destination to/from a trail head without going on a city road, at least for a short distance.

WHEREAS, A TOTAL BAN ON OPERATION OF A SNOW MACHINE OR ATV ON BETHEL ROADS WILL NEGATIVELY IMPACT THE WAY OF LIFE FOR MAY CITIZENS OF BETHEL

WHEREAS, A TOTAL BAN ON OPERATION OF SNOW MACHINES AND ATVs ON BETHEL ROADS WILL NEGATIVELY IMPACT PEOPLE FROM NEIGHBORING COMMUNITIES COMING TO BETHEL FOR SHOPPING AND OTHER SERVICES.

WHEREAS, A TOTAL BAN ON OPERATION OF SNOW MACHINES AND ATVs ON BETHEL ROADS WILL NEGATIVELY IMPACT OUR LOCAL ECONOMY, AS THE LOCAL ECONOMY IS DEPENDENT UPON VISITORS FROM NEIGHBORING COMMUNITIES.

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

SECTION 1. Classification. This ordinance is of permanent nature and shall be codified within the Bethel Municipal Code.

SECTION 2. Amendment. : This new section shall be added to Bethel Municipal Code BMC 10.03.020 Operation of Snow machines.

a. Definitions:

1. Snow machines means a vehicle weighing one ton or less, gross vehicle weight, primarily designed to travel over snow and supported, in part by skis, belts, cleats, tracks or low pressure tires and includes the vehicle commonly known as snowmobile or sno go.

2. All Terrain Vehicle (ATV) means a propelled vehicle with 4 or more wheels or tow or more tracks or tread, having a dry weight of one ton or less, being equipped with low pressure tires or metal tracks or treads and designed primarily for travel over unimproved terrain and include the vehicle commonly known as "4-wheeler".

b. Operation of snow machines

1 Snow machines are permitted to operate on city streets subject to following rules and regulations

a. Unless otherwise specified in this code, snow machines must comply with all City of Bethel and State of Alaska traffic laws and ordinances.

b. Snow machines must be registered through the Division of Motor Vehicles and proof of registration must be displayed in designated location on the vehicle

c. Vehicles must have liability insurance, and proof of insurance must be presented upon demand.

d. While driving on a city road, snow machines must stay on the right side of the lane except when crossing the road, may not pass other moving vehicles, may not weave in and out of traffic, nor operate in any other manner that may be considered careless, reckless, or negligent.

e. snow machines must travel the shortest reasonable distance along city roads to get to/from destination and a trail head.

f snow machines must be equipped with at least one operable headlight, brake light, and tail light

g. If the snow machine is towing a trailer or sled, the trailer or sled must:

- 1 be attached by a solid and rigid towing device.
- 2 Have tail lights or reflectors
- 3 must be under 1500 pounds (including cargo)

h The speed limit for a snow machine on a city road is 15 mile per hour.

The speed limit in a parking lot or an area congested with pedestrians is 5 mile per hour.

C. Operation of All Terrain Vehicles (ATVs)

1 ATV's are allowed to operate on city streets under the following conditions

a Unless otherwise specified in this code, ATV's must comply with all City of Bethel and State of Alaska traffic laws and ordinances.

B ATV's must be registered through the Division of Motor Vehicles and proof of registration must be displayed in designated location on the vehicle

c. Vehicles must have liability insurance, and proof of insurance must be presented upon demand.

D While driving on a city road, ATV's must stay on the right side of the lane except when crossing the road, may not pass other moving vehicles, may not weave in and out of traffic, nor operate in any other manner that may be considered careless, reckless, or negligent.

E ATV's must be equipped with at least one operable headlight, brake light, and tail light

f. If the ATV is towing a trailer or sled, the trailer or sled must:

- 1 be attached by a solid and rigid towing device.
- 2 Have tail lights or reflectors
- 3 must be under 1500 pounds (including cargo)

g The speed limit for an ATV on a city road is 15 mile per hour.

The speed limit in a parking lot or an area congested with pedestrians is 5 mile per hour.

D Driver qualifications

Operators of ATVs and Snow machines on city roads must be 18 years of age or older unless

- a. the minor operator has a drivers license and parental/guardian permission
- or

The minor operator is accompanied by a parent or guardian or other person having the custody or control of the child, within 100 feet or at a reasonable safe distance depending on the conditions of the terrain.

Introduced by: Robb
Introduction Date
Public Hearing:
Action:
Vote:

E. Parental Responsibility

No parent, guardian, or other person having the custody or control of a child under the age of 18 years of age shall knowingly allow such child to act contrary to the provisions of this chapter. The presence of such child unattended in places of operation shall be prima facie evidence of a violation of the chapter by any parent, guardian, or other person having custody or control of the child.

F. Penalties

Violations of this chapter are subject to general penalties under Bethel Municipal Code section 1.08.010 General penalty.

SECTION 3. Effective Date. This ordinance shall become effective upon passage by the Bethel City Council.

ENACTED THIS _DAY OF October 2016, BY A VOTE OF _ IN FAVOR AND _ OPPOSED.

ATTEST:

Richard Robb, Mayor

City of Bethel

Action Memorandum

Date Action Introduced

Date Action Taken Introduced by: Transportation and Public Safety Commission

Confirmed by

Direct administration to suspend Action Memorandum 16-67 thereby suspending the increase of active enforcement of state laws (including ticketing) related to the use of snowmobiles and ATVs on City and State roads in Bethel pending the outcome of a proposed ordinance regarding snowmobile and ATV use on city streets.

Route to: Police Chief, Achee

City Manager Williams

Amount of fiscal impact: No physical impact

The City Council recognizes that some residents use ATVs and snow machines to travel on community roads in order to reach off road destinations, travel to work or to obtain essential goods or services. Use of snow machines and ATVs safely and with respect for other vehicles, pedestrians, and the roadways is in alignment with the lifestyle of this community and has been an accepted activity for many years. Visitors from surrounding villages frequently travel to Bethel by snow machine or ATV to purchase goods and services and the increase of active enforcement may adversely affect commerce. The increase in active enforcement in the absence of dangerous or disrespectful behaviors by ATV or snow machine riders has resulted in unnecessary expense and inconvenience.

This action memorandum is proposed to immediately suspend the increase of active enforcement as passed by the City Council until an ordinance dealing with snowmobile and ATV use on city streets is enacted.