

ORDINANCE NO. 98

AN ORDINANCE AMENDING SECTIONS 8.32.010 AND 8.36.020 OF TITLE 8, PUBLIC PEACE, SAFETY AND MORALS, AND SECTION 9.16.010 AND 9.10.020 OF TITLE 9, VEHICLES AND TRAFFIC OF THE BETHEL CODE OF ORDINANCES.

IT IS HEREBY ORDAINED BY THE COUNCIL OF THE CITY OF BETHEL:

That Section 8.32.010 of the Bethel Code of Ordinances is amended to read as follows:

8.32.010 Creation of Risk or Harm

No person shall cross or be upon the traveled portion of a highway, street, road or alleyway and conduct themselves in a manner which creates a substantial and unjustifiable risk or harm or hazard to the motoring public. A substantial and unjustifiable risk is a risk of such nature and degree that the conscious disregard of it or the failure to perceive it constitutes a major derivation from the standard of conduct that a responsible person would observe in the situation.

That Section 8.36.020 is amended to read as follows:

8.36.020 Responsibility of Parent or Guardian

No parent, guardian, or other person having the custody and control of minors under the age of eighteen (18) years shall allow such minor or minors to go at large or unaccompanied in the City of Bethel, Alaska, upon any public street or other place mentioned in this chapter during the restricted hours as set forth in the preceding sections. In any prosecution for the violation of a provision of this chapter, the presence of any minor or person under the age of eighteen (18) years and unattended as herein required upon any of the public streets or other places named in this chapter shall be deemed prima facie evidence of the guilt of such parent and the violation of the provisions hereof.

A person who violates this section is punishable by a civil fine of not more than \$100 nor less than \$25. Punishment under this subsection shall be instituted only by civil complaint or citation. An individual so cited does not have a right to trial by jury or counsel appointed by the Court.

That Section 9.16.010 is amended to read as follows:

It shall be unlawful for any person in the City of Bethel, Alaska, to carry, conceal, or transport any open bottle of intoxicating liquor, wine or beer, such open bottle being defined as a bottle or can which has a broken seal or which is in some other way obviously open, on any person in a public place or in any automobile, or on a boat of less than 30' in length, or on a snowmobile or any other vehicle used for transport of persons.

That Section 9.16.020 is amended to read as follows:

Any person who violates any provision of this chapter shall upon conviction thereof, be fined in any sum not to exceed \$100.00. In no event shall any fine less than \$25.00 be imposed and such fine shall not be suspended.

Dated and approved this 26th day of May, 1977.

APPROVED:



MAYOR

ATTEST:



CITY CLERK