



## Agenda Statement

**File #:** ORD 17-0007 **Version:** 1  
**Type:** Ordinance **Status:** Passed  
**File created:** 6/15/2017 **In control:** City Council  
**On agenda:** 7/5/2017 **Final action:** 7/5/2017  
**Title:** #17-07 - Amending Title 1, Chapter 1.08 of the Valdez Municipal Code by Amending Section 1.08.010 titled General Penalty - Continuing Violations. Second Reading. Adoption.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. #17-07 - Amending Title 1 Chapter 1 08 Titled General Penalty 2017-05-05 D01.pdf

Date	Ver.	Action By	Action	Result
7/5/2017	1	City Council	approved	Pass
6/20/2017	1	City Council		

**ITEM TITLE:**

#17-07 - Amending Title 1, Chapter 1.08 of the Valdez Municipal Code by Amending Section 1.08.010 titled General Penalty - Continuing Violations. Second Reading. Adoption.

**SUBMITTED BY:** Sheri Pierce, MMC, City Clerk and Jake Staser, City Attorney

**FISCAL NOTES:**

Expenditure Required: [Click here to enter text.](#)

Unencumbered Balance: [Click here to enter text.](#)

Funding Source: [Click here to enter text.](#)

**RECOMMENDATION:**

Adopt Ordinance #17-07.

**SUMMARY STATEMENT:**

Ordinance #17-07 amends Title 1, Chapter 1.08, for the purpose of compliance with Senate Bill 91 adopted by the Alaska Legislature thereby reducing the class of crimes for certain offenses, changing certain offenses from crimes to minor offenses, and placing the prosecutorial burden with municipalities.

In accordance with AS 29.25.070(a), citations for the offenses listed in the fine schedule adopted by this ordinance may be disposed of as provided in AS 12.25.195-.230, without a court appearance, upon payment of the fine amounts listed 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. 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 in the schedule. 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.