

ORDINANCE #215

AN ORDINANCE OF THE CITY COUNCIL OF BETHEL, ALASKA, AMENDING TITLE 1, CHAPTER 04, OF THE BETHEL MUNICIPAL CODE BY ADDING TWO NEW SECTIONS TO THE EXISTING TITLE 1, CHAPTER 04 OF THE BETHEL MUNICIPAL CODE ENTITLED GENERAL PROVISIONS.

BE IT ENACTED BY THE CITY COUNCIL OF BETHEL, ALASKA, AS FOLLOWS:

Section 1: Title 1, Chapter 04, Section No. 1, of the Bethel Municipal Code is amended by adding two new sections.

Section 2: This ordinance shall not be construed as abating any action now pending under, or by virtue of, prior existing laws or as discontinuing, abating, modifying, or altering any penalty accruing or about to accrue, or as affecting the liability of any person, or as waiving any right of the City under any section or provision existing at the time this ordinance is adopted, or as vacating or annulling any right obtained by any person, firm, or corporation, by lawful action of the City except as shall be expressly provided for in this title.

Section 3: If any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application.

Section 4: Ordinance number 215 amending Title 1, Chapter 04 of the Bethel Municipal Code of Ordinances entitled General Provisions is hereby adopted as follows:

1.04.100 Repeal or Amendment of Any Ordinance.

A. The repeal or amendment of any ordinance does not release or extinguish any penalty, forfeiture, or liability incurred or right accruing or accrued under such ordinance unless the repealing or amending act expressly so provides. An amended or repealed ordinance shall be treated as remaining in force for the purpose of sustaining any proper action or prosecution for the enforcement of any right, penalty, forfeiture, or liability.

B. The expiration of a temporary ordinance does not release or extinguish any penalty, forfeiture, or liability incurred or right accruing or accrued under such ordinance unless the temporary ordinance expressly so provides, and such ordinance shall be treated as still remaining in force for the purposes of sustaining any proper action or prosecution for the enforcement for such penalty, forfeiture or liability, or right accruing or accrued.

1.04.110 Severability Clause. Any ordinance heretofore or hereafter enacted by the Bethel City Council which lacks a severability clause shall be construed as though it contained the clause in the following language, "If any provision of this ordinance, or the application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application."

Section 5: The effective date of this ordinance shall be retroactive to January 1, 1984.

INTRODUCED: December 22, 1992

PUBLIC HEARING: January 12, 1993

PASSED AND APPROVED THIS 12th DAY OF JANUARY, 1993.

James H. Feaster III
James H. Feaster III, Mayor

ATTEST:

Jane Elam
Jane Elam, City Clerk