

CITY OF VALDEZ, ALASKA

ORDINANCE NO. 20-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, AMENDING CHAPTER 9.38 OF THE VALDEZ MUNICIPAL CODE TITLED TRAPPING

WHEREAS, the following amendments to Chapter 9.38 of the Valdez Municipal Code establish regulations related to land use as it pertains to trapping activities within the City of Valdez.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, THAT, the following amendments are made to Chapter 9.38 of the Valdez Municipal Code:

SECTION 1. Chapter 9.38 is hereby amended to read as follows:

Chapter 9.38

TRAPPING

Sections:

- 9.38.010 Purpose of chapter.
- 9.38.020 Definitions.
- 9.38.030 Trapping allowed.
- ~~9.38.040 Qualifications to trap.~~
- ~~9.38.050 Identification of traps.~~
- ~~9.38.060 Registration.~~
- ~~9.38.070 Unsafe traps.~~
- 9.38.0~~4~~⁸0 Other exceptions.
- 9.38.0~~5~~⁹0 Violation—Penalty.

9.38.010 Purpose of chapter.

It is the purpose of this chapter to enact land use regulations pursuant to AS 29.35.260(c) to protect all persons ~~the citizens~~ from hazardous devices and to protect domesticated animals and pets from damage and destruction which may result from uncontrolled trapping activities.

9.38.020 Definitions.

The following words and phrases shall have the meanings respectively ascribed to them by this section:

“Trap” means any device used for the purpose of catching, capturing, snaring, holding or killing animals.

“Trapping” means the placing or setting of traps with the intent to catch animals. This definition does not apply to the catching of animals within a dwelling place or garage, shed or barn.

9.38.030 Trapping allowed.

Trapping for both recreational and for subsistence purposes is allowed within the Valdez city limits except that:

A. Trapping shall not be allowed within one-half mile in any direction of an occupied subdivision.

B. Trapping shall not be allowed within five hundred feet of any road, excluding bridges and culverts outside the downtown area and past the duck flats. No trapping is allowed within the area known as the Valdez duck flats, which is defined as that area bounded on the east by Mineral Creek Loop Road, on the west by the Richardson Highway, on the south by a line extending from the Valdez Container Terminal to and including Dock Point and on the north by elevation of one thousand feet.

C. Trapping shall not be allowed ~~Snare-only trapping areas shall include within~~ portions of Mineral Creek Canyon and all areas northeast of the Richardson Highway from Airport Road to the Glacier Stream Bridge. No trapping is allowed within five hundred feet of the Mineral Creek trails, located in Mineral Creek Canyon as designated on Exhibits A and B to Section 12.08.010.

D. No trapping is allowed within the area known as Mineral Creek State Park, which is defined as a fifty-acre parcel known as Tract A-2, ASLS 99-21; and a 91.68-acre portion of U.S. Survey 5113 bounded on the north by Raven Subdivision and Tract A-1, ASLA 79-117, on the east by Tract A-1, ASLA 79-117, on the south by Blueberry Subdivision and Port Valdez, and on the west by Tract A-2, ASLA 99-21.

9.38.040 ~~Qualifications to trap.~~

~~All persons who trap within the Valdez city limits shall show proof of completion of an approved trapping safety class conducted by the city of Valdez animal control department and valid trapper's license. Copies of trapping licenses shall be provided to the city of Valdez animal control department.~~

9.38.050 ~~Identification of traps.~~

A. ~~All traps shall include a permanent metal tag on which is stamped or etched the trapper's name and phone number.~~

B. ~~All traps and all trap lines shall be marked with a legible warning sign appropriately set and height adjusted (i.e., for snow level). Said signs shall be clearly visible on a weather-resistant surface and with the numbers and letters, at least one-inch high, in a bright fluorescent color that contrasts with the color of the sign. Each trapper is responsible for placement and maintenance of proper signage.~~

9.38.060 Registration.

~~All trappers shall register the exact locations of their trap lines with the city of Valdez— animal control department. If requested, this information will be made available to the— public.~~

9.38.070 Unsafe traps.

~~Any traps deemed unsafe by a law officer will be removed immediately. The law officer— shall attempt to notify the owner of the trap.~~

9.38.0480 Other exceptions.

The chief of police or the chief's designee shall have the absolute authority to authorize trapping within a restricted area within the Valdez city limits as is deemed necessary to protect public health and safety. Examples of exceptions include, but are not limited to, the following:

- A. Employees or agents of governmental units or agencies who, using live traps, in the course of their duties, are required to trap animals or birds for authorized purposes.
- B. Scientists in their work of identifying and studying wildlife, animals and birds for scientific purposes.
- C. Persons who have specific animal nuisance problems.

9.38.0590 Violation—Penalty.

Violation of Sections 9.38.010 through 9.38.0370 is punishable by a minimum fine of fifty dollars. Upon citation under Sections 9.38.010 through 9.38.0370, court appearance is mandatory.

Section 2. This ordinance shall take effect immediately upon passage and approval by the Valdez City Council.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, this _____ day of _____, 2020.

CITY OF VALDEZ, ALASKA

Jeremy O'Neil, Mayor

ATTEST:

Sheri L. Pierce, MMC, City Clerk

APPROVED AS TO FORM:

Jake Staser, City Attorney
Brena, Bell, & Walker, P.C.

Adoption:
Yeas:
Noes:
Absent:
Abstaining:

