

CITY OF VALDEZ, ALASKA

ORDINANCE NO. 18-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VALDEZ,
ALASKA AMENDING TITLE 1 CHAPTER 1.08 OF THE VALDEZ
MUNICIPAL CODE TITLED GENERAL PENALTY – CONTINUING
VIOLATIONS

WHEREAS, Ordinance #18-01 recently amended Title 6 of the municipal code including implementation of a fine schedule which must be incorporated into Section 1.08.030 – Minor Offense Fine Schedule.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, that the following amendments are made to Chapter 1.08 of the Valdez Municipal Code:

Section 1. Chapter 1.08 of the Valdez Municipal Code is hereby amended to read as follows:

CHAPTER 1.08

GENERAL PENALTY

Sections:

1.08.010 General penalty—Continuing violations.

A. Unless another penalty is expressly provided by law every person convicted of violating any provision of this code shall be punished by a fine of not more than five hundred dollars.

B. Except where otherwise provided, every day any violation of this code or any other ordinance of the city or such rule, regulation or order shall continue shall constitute a separate offense. (Prior code § 1-7)

1.08.020 Surcharge

In addition to any penalty prescribed by law, a defendant convicted of violating a municipal ordinance shall pay the surcharge required under AS 12.55.039 and 29.25.074. All such surcharges collected shall be remitted to the State of Alaska as required by AS 29.25.074.

1.08.030 Minor Offense Fine Schedule

In accordance with AS 29.25.070(a), citations for the following offenses may be disposed of as provided in AS 12.25.195-.230, without a court appearance, upon payment of the fine amounts listed below to the court within 30 days of the date of the citation, plus the state surcharge required by AS 12.55.039 and AS 29.25.074. The Rules of Minor Offense Procedure in the Alaska Rules of Court apply to all offenses listed below. Citations charging these offenses must meet the requirements of Minor Offense Rules. If a person charged with one of these offenses appears in court and is found guilty, the penalty imposed for the offense may not exceed the fine amount for that offense listed below. If an offense is not listed on this fine schedule or another fine schedule, the defendant must appear in court to answer to the charges. These fines may not be judicially reduced.

MUNICIPAL CODE SECTION	OFFENSE DESCRIPTION	COURT APPEARANCE	PENALTY/FINE
6.08.010	Cleanup and disposal of animal litter or excrement required – First Offense	Optional	\$25.00
6.08.010	Cleanup and disposal of animal litter or excrement required – Second Offense	Optional	\$50.00
6.08.010	Cleanup and disposal of animal litter or excrement required – Third Offense	Optional	\$100.00
6.08.010	Cleanup and disposal of animal litter or excrement required – Fourth and subsequent	Optional	\$300.00
6.08.020	Animal running at large prohibited – First Offense	Optional	\$25.00
6.08.020	Animal running at large prohibited – Second Offense	Optional	\$50.00
6.08.020	Animal running at large prohibited – Third Offense	Optional	\$100.00
6.08.020	Animal running at large prohibited – Fourth and subsequent	Optional	\$300.00
6.08.040(a)(1)	Negligent feeding of wild animals, birds of prey, or deleterious exotic wildlife prohibited – First Offense	Optional	\$25.00
6.08.040(a)(1)	Negligent feeding of wild animals, birds of prey, or deleterious exotic wildlife	Optional	\$50.00

	prohibited – Second Offense		
6.08.040(a)(1)	Negligent feeding of wild animals, birds of prey, or deleterious exotic wildlife prohibited – Third Offense	Optional	\$100.00
6.08.040(a)(1)	Negligent feeding of wild animals, birds of prey, or deleterious exotic wildlife prohibited – Fourth and subsequent	Optional	\$300.00
6.08.040.(a)(2)	Intentional feeding of wild animals, birds of prey, or deleterious exotic wildlife prohibited – First offense	Optional	\$50.00
6.08.040.(a)(2)	Intentional feeding of wild animals, birds of prey, or deleterious exotic wildlife prohibited – Second offense	Optional	\$100.00
6.08.040.(a)(2)	Intentional feeding of wild animals, birds of prey, or deleterious exotic wildlife prohibited – Third offense	Optional	\$200.00
6.08.040.(a)(2)	Intentional feeding of wild animals, birds of prey, or deleterious exotic wildlife prohibited – Fourth and subsequent offense	Optional	\$400.00
6.08.050	Keeping of wild animals within the city prohibited – First offense	Optional	\$50.00
6.08.050	Keeping of wild animals within the city prohibited – Second offense	Optional	\$100.00
6.08.050	Keeping of wild animals within the city prohibited – Third offense	Optional	\$200.00
6.08.050	Keeping of wild animals within the city prohibited – Fourth and subsequent offense	Optional	\$400.00
6.08.090	Continuous noise by animal prohibited – First offense	Optional	\$25.00
6.08.090	Continuous noise by animal prohibited – Second offense	Optional	\$50.00

6.08.090	Continuous noise by animal prohibited – Third offense	Optional	\$100.00
6.08.090	Continuous noise by animal prohibited – Fourth and subsequent offense	Optional	\$300.00
6.08.100	Failure to confine female dog or cat in heat – First offense	Optional	\$25.00
6.08.100	Failure to confine female dog or cat in heat – Second offense	Optional	\$50.00
6.08.100	Failure to confine female dog or cat in heat –Third offense	Optional	\$100.00
6.08.100	Failure to confine female dog or cat in heat – Fourth and subsequent offense	Optional	\$300.00
6.08.110	Tethering/chaining/crating of animals restricted – First offense	Optional	\$50.00
6.12.010	Dog license required – First offense	Optional	\$25.00
6.12.010	Dog license required – Second offense	Optional	\$50.00
6.12.010	Dog license required – Third offense	Optional	\$100.00
6.12.010	Dog license required – Fourth and subsequent offense	Optional	\$300.00
6.12.020	Display of license tag on dog required	Optional	\$25.00
6.12.030	Vaccination of dogs required – First offense	Optional	\$25.00
6.12.030	Vaccination of dogs required – Second offense	Optional	\$50.00
6.12.030	Vaccination of dogs required – Third offense	Optional	\$100.00
6.12.030	Vaccination of dogs required – Fourth and subsequent offense	Optional	\$300.00
6.12.040	Kennel licenses required – First offense	Optional	\$50.00
6.12.040	Kennel licenses required – Second offense	Optional	\$100.00
6.12.040	Kennel licenses required – Third offense	Optional	\$200.00
6.12.040	Kennel licenses required – Fourth and subsequent offense	Optional	\$400.00

6.13.010	Excessive number of cats prohibited – First offense	Optional	\$25.00
6.13.010	Excessive number of cats prohibited – Second offense	Optional	\$50.00
6.13.010	Excessive number of cats prohibited – Third offense	Optional	\$100.00
6.13.010	Excessive number of cats prohibited – Fourth and subsequent offense	Optional	\$300.00
6.13.020	Cattery license required – First offense	Optional	\$50.00
6.13.020	Cattery license required – Second offense	Optional	\$100.00
6.13.020	Cattery license required – Third offense	Optional	\$200.00
6.13.020	Cattery license required – Fourth and subsequent offense	Optional	\$400.00
9.12.010	Disorderly Conduct – First Offense	Optional	\$50.00
9.12.010	Disorderly Conduct – Second Offense	Optional	\$100.00
9.12.010	Disorderly Conduct – Third Offense	Optional	\$200.00
9.12.010	Disorderly Conduct – Fourth and Subsequent	Optional	\$400.00
9.12.030	Loitering on school grounds – First Offense	Optional	\$50.00
9.12.030	Loitering on school grounds – Second Offense	Optional	\$100.00
9.12.030	Loitering on school grounds – Third Offense	Optional	\$200.00
9.12.030	Loitering on school grounds – Fourth and Subsequent	Optional	\$400.00
9.12.070 (A and B)	Use of fireworks outside of permitted times prohibited	Optional	\$100.00
9.12.070 (C and D)	Negligent use of fireworks or use while under influence prohibited	Optional	\$300.00
9.20.010 (H-I)	Harvesting of trees without permit prohibited-First Offense	Optional	\$50.00
9.20.010 (H-I)	Harvesting of trees without permit prohibited – Second and Subsequent	Optional	\$100.00

9.24.070	Sale of tobacco to children under nineteen years of age prohibited- First Offense	Optional	\$300.00
9.24.070	Sale of tobacco to children under nineteen years of age prohibited- Second Offense	Optional	\$400.00
9.24.070	Sale of tobacco to children under nineteen years of age prohibited- Third and Subsequent	Optional	\$500.00
9.32.010	Discharge of firearms – First Offense	Optional	\$100.00
9.32.010	Discharge of firearms – Second Offense	Optional	\$200.00
9.32.010	Discharge of firearms – Third Offense	Optional	\$300.00
9.32.010	Discharge of firearms – Fourth and Subsequent Offense	Optional	\$500.00

Section 2: This ordinance shall take effect immediately following final approval and adoption by the Valdez City Council.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA this ____ day of _____, 2018.

CITY OF VALDEZ, ALASKA

Ruth E. Knight, Mayor

ATTEST:

Sheri L. Pierce, MMC, City Clerk

APPROVED AS TO FORM:

Jon Wakeland, City Attorney
Brena, Bell, & Clarkson, P.C

First Reading:
Second Reading:
Adoption:
Ayes:
Noes:
Absent:
Abstain: