

AGENDA DECEMBER 5, 2017 – CITY COUNCIL MEETING

AGENDA
FOR THE REGULAR
MEETING OF THE CITY COUNCIL
FOR THE CITY OF THORNE BAY
HELD IN THE CITY HALL COUNCIL CHAMBERS,
TUESDAY, December 5, 2017
6:30 P.M.

The meeting will be preceded by a workshop beginning at 6:00 p.m.

1. CALL TO ORDER:
2. PLEDGE TO FLAG:
3. ROLL CALL:
4. APPROVAL OF AGENDA:
5. MAYOR'S REPORT:
6. CITY ADMINISTRATOR & CLERK REPORT:
7. PUBLIC COMMENTS:
8. COUNCIL COMMENTS:
9. CONSENT AGENDA:
10. **NEW BUSINESS:**
 - A. Award of Davidson Landing & Main Harbor Electric and Float Light project for Davidson Landing Legislative Grant, discussion and action item:
 - B. Resolution 17-12-05-01, adopting the alternative allocation method for the FY18 Shared Fisheries Business Tax Program, discussion and action item:
 - C. Nomination for Southern Southeast Regional Aquaculture Association, discussion and possible action item:
11. **ORDINANCES FOR INTRODUCTION:**
 - A. Ordinance 18-01-02-01, amending introduction Ordinance No. 17-11-21-01, Amendment of Thorne Bay Municipal Code General Penalties, adding Sections 1.16.031-Surcharges, and 1.16.035-Minor Offence Fine Schedule, discussion and action item:
12. **ORDINANCES FOR PUBLIC HEARING:**
 - A. Ordinance 17-12-05-01, amending Title 2-Administration and Personnel, Chapter 2.24 – Officers and Employees, Section 2.24.030, .040, .060, .070, Permanent Employee Benefits, discussion and action item:
 - B. Ordinance 17-12-05-02, amending Title 3-Revenue and Finance, Chapter 3.17-Sales Tax, Section 3.17.030-Duty of Seller to Collect, discussion and action item:
13. EXECUTIVE SESSION: The Council May adjourn to executive session for the purpose of discussing pending or threatened lawsuits in which the city has an interest, which are matters, the immediate knowledge of which would clearly have adverse effect upon the finances of the city.
 - A. Subject of discussion is pending or threatened lawsuit, City of Thorne Bay, discussion and action item:
14. CONTINUATION OF PUBLIC COMMENT:
15. CONTINUATION OF COUNCIL COMMENT:
16. ADJOURNMENT:

AGENDA Posted by fax: November 29, 2017 - City Hall (2), A&P, SISD, USFS, The Port, Thorne Bay School
City Website @ www.thornebay-ak.gov; PACKETS Published December 1, 2017: City Hall (2), A&P,
SISD, USFS, The Port, Thorne Bay School
City Website @ www.thornebay-ak.gov;

RESOLUTION 17-12-05-01
CITY OF THORNE BAY

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF THORNE BAY, ALASKA; ADOPTING AN ALTERNATIVE ALLOCATION METHOD FOR THE FY18 SHARED FISHERIES BUSINESS TAX PROGRAM AND CERTIFYING THAT THIS ALLOCATION METHOD FAIRLY REPRESENTS THE DISTRIBUTION OF SIGNIFICANT EFFECTS OF FISHERIES BUSINESS ACTIVITY IN FMA 19, SOUTHERN SOUTHEAST

WHEREAS, the City Council is the governing body for the City of Thorne Bay, Alaska; and

WHEREAS, AS 29.60.450 requires that for a municipality to participate in the FY18 Shared Fisheries Business Tax Program, the municipality must demonstrate to the Department of Commerce, Community, and Economic Development that the municipality suffered significant effects during calendar year 2014 from fisheries business activities; and

WHEREAS, 3 AAC 134.060 provides for the allocation of available program funding to eligible municipalities located within fisheries management areas specified by the Department of Commerce, Community, and Economic Development; and

WHEREAS, 3 AAC 134.070 provides for the use, at the discretion of the Department of Commerce, Community, and Economic Development, of alternative allocation methods which may be used within fisheries management areas if all eligible municipalities within the area agree to use the method, and the method incorporates some measure of the relative significant effect of fisheries business activity on the respective municipalities in the area; and,

WHEREAS the City of Thorne Bay City Council proposes to use an alternative allocation method for allocation of FY18 funding available within the FMA 19: SOUTHERN SOUTHEAST in agreement with all other municipalities in this area participating in the FY18 Shared Fisheries Business Tax Program;

NOW THEREFORE BE IT RESOLVED THAT the City Council of the City of Thorne Bay by this resolution certifies that the following alternative allocation method fairly represents the distribution of significant effect during 2016 of fisheries business activity in the FMA 19: SOUTHERN SOUTHEAST:

All municipalities share equally 50% of allocation; all municipalities share remaining 50% on a per capita basis.

Ketchikan Gateway Borough population is reduced by the population of the Cities of Ketchikan and Saxman

PASSED AND APPROVED December 5, 2017

James Gould, Mayor

ATTEST:

Teri Feibel, CMC

FMA 19: Southern Southeast Area

<i>Alternative Method*</i>	Total allocation:	50% Divided	50% per capita	
	\$44,732.41	\$22,366.21	\$22,366.21	
Community	Population	50% divided share	50% per capita share	Calculated Allocation
Craig	1,102	\$2,795.78	\$1,475.99	\$4,271.77
Hydaburg	404	\$2,795.78	\$541.11	\$3,336.88
Kasaan	89	\$2,795.78	\$119.20	\$2,914.98
KGB	5,149	\$2,795.78	\$6,896.44	\$9,692.21
Ketchikan	8,191	\$2,795.78	\$10,970.81	\$13,766.59
Klawock	814	\$2,795.78	\$1,090.25	\$3,886.03
Saxman	418	\$2,795.78	\$559.86	\$3,355.63
Thorne Bay	532	\$2,795.78	\$712.55	\$3,508.32
Totals	16,699	\$22,366.21	\$22,366.21	\$44,732.41
Community Count	8			

* All municipalities share 50% of allocation equally; share remaining 50% on a per capita basis.

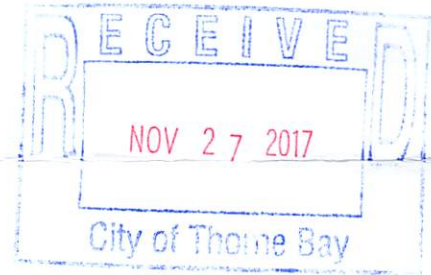
**Ketchikan Borough Population = Borough (13,825) - Cities of Saxman and Ketchikan



SSRAA

Southern Southeast Regional Aquaculture Association, Inc.
14 Borch Street, Ketchikan, Alaska 99901
Phone: 907-225-9605 Fax: 907-225-1348

November 22, 2017



Mayor
City of Thorne Bay
P.O. Box 1
Thorne Bay, Alaska 99950

Dear Mayor:

RE: Timeline Extension for Nominees

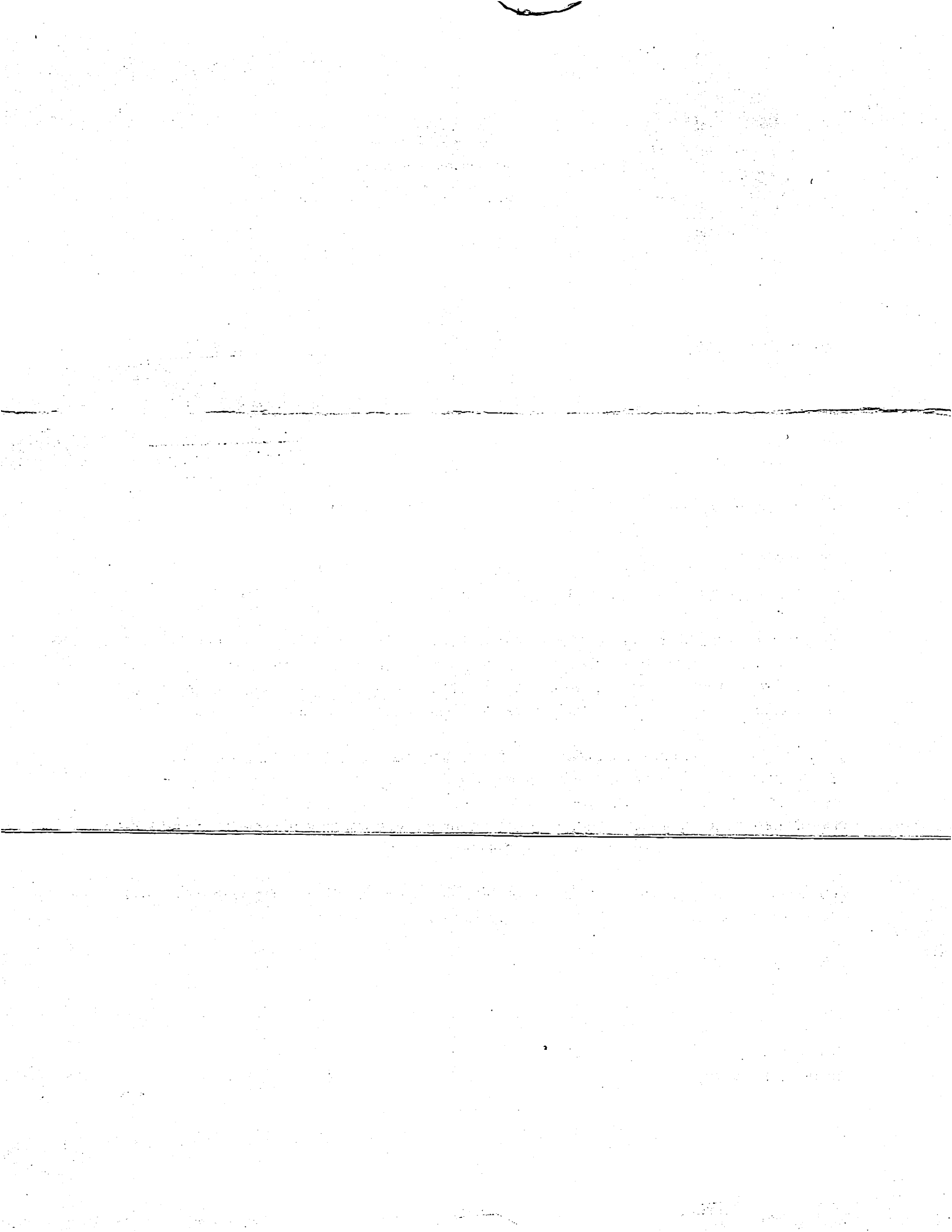
The Board of Directors of the Southern Southeast Regional Aquaculture Association (SSRAA) is made up of 21 members, including representatives of several interested groups and the general public. One of the positions on the Board is established for municipalities within the region. This position is currently held by Mike Painter, Ketchikan Gateway Borough.

We invite you to nominate an individual to serve during 2018 and 2019 in this position on the SSRAA Board. The appointment will be made prior to January's board meeting. The Board meets approximately four times from October through May, usually on a Friday, and all travel expenses are paid by SSRAA. Additional involvement in active standing and special committees of the Board is at the discretion of the individual Board members.

Please submit your nomination with a brief biographical description by December 12, 2017. Thank you for your continued interest in aquaculture in this region.

Sincerely,

Liz Jones
Election Supervisor



CITY OF THORNE BAY
ORDINANCE 18-01-02-01

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF THORNE BAY, ALASKA, - RENUMBER OF INTRODUCTION ORDINANCE 17-11-21-01, AMENDING TITLE 1-General Provisions, Chapter 1.16-General Penalty, Sections 1.16.010-050 and adding Sections 1.31-Surcharge and 1.16.035-Minor Offense Fine Schedule

BE IT ENACTED BY THE CITY COUNCIL FOR THE CITY OF THORNE BAY, ALASKA

- Section 1. Classification. This ordinance is of a general and permanent nature, the chapter and section hereby amended shall be added to the Thorne Bay Municipal Code.
- Section 2. Severability. If any provisions of this ordinance or any application thereof to any person or circumstances is held invalid, the circumstances shall not be affected thereby.
- Section 3. Amendment of Section. The title and chapter of Title 1 - General Provisions, Chapter 1.16 - General Penalty, Sections 1.16.010 through Section 1.16.050 and adding Sections 1.31 - Surcharge and 1.16.035 - Minor Offense Fine Schedule, are hereby amended and added to the Thorne Bay Municipal Code.
- Section 4. Effective Date. This ordinance shall become effective upon adoption.

PASSED AND APPROVED January 2, 2018

James Gould, Mayor

ATTEST:

Teri Feibel, CMC

[Introduction: November 7, 2017]
[2nd Introduction: November 21, 2017]
[3rd Introduction: November 21, 2017]
[Public Hearing: January 2, 2018]

PROPOSED NEW LANGUAGE IS UNDERLINES.

~~Deleted language is lined through.~~

Chapter 1.16, General Penalty.

1.16.031 SURCHARGE

1.16.035 MINOR OFFENSE FINE SCHEDULE

1.16.030 Violations-Separate offense. Every act prohibited by Thorne Bay ordinances is unlawful. **FAILURE TO COMPLY WITH ANY MANDATORY REQUIREMENT OF ANY ORDINANCE IS ALSO UNLAWFUL.** Unless another penalty is expressly provided by a Thorne Bay ordinance for any particular provision or section, each violation of this code is a non-criminal infraction, punishable by a ~~civil penalty~~ **fine** up to three hundred dollars per violation. Each act or violation and every day upon which a violation occurs or continues constitutes a separate offense unless stated otherwise in any ordinance. (Ord. 88-23 § 5(part), 1988)

Adding Sections 1.16.031 and 1.16.035 as follows:

1.16.031. SURCHARGE. IN ADDITION TO ANY PENALTY PRESCRIBED BY LAW, A DEFENDANT CONVICTED OF VIOLATING A CITY 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.

1.16.035 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 PLUS THE STATE SURCHARGE REQUIRED BY AS 12.55.039 AND AS 29.25.074.

FINES MUST BE PAID TO THE CITY CLERK. IF AN OFFENSE IS NOT LISTED ON A FINE SCHEDULE, THE DEFENDANT MUST APPEAR IN COURT TO ANSWER THE CHARGES. THE ALASKA COURT SYSTEM'S RULES OF MINOR OFFENSE PROCEDURE APPLY TO ALL OFFENSES LISTED BELOW. CITATIONS CHARGING THESE OFFENSES MUST MEET THE REQUIREMENTS OF MINOR OFFENSE RULE 3. 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.

1.16.035 – MINOR OFFENSE SCHEDULE**Section 1.16.035 - THORNE BAY OFFENSES IN UNIFORM MINOR OFFENSE TABLE (UMOT)**

Ordinance Number	Ordinance Description	Is Offense: Mandatory Optional Correctable	Fine Schedule Amount
TBMC6.04.050	Animal - Restraint-1st Offense	Optional	\$35.00
TBMC6.04.050	Animal - Restraint-2nd Offense	Optional	\$50.00
TBMC6.04.050	Animal - Restraint-3rd+ Offense	Optional	\$100.00
TBMC6.04.070	Animal - Animal Care - 1st Offense	Optional	\$20.00
TBMC6.04.070	Animal - Animal Care - 2nd Offense within 1-year	Optional	\$40.00
TBMC6.04.070	Animal - Animal Care - 3rd Offense within 1-year	Optional	\$100.00
TBMC6.04.070	Animal - Animal Care - 4th Offense within 1-year	Optional	\$250.00
TBMC6.04.070	Animal - Animal Care - 5th Offense within 1-year	Mandatory	\$300.00
TBMC6.04.080	Animal - Keeping of Wild Animals - 1st Offense	Optional	\$35.00
TBMC6.04.080	Animal - Keeping of Wild Animals - 2nd Offense	Optional	\$50.00
TBMC6.04.080	Animal - Keeping of Wild Animals - 3rd Offense	Optional	\$100.00
TBMC6.04.090	Animal - Animal Waste - 1st Offense	Optional	\$35.00
TBMC6.04.090	Animal - Animal Waste - 2nd Offense	Optional	\$50.00
TBMC6.04.090	Animal - Animal Waste - 3rd Offense	Optional	\$100.00
TBMC6.04.090	Animal - Animal Not Registered With the City	Optional	\$50.00
TBMC9.08.020	Alcohol Beverages - State License Requirement - 1st offense	Optional	\$100.00
TBMC9.08.020	Alcohol Beverages - State License Requirement - 2nd offense	Optional	\$200.00
TBMC9.08.020	Alcohol Beverages - State License Requirement - 3rd Offense	Optional	\$300.00
TBMC9.08.020	Alcohol Beverages - State License Requirement - 4th Offense	Mandatory	
TBMC9.08.030	Alcohol Beverages - Hours of Consumption - 1st Offense	Optional	\$100.00
TBMC9.08.030	Alcohol Beverages - Hours of Consumption - 2nd Offense	Optional	\$200.00
TBMC9.08.030	Alcohol Beverages - Hours of Consumption - 3rd Offense	Optional	\$300.00
TBMC9.08.030	Alcohol Beverages - Hours of Consumption - 4th Offense	Mandatory	
TBMC9.08.040	Alcohol Beverages - Access of persons under the age of twenty-one to licensed premises - 1st Offense in 1 year	Optional	\$100.00
TBMC9.08.040	Alcohol Beverages - Access of persons under the age of twenty-one to licensed premises - 2nd Offense - within 1 year	Optional	\$200.00
TBMC9.08.040	Alcohol Beverages - Access of persons under the age of twenty-one to licensed premises - 3rd Offense within 1 year	Optional	\$300.00
TBMC9.08.040	Alcohol Beverages - Access of persons under the age of twenty-one to licensed premises - 4th Offense - within 1 year	Mandatory	
TBMC9.08.050	Alcohol Beverages - Possession or consumption under the age of twenty-one - 1st within 1 year	Optional	\$50.00
TBMC9.08.050	Alcohol Beverages - Possession or consumption under the age of twenty-one - 2nd within 1 year	Optional	\$100.00

TBMC9.08.050	Alcohol Beverages - Possession or consumption under the age of twenty-one - 3rd within 1 year	Optional	\$300.00
TBMC9.08.050	Alcohol Beverages - Possession or consumption under the age of twenty-one - 4th within 1 year	Mandatory	
TBMC9.08.060	Alcohol Beverages - Furnishing of alcoholic beverages to persons under the age of twenty-one - 1st within 1 year	Optional	\$50.00
TBMC9.08.060	Alcohol Beverages - Furnishing of alcoholic beverages to persons under the age of twenty-one - 1st within 1 year	Optional	\$100.00
TBMC9.08.060	Alcohol Beverages - Furnishing of alcoholic beverages to persons under the age of twenty-one - 3rd within 1 year	Optional	\$300.00
TBMC9.08.060	Alcohol Beverages - Furnishing of alcoholic beverages to persons under the age of twenty-one - 4th within 1 year	Mandatory	
TBMC9.08.080	Alcohol Beverages - Purchase by persons under the age of twenty-one - 1st within 1 year	Optional	\$50.00
TBMC9.08.080	Alcohol Beverages - Purchase by persons under the age of twenty-one - 2nd within 1 year	Optional	\$100.00
TBMC9.08.080	Alcohol Beverages - Purchase by persons under the age of twenty-one - 3rd within 1 year	Optional	\$300.00
TBMC9.08.080	Alcohol Beverages - Purchase by persons under the age of twenty-one - 4th within 1 year	Mandatory	
TBMC9.08.090	Alcohol Beverages - Unlawful drinking on premises - 1st within 1 year	Optional	\$100.00
TBMC9.08.090	Alcohol Beverages - Unlawful drinking on premises - 2nd within 1 year	Optional	\$200.00
TBMC9.08.090	Alcohol Beverages - Unlawful drinking on premises - 3rd within 1 year	Optional	\$300.00
TBMC9.08.090	Alcohol Beverages - Unlawful drinking on premises - 4th within 1 year	Mandatory	
TBMC9.08.100	Alcohol Beverages - Solicitation of alcohol beverages - 1st within 1 year	Optional	\$100.00
TBMC9.08.100	Alcohol Beverages - Solicitation of alcohol beverages - 2nd within 1 year	Optional	\$200.00
TBMC9.08.100	Alcohol Beverages - Solicitation of alcohol beverages - 3rd within 1 year	Optional	\$300.00
TBMC9.08.100	Alcohol Beverages - Solicitation of alcohol beverages - 4th within 1 year	Mandatory	
TBMC9.08.110	Alcohol Beverages - Sale or disposition of alcoholic beverages to drunken person - 1st within 1 year	Optional	\$50.00
TBMC9.08.110	Alcohol Beverages - Sale or disposition of alcoholic beverages to drunken person - 2nd within 1 year	Optional	\$100.00
TBMC9.08.110	Alcohol Beverages - Sale or disposition of alcoholic beverages to drunken person - 3rd within 1 year	Optional	\$300.00
TBMC9.08.110	Alcohol Beverages - Sale or disposition of alcoholic beverages to drunken person - 4th within 1 year	Mandatory	
TBMC9.08.120	Alcohol Beverages - Access of drunken persons to licensed premises - 1st within 1 year	Optional	\$100.00

TBMC9.08.120	Alcohol Beverages - Access of drunken persons to licensed premises - 2nd within 1 year	Optional	\$200.00
TBMC9.08.120	Alcohol Beverages - Access of drunken persons to licensed premises - 3rd within 1 year	Optional	\$300.00
TBMC9.08.120	Alcohol Beverages - Access of drunken persons to licensed premises - 4th within 1 year	Mandatory	
TBMC9.08.130	Alcohol Beverages - Obligation to enforce restrictions within licensed premises - 1st within 1 year	Optional	\$100.00
TBMC9.08.130	Alcohol Beverages - Obligation to enforce restrictions within licensed premises - 2nd within 1 year	Optional	\$200.00
TBMC9.08.130	Alcohol Beverages - Obligation to enforce restrictions within licensed premises - 3rd within 1 year	Optional	\$300.00
TBMC9.08.130	Alcohol Beverages - Obligation to enforce restrictions within licensed premises - 4th within 1 year	Mandatory	
TBMC9.08.140	Alcohol Beverages - Stock to be kept on premises - 1st within 1 year	Optional	\$100.00
TBMC9.08.140	Alcohol Beverages - Stock to be kept on premises - 2nd within 1 year	Optional	\$200.00
TBMC9.08.140	Alcohol Beverages - Stock to be kept on premises - 3rd within 1 year	Optional	\$300.00
TBMC9.08.140	Alcohol Beverages - Stock to be kept on premises - 4th within 1 year	Mandatory	
TBMC9.08.150	Alcohol Beverages - Right of inspection - 1st within 1 year	Optional	\$100.00
TBMC9.08.150	Alcohol Beverages - Right of inspection - 2nd within 1 year	Optional	\$200.00
TBMC9.08.150	Alcohol Beverages - Right of inspection - 3rd within 1 year	Optional	\$300.00
TBMC9.08.150	Alcohol Beverages - Right of inspection - 4th within 1 year	Mandatory	
TBMC9.08.160	Alcohol Beverages - Playing music - Restriction - 1st within 1 year		\$100.00
TBMC9.08.160	Alcohol Beverages - Playing music - Restriction - 2nd within 1 year		\$200.00
TBMC9.08.160	Alcohol Beverages - Playing music - Restriction - 3rd within 1 year		\$300.00
TBMC9.08.160	Alcohol Beverages - Playing music - Restriction - 4th within 1 year		
TBMC9.08.180	Alcohol Beverages - Possession of dangerous weapons (knives) prohibited - 1st within 1 year	Optional	\$50.00
TBMC9.08.180	Alcohol Beverages - Possession of dangerous weapons (knives) prohibited - 2nd within 1 year	Optional	\$100.00
TBMC9.08.180	Alcohol Beverages - Possession of dangerous weapons (knives) prohibited - 3rd within 1 year	Optional	\$300.00
TBMC9.08.180	Alcohol Beverages - Possession of dangerous weapons (knives) prohibited - 4th within 1 year	Mandatory	
TBMC9.12.030	Protection of survey monuments - Prohibition, unlawful acts, disturbance of monuments - 1st within 1 year	Optional	\$50.00
TBMC9.12.030	Protection of survey monuments - Prohibition, unlawful acts, disturbance of monuments - 2nd within 1 year	Optional	\$100.00
TBMC9.12.030	Protection of survey monuments - Prohibition, unlawful acts, disturbance of monuments - 3rd within 1 year	Optional	\$300.00

TBMC9.12.030	Protection of survey monuments - Prohibition, unlawful acts, disturbance of monuments - 4th within 1 year	Mandatory	
TBMC9.20.020	Litter control - Littering prohibited - 1st within 1 year	Optional	\$50.00
TBMC9.20.020	Litter control - Littering prohibited - 2nd within 1 year	Optional	\$100.00
TBMC9.20.020	Litter control - Littering prohibited - 3rd within 1 year	Optional	\$300.00
TBMC9.20.020	Litter control - Littering prohibited - 4th within 1 year	Mandatory	\$300.00
TBMC9.20.030	Litter control - Prevention of scattering - 1st within 1 year	Optional	\$50.00
TBMC9.20.030	Litter control - Prevention of scattering - 2nd within 1 year	Optional	\$100.00
TBMC9.20.030	Litter control - Prevention of scattering - 3rd within 1 year	Optional	\$300.00
TBMC9.20.030	Litter control - Prevention of scattering - 4th within 1 year	Mandatory	\$300.00
TBMC9.20.040	Litter Control - Tampering with litter receptacles - 1st within 1 year	Optional	\$50.00
TBMC9.20.040	Litter Control - Tampering with litter receptacles - 2nd within 1 year	Optional	\$100.00
TBMC9.20.040	Litter Control - Tampering with litter receptacles - 3rd within 1 year	Optional	\$300.00
TBMC9.20.040	Litter Control - Tampering with litter receptacles - 4th within 1 year	Mandatory	\$300.00
TBMC9.20.050	Litter Control - Walkways, streets & alleys - 1st within 1 year	Optional	\$50.00
TBMC9.20.050	Litter Control - Walkways, streets & alleys - 2nd within 1 year	Optional	\$100.00
TBMC9.20.050	Litter Control - Walkways, streets & alleys - 3rd within 1 year	Optional	\$300.00
TBMC9.20.050	Litter Control - Walkways, streets & alleys - 4th within 1 year	Mandatory	\$300.00
TBMC9.20.060	Litter Control - Private Premises - 1st within 1 year	Optional	\$50.00
TBMC9.20.060	Litter Control - Private Premises - 2nd within 1 year	Optional	\$100.00
TBMC9.20.060	Litter Control - Private Premises - 3rd within 1 year	Optional	\$300.00
TBMC9.20.060	Litter Control - Private Premises - 4th within 1 year	Mandatory	\$300.00
TBMC9.20.070	Litter Control - Public Places - 1st within 1 year	Optional	\$50.00
TBMC9.20.070	Litter Control - Public Places - 2nd within 1 year	Optional	\$100.00
TBMC9.20.070	Litter Control - Public Places - 3rd within 1 year	Optional	\$300.00
TBMC9.20.070	Litter Control - Public Places - 4th within 1 year	Mandatory	\$300.00
TBMC9.20.080	Litter Control - Business Premises - 1st within 1 year	Optional	\$50.00
TBMC9.20.080	Litter Control - Business Premises - 2nd within 1 year	Optional	\$100.00
TBMC9.20.080	Litter Control - Business Premises - 3rd within 1 year	Optional	\$300.00
TBMC9.20.080	Litter Control - Business Premises - 4th within 1 year	Mandatory	\$300.00
TBMC9.20.090	Litter Control - Littering from vehicles - 1st within 1 year	Optional	\$50.00
TBMC9.20.090	Litter Control - Littering from vehicles - 2nd within 1 year	Optional	\$100.00
TBMC9.20.090	Litter Control - Littering from vehicles - 3rd within 1 year	Optional	\$300.00
TBMC9.20.090	Litter Control - Littering from vehicles - 4th within 1 year	Mandatory	\$300.00
TBMC9.20.100	Litter Control - Litter from aircraft - 1st within 1 year	Optional	\$50.00
TBMC9.20.100	Litter Control - Litter from aircraft - 2nd within 1 year	Optional	\$100.00
TBMC9.20.100	Litter Control - Litter from aircraft - 3rd within 1 year	Optional	\$300.00
TBMC9.20.100	Litter Control - Litter from aircraft - 4th within 1 year	Mandatory	\$300.00

TBMC9.20.110	Litter Control - Litter in Parks - 1st in 1 year	Optional	\$50.00
TBMC9.20.110	Litter Control - Litter in Parks - 2nd within 1 year	Optional	\$100.00
TBMC9.20.110	Litter Control - Litter in Parks - 3rd within 1 year	Optional	\$300.00
TBMC9.20.110	Litter Control - Litter in Parks - 4th within 1 year	Mandatory	\$300.00
TBMC9.20.120	Litter Control - Construction sites - 1st within 1 year	Optional	\$50.00
TBMC9.20.120	Litter Control - Construction sites - 2nd within 1 year	Optional	\$100.00
TBMC9.20.120	Litter Control - Construction sites - 3rd within 1 year	Optional	\$300.00
TBMC9.20.120	Litter Control - Construction sites - 4th within 1 year	Mandatory	\$300.00
TBMC9.20.130	Litter Control - Parking lots-Litter receptacles required - 1 in 1 year	Optional	\$50.00
TBMC9.20.130	Litter Control - Parking lots-Litter receptacles required - 2nd within 1 year	Optional	\$100.00
TBMC9.20.130	Litter Control - Parking lots-Litter receptacles required - 3rd within 1 year	Optional	\$300.00
TBMC9.20.130	Litter Control - Parking lots-Litter receptacles required - 4th within 1 year	Mandatory	\$300.00
TBMC9.20.140	Litter Control - Litter receptacles obstructing traffic - 1st within 1 year	Optional	\$50.00
TBMC9.20.140	Litter Control - Litter receptacles obstructing traffic - 2nd within 1 year	Optional	\$100.00
TBMC9.20.140	Litter Control - Litter receptacles obstructing traffic - 3rd within 1 year	Optional	\$300.00
TBMC9.20.140	Litter Control - Litter receptacles obstructing traffic - 4th within 1 year	Mandatory	\$300.00
TBMC9.20.150	Litter control - Commercial handbills prohibited - 1st within 1 year	Optional	\$50.00
TBMC9.20.150	Litter control - Commercial handbills prohibited - 2nd within 1 year	Optional	\$100.00
TBMC9.20.150	Litter control - Commercial handbills prohibited - 3rd within 1 year	Optional	\$300.00
TBMC9.20.150	Litter control - Commercial handbills prohibited - 4th within 1 year	Mandatory	\$300.00
TBMC9.20.170	Litter Control - Obedience of law required - 1st within 1 year	Optional	\$50.00
TBMC9.20.170	Litter Control - Obedience of law required - 2nd within 1 year	Optional	\$100.00
TBMC9.20.170	Litter Control - Obedience of law required - 3rd within 1 year	Optional	\$300.00
TBMC9.20.170	Litter Control - Obedience of law required - 4th within 1 year	Mandatory	\$300.00
TBMC9.20.180	Litter control - Obedience to officials required - 1st within 1 year	Optional	\$50.00
TBMC9.20.180	Litter control - Obedience to officials required - 2nd within 1 year	Optional	\$100.00
TBMC9.20.180	Litter control - Obedience to officials required - 3rd within 1 year	Optional	\$300.00
TBMC9.20.180	Litter control - Obedience to officials required - 4th within 1 year	Mandatory	\$300.00
TBMC9.20.190	Litter control - Emergency Powers - 1st within 1 year (Fine + Abatement)	Optional	\$50.00

TBMC9.20.190	Litter control - Emergency Powers - 2nd within 1 year (Fine + Abatement)	Optional	\$100.00
TBMC9.20.190	Litter control - Emergency Powers - 3rd within 1 year (Fine + Abatement)	Optional	\$300.00
TBMC9.20.190	Litter control - Emergency Powers - 4th within 1 year (Fine + Abatement)	Mandatory	\$300.00
TBMC9.20.200	Litter Control - Compliance Order - 1st within 1 year (Fine + Abatement)	Optional	\$50.00
TBMC9.20.200	Litter Control - Compliance Order - 2nd within 1 year (Fine + Abatement)	Optional	\$100.00
TBMC9.20.200	Litter Control - Compliance Order - 3rd within 1 year (Fine + Abatement)	Optional	\$300.00
TBMC9.20.200	Litter Control - Compliance Order - 4th within 1 year (Fine + Abatement)	Mandatory	\$300.00
TBMC9.22.020	Water Hydrants - Description and Location - 1st Offense	Optional	\$100.00
TBMC9.22.020	Water Hydrants - Description and Location - 2nd within 1 year	Optional	\$200.00
TBMC9.22.020	Water Hydrants - Description and Location - 3rd within 1 year	Optional	\$300.00
TBMC9.22.020	Water Hydrants - Description and Location - 4th within 1 year - Mandatory appearance + fine	Mandatory	\$300.00
TBMC9.22.030	Water Hydrants - Intended Use - 1st offence	Optional	\$100.00
TBMC9.22.030	Water Hydrants - Intended Use - 2nd within 1 year	Optional	\$200.00
TBMC9.22.030	Water Hydrants - Intended Use - 3rd within 1 year	Optional	\$300.00
TBMC9.22.030	Water Hydrants - Intended Use - 4th within 1 year	Mandatory	\$300.00
TBMC9.22.040	Water Hydrants - Accessibility - 1st offence	Optional	\$100.00
TBMC9.22.040	Water Hydrants - Accessibility - 2nd within 1 year	Optional	\$200.00
TBMC9.22.040	Water Hydrants - Accessibility - 3rd within 1 year	Optional	\$300.00
TBMC9.22.040	Water Hydrants - Accessibility - 4th within 1 year	Mandatory	\$300.00
TBMC9.22.050	Water Hydrants - Fence openings and gates - 1st Offense	Optional	\$100.00
TBMC9.22.050	Water Hydrants - Fence openings and gates - 2nd within 1 year	Optional	\$200.00
TBMC9.22.050	Water Hydrants - Fence openings and gates - 3rd within 1 year	Optional	\$300.00
TBMC9.22.050	Water Hydrants - Fence openings and gates - 4th within 1 year	Mandatory	\$300.00
TBMC10.04.015	Vehicles and Traffic General Provisions - Traffic Fine Schedule - ADOPTION OF STATE BAIL FORFEITURE SCHEDULES BY REFERENCE "TRAFFIC BAIL FORFEITURE SCHEDULE" AND THE "OVERSIZE VEHICLE BAIL FORFEITURE SCHEDULE"		
TBMC10.04.140	Vehicles and Traffic - Prohibited Devices - 1st offense	Optional	\$15.00
TBMC10.04.140	Vehicles and Traffic - Prohibited Devices - 2nd within 1 year	Optional	\$25.00
TBMC10.04.140	Vehicles and Traffic - Prohibited Devices - 3rd within 1 year	Optional	\$50.00
TBMC10.04.140	Vehicles and Traffic - Prohibited Devices - 4th within 1 year	Mandatory	\$50.00

TBMC10.04.160	Traffic Fine Schedule - Violations and Penalties:		
TBMC10.04.160	AS28.05.095(a): Failure To Wear Safety Belt (Age 16 And Older: Passenger Or Driver)	Optional	\$ 15.00
TBMC10.04.160	AS28.05.095(b): Fail To Properly Secure Child In Child Safety Device	Optional	\$ 50.00
TBMC10.04.160	AS28.05.095(b): Fail To Provide Child Safety Device 1st Offense (Correctable)	Optional	\$ 50.00
TBMC10.04.160	AS28.05.095(b): Fail To Provide Child Safety Device 2nd And Subsequent Not Dismissible	Optional	\$ 50.00
TBMC10.04.160	AS28.05.095(d): Illegal Removal Of Vehicle Seatbelt	Optional	\$ 15.00
TBMC10.04.160	AS28.10.171(b): Display Of Registration Plates - Securely Fastened	Mandatory	\$ 300.00
TBMC10.04.160	AS28.10.451: Fail To Register Vehicle	Optional	\$ 90.00
TBMC10.04.160	AS28.10.461: Fail To Carry Certificate Of Registration In Vehicle	Optional	\$ 40.00
TBMC10.04.160	AS28.10.461: Plates/Decals/Permits Must Be Properly Attached And Displayed	Optional	\$ 75.00
TBMC10.04.160	AS28.10.471: Operating Vehicle w/ Expired Registration	Optional	\$ 90.00
TBMC10.04.160	AS28.10.471: Operating Vehicle W/Suspended/Revoked Registration	Optional	\$ 300.00
TBMC10.04.160	AS28.15.011(b): Driving With License Expired Less Than One Year	Optional	\$ 75.00
TBMC10.04.160	AS28.15.021(2): Drive With Out-Of-State License After 90 Days In State	Optional	\$ 75.00
TBMC10.04.160	AS28.15.021(6): Driving A Motor-Driven Cycle With Out-Of-State Drivers License After 90 Days	Optional	\$ 75.00
TBMC10.04.160	AS28.15.057(b): Operating A Vehicle In Violation Of A Provisional License	Optional	\$ 200.00
TBMC10.04.160	AS28.15.131: License Carried/ Exhibited On Demand (Correctable)	Optional	\$ 50.00
TBMC10.04.160	AS28.15.281(a): Unlawful Use Of A Drivers License	Optional	\$ 200.00
TBMC10.04.160	AS28.15.291(a)(2): Drive w/ License Cancelled/Suspended/Revoked	Mandatory	\$ 300.00
TBMC10.04.160	AS28.15.291(a)(3): Drive in Violation of License Limitation	Mandatory	\$ 300.00
TBMC10.04.160	AS28.22.019: Proof Of Insurance To Be Carried And Exhibited On Demand (Correctable)	Optional	\$ 500.00
TBMC10.04.160	AS28.35.029: Open Container Of Alcoholic Beverage In Motor Vehicle	Optional	\$ 200.00
TBMC10.04.160	AS28.35.031(e): Refusal To Submit To A Preliminary Breath Test	Optional	\$ 100.00
TBMC10.04.160	AS28.35.135(b): Failure to Notify Dept of Change of Name/Address	Optional	\$ 25.00
TBMC10.04.160	AS28.35.140(a): Obstruct Or Blocking Traffic	Optional	\$ 75.00
TBMC10.04.160	AS28.35.140(b): Turn Off Required When 5 Or More Vehicles Are Behind	Optional	\$ 100.00
TBMC10.04.160	AS28.35.145(e): Ownership Of A Vehicle Which Illegally Passes A Stopped School Bus	Optional	\$ 75.00
TBMC10.04.160	AS28.35.155: Operating Vehicle w/Studded/Chained Tires When Prohibited (Correctable)	Optional	\$ 50.00
TBMC10.04.160	AS28.35.161(a)(1): Use Electronic Device while Driving	Optional	\$ 500.00

TBMC10.04.160	AS28.35.180: Disobedience To Signal Of Officer Regulating Traffic	Optional	\$ 75.00
TBMC10.04.160	AS28.35.185(b)(2): Overtaking And Passing A Parked Emergency Vehicle - If No Personal Injury	Optional	\$ 150.00
TBMC10.04.160	AS28.35.235: Special Lic Or Permit - Unauth Use Of Disabled Parking - First Offense	Optional	\$ 250.00
TBMC10.04.160	AS28.35.235: Special Lic Or Permit - Unauth Use Of Disabled Parking - Second And Subsequent	Optional	\$ 500.00
TBMC10.04.160	AS28.35.235: Unauthorized Use Of Parking Reserved For Persons With Disabilities - First Offense	Optional	\$ 125.00
TBMC10.04.160	AS28.35.235: Unauthorized Use Of Parking Reserved For Persons With Disabilities - Second And Subs	Optional	\$ 250.00
TBMC10.04.160	AS28.35.251: Contained Or Confined Loads	Optional	\$ 300.00
TBMC10.04.160	AS28.35.253: Anti-Spray Devices Required (Correctable)	Optional	\$ 60.00
TBMC10.04.160	AS28.35.261: Low Speed Vehicle On Highway With Limit Above 35 MPH	Optional	\$ 100.00
TBMC10.04.160	AS28.35.410: Negligent Driving Not CMV	Mandatory	\$ 300.00
TBMC10.04.160	AS28.35.410: Negligent Driving CMV	Mandatory	\$ 300.00
TBMC10.04.160	AS28.39.010: Operating An Unregistered Snowmobile	Optional	\$ 50.00
TBMC10.04.160	AS28.39.040(e): Failure To Display Snowmobile Numbered Registration Decal	Optional	\$ 50.00
TBMC10.04.160	AS28.39.040(f): Fail To Carry Snowmobile Cert Or Reg Or Provide Identity Info	Optional	\$ 50.00
TBMC10.04.160			
TBMC10.04.160	AS11.46.462: Unlawful Possession of an Official Traffic Control Device	Optional	\$ 200.00
TBMC10.04.160	AS11.46.460(a)(1): Disregard Hwy Obstruction-Drive Around	Mandatory	\$ 1,000.00
TBMC10.04.160	AS11.46.460(a)(2): Disregard Hwy Obstruction-Open Up	Mandatory	\$ 1,000.00
TBMC10.04.160	AS11.51.110(a)(1): Endanger Welfare Child 2-Veh/Dwelling w/Cntrl Subst	Mandatory	\$ 500.00
TBMC10.04.160	AS11.51.110(a)(2): Endanger Welfare Child 2-Impaired By Intoxicant	Mandatory	\$ 500.00
TBMC10.04.160	AS11.51.125(a): Failure To Permit Visitation With A Minor	Mandatory	\$ 500.00
TBMC10.04.160	AS11.56.720(a): Refusing To Assist A Peace Officer Or Judicial Officer	Mandatory	\$ 500.00
TBMC10.04.160	AS11.56.730(d)(3): Failure to Appear	Mandatory	\$ 1,000.00
TBMC10.04.160	AS11.56.755(b)(1): Unlawful Contact 2nd Degree when charged w/Class B Misdemeanor	Mandatory	\$ 500.00
TBMC10.04.160	AS11.56.757(a): Violate Condition Of Release	Mandatory	\$ 1,000.00
TBMC10.04.160	AS11.56.767: Fail to Report Violent Crime Against Adult	Mandatory	\$ 500.00
TBMC10.04.160	AS11.56.845(a): Hindering the Legislative Budget and Audit Committee	Mandatory	\$ 5,000.00
TBMC10.04.160	AS11.61.145(a)(3): Fighting Animals - Attend-1st Offense	Mandatory	\$ 500.00
TBMC10.04.160	AS11.61.145(a)(3): Fighting Animals - Attend-2nd Offense	Mandatory	\$ 1,000.00
TBMC10.04.160	AS11.61.150(a)(1): Obstruct Highways-Drop Substance	Mandatory	\$ 1,000.00
TBMC10.04.160	AS11.61.150(a)(2): Obstruct Highways-Render Impassable	Mandatory	\$ 1,000.00
TBMC10.04.160	AS11.66.200: Gambling - 1st Offense	Mandatory	\$ 500.00
TBMC10.04.160	AS11.66.200: Gambling - 2nd + Offense	Mandatory	\$ 1,000.00

TBMC10.04.160	AS11.76.100(a)(1): Negligently Sells Tobacco To A Minor	Mandatory	\$ 500.00
TBMC10.04.160	AS11.76.100(a)(2): Negligently Gives Tobacco To A Minor	Mandatory	\$ 500.00
TBMC10.04.160	AS11.76.100(a)(3): Illegally Maintaining Tobacco Product Vending Machine	Mandatory	\$ 500.00
TBMC10.04.160	AS11.76.100(a)(4): Business License Holder Allows Person under 19 to Sell Tobacco Product	Mandatory	\$ 500.00
TBMC10.04.160	AS11.76.105(a): Possession Of Tobacco By Minor	Mandatory	\$ 500.00
TBMC10.04.160	AS11.76.106: Selling Tobacco Outside Controlled Access	Mandatory	\$ 500.00
TBMC10.04.160	AS11.76.107(a): Fail to Supervise Tobacco Product Vending Machine	Mandatory	\$ 500.00
TBMC10.04.160	AS11.76.109(a): Selling or Giving Nicotine Product to a Minor	Mandatory	\$ 500.00
TBMC10.04.160	AS11.76.133(a): Interference with Training of Service Animal	Mandatory	\$ 500.00
TBMC10.04.160	AS11.76.150(a): Knowing/Willful Sale of Product Containing Dextromethorphan to Person < 18-1st Off	Optional	\$ 150.00
TBMC10.04.160	AS11.76.150(a): Knowing/Willful Sale of Product Containing Dextromethorphan to Person < 18-2nd+ Off	Optional	\$ 250.00

2. DELETING CHAPTER 3.24 – FINE SCHEDULE - ~~Chapter 3.24, Fine Schedules.~~ (Moved to 1.16.035 – minor offense schedule)

3. Chapter 6.04, Animals Generally. 6.04.060 Impoundment. It appears that there are no offenses in this section, so it will not be listed in the fine schedule table 1.16.035.

A. Unrestrained dogs and public nuisance animals may be taken by animal control officers and impounded in an animal shelter and there confined in a humane manner.

B. Impounded animals not claimed by the owner shall be kept for not less than three days.

C. An owner attempting to reclaim an impounded animal shall pay the following FEES to the city clerk before being allowed to regain custody of the animal:

1. Thirty-five (\$35.00) dollar ~~fine~~ FEE for the first impoundment in a twelve-month period.

2. Fifty (\$50.00) dollar ~~fine~~ FEE for the second impoundment in a twelve-month period.

3. One-hundred (\$100.00) dollar ~~fine~~ FEE for the third impoundment in a twelve-month period.

4. Fifty (\$50.00) dollar ~~fine~~ FEE for an animal not registered with the City of Thorne Bay.

D. The owner of any animal impounded four times within any calendar year shall be subject to a FEE of one hundred dollars and any room and board fees incurred by the impounded animal. The license for the animal shall be revoked and the animal, at the discretion of the animal control officer, shall for a fee be made available for adoption in suitable home or humanely euthanized.

E. Any animal not reclaimed by its owner within three working days shall for a fee be made available for adoption in a suitable home or humanely euthanized.

F. In addition to, or in lieu of, impounding an animal found at large or creating a public nuisance, the animal control officer may issue to the known owner of such animal a citation for violation of 6.04.050.

~~F. In addition to, or in lieu of, impounding an animal found at large, the animal control officer may issue to the known owner of such animal a notice of ordinance violation. Such notice shall impose upon the owner a penalty as described in Section 6.04.120. A criminal warrant shall be initiated before a magistrate and upon conviction of a violation of this chapter, the owner shall be punished as provided in Section 6.04.120.~~

~~G. The owner of an impounded animal may also be proceeded against for violation of this chapter.~~

~~AMENDING-6.04.120 Violation-Penalties. A—Any person violating any provision of this chapter shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than ten dollars and not more than three hundred dollars, as further specified in subsection D of this section.~~

~~A. Any person violating any provision of this chapter IS GUILTY OF AN INFRACTION and shall be punished by the fine ESTABLISHED IN 1.16.035 IF THE OFFENSE IS LISTED IN THAT FINE SCHEDULE OR BY A FINE OF UP TO \$300 IF THE OFFENSE IS NOT LISTED IN THE 1.16.035 FINE SCHEDULE.~~

~~B. If a violation continues, each day's violation shall be deemed as a separate violation.~~

~~C. If any person is found guilty by a court or pleads no contest to a charge of violating Section 6.04.070, his the person's permit to own, keep, harbor or have custody of animals shall be deemed automatically revoked and no new permit may be issued.~~

~~D. 1. The city, in enforcing this chapter, will utilize written citations and a system of graduated penalties, as established by ordinance of the city council.~~

~~2. The person to whom the citation is issued may plead no contest to the offense by signing an appropriate blank on the citation and paying the fine specified in the citation, either in person or by mail, within five days from the date of citation, to the office of city clerk. Acceptance of any payment of the prescribed fine is a complete satisfaction for the offense. If the offender accepts the citation but fails to pay the fine or appear in court, the citation shall be considered a summons, and the offender shall be proceeded against in the manner prescribed by law. (Ord. 93-12 § 4(part), 1993; Ord. 88-14 § 4, 1988; Ord. 88-06 § 4, 1988; Ord. 87-07 § 11, 1987)~~

~~4. Chapter 8.04. Fireworks. Section 8.04.090 Violation-Penalties. Any person violating the provisions of this chapter is subject to a One Hundred and Fifty Dollar fine. 8.04.090 VIOLATIONS-PENALTIES. THE PENALTY FOR VIOLATING THE PROVISIONS OF THIS CHAPTER IS IN 1.16.035.~~

~~5. Chapter 9.02, Curfew for Minors. The penalty section for this chapter is: 9.02.050 Violations-Penalties. A. The penalty for violating the provisions of this chapter is in 1.16.035~~

~~A. Any minor violating the provisions of this chapter is subject to the following fines or work service: 1. First offense—Fifty dollar fine, and eight hours of community work service;~~

~~2. Second and One hundred dollar subsequent offenses fine, and sixteen hours—community work service.~~

~~B. A parent, legal guardian, or other person having custody or control of a minor that is in violation of the curfew is subject to the aforementioned fines.~~

~~C. Any adult who helps, assists, facilitates, promotes or encourages a child to commit a violation of this chapter, by advancing or bringing about its commission, is subject to the aforementioned fines. (Ord. 97-23 § 3(part), 1997; Ord. 94-03 § 3(part), 1994)~~

6. **Chapter 9.05, Discharge of Firearms.** Penalty section for this chapter is: **9.05.030 VIOLATIONS-PENALTIES. A. ANY PERSON WHO VIOLATES ANY PROVISION OF THIS CHAPTER SHALL BE PUNISHED BY THE FINE ESTABLISHED IN THE 1.16.035 FINE SCHEDULE.**

by a fine of not less than twenty five dollars and not more than three hundred dollars. The city will utilize a system of graduated penalties as follows:

First offense—\$150.00, Second offense within one year 300.00, Third and subsequent offense within one year 300.00 and mandatory court appearance— B. The remedies provided in this chapter are in addition to and not intended to preclude or prevent all other remedies available at law or equity. (Ord. 96-28 § 3(part), 1996)

7. **Chapter 9.08, Alcoholic Beverages. Deleting Section 9.08.190-Enforcement,** The city already has a fine schedule for these offenses in **3.24.010. As amended above, Section 3.24.010 was deleted in order to list all the offenses in the new 1.16.035 as shown in paragraph 2 above.**

~~9.08.190 Enforcement.~~ The city, in enforcing this chapter, will utilize written citations. The person to whom the citation is issued may plead no contest to the offense by signing an appropriate blank on the citation and paying the fine specified in the citation, either in person or by mail, within five days from the date of the citation, to the office of the city clerk. Acceptance and payment of the prescribed fine is a complete satisfaction for the offense. If the offender accepts, the citation shall be considered a summons, and the offender shall be proceeded against in the manner prescribed by law. (Ord. 88-08 § 4(part), 1988)

Amending Section 9.08.200 Violations-Penalties. Any person violating any provision of this CHAPTER IS GUILTY OF AN INFRACTION AND shall be punished by THE FINE ESTABLISHED IN THE 1.16.035 FINE SCHEDULE.

a fine of not less than ten dollars and not more than three hundred dollars. The city will utilize a system of graduated penalties, as established by ordinance of the city council. (Ord. 88-13 § 4, 1988; Ord. 88-08 § 4(part), 1988)

7. **Chapter 9.12, Protection of Survey Monuments.** As amended above, **Section 3.24.010 was deleted in order to list all the offenses in the new 1.16.035 as shown in paragraph 2 above.**

DELETING SECTION 9.12.040 Enforcement ~~9.12.040 Enforcement~~ The city, in enforcing this chapter will utilize written citations. The person to whom the citation is issued may plead no contest to the offense by signing an appropriate blank on the citation and paying the fine specified in the citation, either in person or by mail within five days from the date of the citation, to the office of the city clerk. Acceptance of payment of the prescribed fine is a complete satisfaction for the offense. If the offender accepts the citation but fails to pay the fine or appear in court, the citation shall be considered a summons, and the offender shall be proceeded against in the manner prescribed by law. (Ord. 88-12 § 8, 1988)

AMEND SECTION: 9.12.060 Violations-Penalties. Subsection A. Any person violating any provision of this chapter IS GUILTY OF AN INFRACTION AND shall be punished by a fine THE FINE ESTABLISHED IN THE 1.16.035 FINE SCHEDULE. of not less than fifty dollars and not more than three hundred dollars. The city will utilize a system of graduated penalties as established by ordinance of the city council.

8. Chapter 9.16, Protection of Water Lake Watershed. NO AMENDMENT TO THIS CHAPTER; The penalty section for these offenses is **9.16.110**. The penalties and remedies are either civil or criminal, so these offenses cannot be "minor offenses" listed in the court system's Uniform Minor Offense Table (UMOT).

9. Chapter 9.20, Litter Control. The city already has a fine schedule for these offenses in **9.20.210**

Amending Section as follows: 9.20.160 Enforcement. It shall be the duty of the village protection safety officer (hereinafter called "litter enforcement officer") to enforce the provisions of this chapter.

The city, in enforcing this chapter will utilize written citations. The person to whom the citation is issued may plead no contest to the offense by signing an appropriate blank on the citation and paying the fine specified in the citation, either in person or by mail within five days from the date of the citation, to the office of the city clerk. Acceptance of payment of the prescribed fine and, if abatement of an activity is also required, written confirmation of abatement by the litter enforcement officer, will constitute complete satisfaction for the offense. If the offender accepts the citation but fails to pay the fine and, if applicable, abate the activity, or appear in court, the citation shall be considered a summons, and the offender shall be proceeded against in the manner prescribed by law. (Ord. 89-22 § 5(part), 1989)

9.20.210 Penalty and remedies. A. Any person who violates or causes or permits to be violated any provision of this chapter or fails or refuses to comply with any lawful order or direction of the litter enforcement officer on behalf of the city in connection with this chapter, **IS GUILTY OF AN INFRACTION AND SHALL BE PUNISHED BY THE FINE ESTABLISHED IN THE 1.16.035 FINE SCHEDULE.** shall be punished by a fine of not less than fifty dollars and not more than three hundred dollars. The city will utilize a system of graduated penalties as follows: Section Numbers Offense: 9.20.020 Littering prohibited; 9.20.030 Prevention of scattering 9.20.040 Tampering with litter receptacles 9.20.050 Walkways, streets and alleys 9.20.060 Private premises 9.20.070 Public places 9.20.080 Business premises 9.20.090 Littering from vehicles 9.20.100 Litter from aircraft 9.20.110 Litter in parks 9.20.120 Construction sites 9.20.130 Parking lots Litter receptacles required 9.20.140 Litter receptacles obstructing traffic 9.20.150 Commercial handbills prohibited 9.20.170 Obedience of law required 9.20.180 Obedience to officials required Number of Offenses Fine First offense \$ 50.00 Second within one year 100.00 Third within one year 300.00 Fourth and subsequent within one year 300.00 and mandatory court appearance Section Numbers Offense 9.20.190 Emergency powers 9.20.200 Compliance order Number of Offenses Fine First offense \$ 50.00 + abatement Second within one year 100.00 + abatement Third within one year 300.00 + abatement Fourth and subsequent within one year 300.00 + abatement and mandatory court appearance

B. Each day a violation continues shall constitute an additional violation for purposes of assessing fines. An action to enjoin a violation of this chapter may be brought notwithstanding the availability of any other remedy. Upon application for injunctive relief and the finding of an existing violation, the court shall grant injunctive relief to restrain the violation and attorney fees as provided by law. (Ord. 89-22 § 5(part), 1989)

10. Chapter 9.22, Water Hydrants. Referencing Title 1.16.035 for fines. AMENDING Section as written: 9.22.060 Violations-Penalties.—Any person found to be in violation of this chapter shall be guilty of a misdemeanor and subject to a fine of not more than three hundred dollars.— ANY PERSON FOUND TO BE IN VIOLATION OF THIS CHAPTER IS GUILTY OF AN INFRACTION AND SHALL BE PUNISHED BY THE FINE ESTABLISHED IN THE 1.16.035 FINE SCHEDULE.

11. Chapter 10.04, Vehicles and Traffic: General Provisions.

~~Deleted Section 10.04.010 State Generally Adoption by reference. A. Pursuant to Alaska law (AS 28.01.010), certain provisions of the Alaska Statutes and the Alaska Administrative Code, comprising the motor vehicle laws of the state of Alaska have been adopted by reference and made a part of this chapter as if fully set forth herein. Such provisions are identified herein by numerical citation to the specific statutory or regulatory section adopted. B. "Alaska State Trooper" and "peace officer" (when they appear in the provisions incorporated by reference) shall be interpreted as being identical with the chief of public safety or any duly appointed officer of the Thorne Bay public safety department. "Department" appearing in the Alaska Statutes and Alaska Administrative Code provisions adopted by reference shall be interpreted to mean the Thorne Bay public safety department. C. At least one copy of the chapters of the Alaska Administrative Code, the Alaska Statutes and the schedule of fines for bail able offenses adopted herein shall be filed in the office of the city clerk and shall there be kept available for public use, inspection and examination so long as the provisions thereof remain in force.~~

Replacing with: Section 10.04.010 State TRAFFIC LAWS ADOPTED by reference. A. THE CITY ADOPTS BY REFERENCE ALL VEHICLE AND TRAFFIC STATUTES AND REGULATIONS OF THE STATE OF ALASKA, AS THEY PRESENTLY EXIST AND AS THEY MAY BE REVISED IN THE FUTURE, AS THE TRAFFIC CODE FOR THE CITY.

B. At least one copy of the chapters of the Alaska Administrative Code, the Alaska Statutes and the schedule of fines for bail able offenses adopted herein shall be filed in the office of the city clerk and shall there be kept available for public use, inspection and examination so long as the provisions thereof remain in force. (Ord. 88-07 § 4(1.010), 1988) ADDING SECTION 10.04.015 TRAFFIC FINE SCHEDULE - ADOPTION OF STATE BAIL FORFEITURE SCHEDULES BY REFERENCE.

THE CITY ADOPTS AS ITS TRAFFIC FINE SCHEDULE THE "TRAFFIC BAIL FORFEITURE SCHEDULE" AND THE "OVERSIZE VEHICLE BAIL FORFEITURE SCHEDULE" IN ADMINISTRATIVE RULES 43.1 AND 43.6 OF THE ALASKA RULES OF COURT AND ANY OTHER BAIL FORFEITURE SCHEDULES RELATING TO VEHICLES ADOPTED BY THE ALASKA SUPREME COURT. IN ADDITION, THE CITY ADOPTS ALL AMENDMENTS OF THOSE SCHEDULES THAT BECOME EFFECTIVE AFTER THE EFFECTIVE DATE OF THIS ORDINANCE. CITATIONS FOR OFFENSES LISTED ON THESE SCHEDULES MAY BE DISPOSED OF AS PROVIDED IN AS 12.25.195 - .230, WITHOUT A COURT APPEARANCE, UPON PAYMENT OF THE AMOUNTS LISTED PLUS THE STATE SURCHARGE REQUIRED BY AS 12.55.039 AND AS 29.25.074. FINES MUST BE PAID TO THE CITY CLERK. IF A TRAFFIC OFFENSE IS NOT LISTED ON THIS FINE SCHEDULE OR ANOTHER FINE SCHEDULE ORDINANCE, THE DEFENDANT MUST APPEAR IN COURT TO ANSWER TO THE CHARGES. CITATIONS CHARGING THESE OFFENSES

MUST MEET THE REQUIREMENTS OF MINOR OFFENSE RULE 3 OF THE ALASKA RULES OF COURT. 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 AMOUNT LISTED FOR THAT OFFENSE ON THE SCHEDULE.

DELETING SECTION: 10.04.020 Definitions. The definitions applicable to this chapter are the same as those which appear in Title 13, Chapter 40 of the Alaska Administrative Code; in Title 17, Chapter 25 of the Alaska Administrative Code; and Title 28 of Alaska Statutes. (Ord. 88-07 § 4(1.020), 1988)

DELETING SECTIONS: 10.04.020, 040, .050, .060,.080, .090, .100, .110, 170. (See full code for complete copy of these sections) AMENDING

SECTIONS: 10.04.140 Prohibited devices. A. No person upon roller skates, or riding in or by means of any coaster, toy vehicle, sled or similar device shall go upon any street or roadway open to through traffic except while crossing a street on a crosswalk; and when so crossing, such person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians. **B. ANY PERSON VIOLATING ANY PROVISION OF THIS SECTION IS GUILTY OF AN INFRACTION AND SHALL BE PUNISHED BY A THE FINE ESTABLISHED IN 1.16.035 IF THE OFFENSE IS LISTED IN THAT FINE SCHEDULE OR BY A FINE OF UP TO \$50.00 IF THE OFFENSE IS NOT LISTED IN THE 1.16.035 FINE SCHEDULE.**

10.04.160 Violations-Penalties. A. Every person who violates any provision of this title shall be subject to the fines established in 1.16.035 if the offense is listed in that fine schedule or by a fine of up to \$50.00 if the offense is not listed in the 1.16.035 fine schedule. ~~10.04.160(A)(1)-~~

D. B. Any person who fails or refuses to pay fines duly assessed against him for violations of this title, after the accumulated fines equal or exceed three hundred dollars, shall become subject to impoundment of any motor vehicle of which he is a registered owner and which was involved in any of such violations. (Ord. 88-07 § 4(2.070), 1988)

12. Chapter 10.08, Vehicles and Traffic: Citations.

DELETING SECTIONS

10.08.010 Forms and records. The chief of public safety shall procure and provide books of traffic citation forms which comply with the requirements of District Court Criminal Rule 8(c), identify the offender and the offense, and meet the needs of public safety and the administration of justice. —

10.08.020 Procedure of issuance. A. When a person is found violating any provision of this chapter, other than a provision regulating the parking of motor vehicles, and the violation is one which (pursuant to the city's adoption of Alaska Administrative Rule 43.1) is amenable to payment by fine without a court appearance, the arresting officer shall, except when required by law or the immediate circumstances, issue a citation to the person in charge of or operating the motor vehicle involved. **B.** If the offense for which the citation is issued is one for which a fine may be paid without a court appearance, the person to whom it is issued may plead guilty to the offense by signing an appropriate blank on the citation and paying the fine specified on the citation, either in person or by mail within five days from the date of citation, to the office of the city clerk. Acceptance and payment of the prescribed fine is a complete satisfaction for the offense, and the offender shall be given a receipt which so states. **C.** If the offender refuses to accept the citation or refuses to sign the acknowledgment of receipt and promise to appear, the officer shall proceed with the arrest in the manner otherwise provided by law. If the offender accepts the notice, but fails to pay the fine or appear

in court as required, the citation shall be considered a summons as for a charge of a violation or infraction, and the offender shall be proceeded against in the manner prescribed by law. However, the maximum penalty which may be imposed for the original offense may not exceed the penalty set out in the schedule of fines set forth in Alaska Administrative Rule 43.1. **D.** If the violation is one which is not amenable to payment by fine without a court appearance, the arresting officer shall proceed with the arrest in the manner otherwise required by law. (Ord. 88-07 § 4(4.020), 1988)

10.08.030 Disposition and record. **A.** Every officer upon issuing a traffic citation to an alleged violator of any provision of the motor vehicle laws of this state or of any traffic ordinance of the city shall deposit the original of the citation with the office of the city clerk. **B.** Upon the filing of such original citation as aforesaid, the citation may be disposed of only by trial before the magistrate of the district court, by other official action by the magistrate including forfeiture of bail or by payment of a fine imposed by the court, or by payment of the fine specified on the back of the citation. **C.** The chief of public safety shall also maintain or cause to be maintained a record of all warrants issued by the magistrate which are delivered to the departments for service and of the final disposition of all such warrants. **D.** It is unlawful and official misconduct for any member of the department or for any other officer or public employee to dispose of, alter or deface a traffic citation or any copy thereof, or the record of the issuance or disposition of any traffic citation, complaint, or warrant in a manner other than as required by law. (Ord. 88-07 § 4(4.030), 1988)

10.08.040 Illegal cancellation. It is lawful for any person to cancel or solicit the cancellation of any traffic citation in any manner other than as provided by this chapter. (Ord. 88-07 § 4(4.040), 1988)

10.08.050 Citation deemed complaint. In the event the form of citation provided under Section 10.08.010 includes information and is sworn to as required under the laws of the state in respect to a complaint charging commission of the offense alleged in the citation to have been committed, then such citation when filed with a court having jurisdiction shall be deemed to be a lawful complaint for the purpose of prosecution under this title. (Ord. 88-07 § 4(4.050), 1988) **10.08.060 Failure to obey.** It is unlawful for any person to violate his written promise to appear given to an officer upon the issuance of a traffic citation regardless of the disposition of the charge for which such citation was originally issued. (Ord. 88-07 § 4(4.060), 1988)

10.08.080 Failure for parking under the traffic laws or ordinances does not appear in response to a traffic citation affixed to such motor vehicle within a period of five days, the clerk or public safety officer shall send the vehicle owner a letter informing him of the violation and warning him that in the event such letter is disregarded for a period of five days a warrant of arrest will be issued. (Ord. 88-07 § 4 (4.080), 1988)

10.08.100 Warrant issuance. In the event any person fails to comply with a traffic citation given to such person or attached to a vehicle or fails to make appearance pursuant to a summons directing an appearance in the district court or if any person fails or refuses to deposit bail as required and within the time permitted by ordinance, the magistrate, upon the request of the public safety officer, shall issue a warrant for the arrest of such person.

AMENDING SECTIONS: 10.08.070 Illegally parked vehicle. Whenever any motor vehicle without a driver is found parked or stopped in violation of any of the restrictions imposed by ordinances of the city or by state law, the officer finding such vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a traffic citation for the driver to answer to the charge against him within five days during the hours and at a place specified in the citation. (Ord. 88-07 § 4(4.070), 1988)

10.08.090 Owner presumed driver. **A.** In any prosecution charging a violation of any law or regulation governing the standing or parking of a vehicle, proof that the particular vehicle described in the complaint CITATION was parked in violation of any such law or regulation, together with proof that the defendant named in the complaint was at the time of such parking the registered owner of such vehicle, constitutes in evidence a prima facie

presumption that the registered owner of such vehicle was the person who parked or placed such vehicle at the point where, and for the time during which such violation occurred. B. The foregoing stated presumption applies only when the procedure as prescribed in Section 10.08.070 and 10.08.080 has been followed. (Ord. 88-07 § 4(4.090), 1988)

10.08.110 Records. The city clerk shall keep or cause to be kept a record of every ~~traffic complaint, traffic citation or other legal form or traffic charge~~ deposited with or presented to the office of the clerk and shall keep a record of every official action by the city in reference thereto, including the disposition of each citation. (Ord. 88-07 § 4(4.110), 1988)

Chapter 10.12, Impounding.

AMENDING SECTION 10.12.010 Authority, SUBSECTION (A)(7)

A. The chief of public safety is authorized to impound a vehicle from a street or highway to the nearest garage or other place of safety, or if no such place exists within the city, the vehicle shall be impounded where it is as is, under the circumstances hereinafter enumerated:

7. When the vehicle's owner has accumulated three hundred dollars or more in unpaid ~~fin~~ **FEE**s or penalties pursuant to this chapter.

AMENDING TITLE 10.12.020 Costs and fines. Before any vehicle which has been impounded is released, there shall be paid all costs incident to the removal and impounding of such vehicle ~~in addition to whatever fines may be imposed by the court upon the owner or operator of such vehicle for any violation of this chapter.~~ In addition, the following ~~fine~~ **FEE** schedule shall apply:

Impoundment Fine FEES

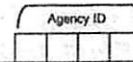
All vehicles, travel trailers, boats on trailers, storage containers or like items	\$250.00
Boat trailers, motorcycles or ATVs	\$100.00
Storage fee (per day)	\$ 2.00

15. Chapter 10.20, Parking, Standing and Stopping

10.20.090 Violations-Penalty. THE PENALTY FOR VIOLATING THE PROVISIONS OF THIS CHAPTER IS IN 1.16.035.

16. Chapter 12.06, City Parks and Recreation Areas

AMENDING SECTION: 12.06.140 penalty and remedies. A. Any person, firm or corporation who violates or causes or permits to be violated any provision of this chapter or fails or refuses to comply with any lawful order or direction of the chief executive officer, park attendant or law enforcement officer acting on behalf of the city in connection with this chapter, **VIOLATIONS OF THIS CHAPTER ARE INFRACTIONS PUNISHABLE BY THE FINE ESTABLISHED IN THE 1.16.035 FINE SCHEDULE.**



P 00436501

Defendant Last First Middle Suffix

Plaintiff Agency Agency case #

CITATION FOR MINOR OFFENSE CRIMINAL OFFENSE UNDER 21 REFUSAL/DRIVING OFFENSE

F&G Offense charged as strict liability violation Yes No

District Court at Judicial District: Court Case#

DEFENDANT: DOB, Age, Driver's Lic, State, Class, APSIN ID, Hair, Eyes, Race, Sex, Ht, Wt, Ph, Wk Ph, Res Addr, Mail Addr, Employer. VEHICLE: Lic/Reg, St, Expires, Yr, Make, Model, Color, ADF&G, Commercial, DOT INSP#, USDOT#. OFFENSE: Date, Time, ATN, CTN, Code, Location, Loc. Code, Hwy Work Zone, Safety Corridor, Statute, Regulation, Ordinance, Adopted by reference, Section, Offense: Over Limit, MPH in a, MPH Zone, Damage Only, Injury, Fatality, Commercial Fishing. Item(s) Seized that can be forfeited per... Game Restitution amount for taken illegally: \$ AS 16.05.925(b) for mandatory appearance offense only.

SAMPLE

PENALTY Driver License Points Bail/Fine* \$ Surcharge \$ Total Due \$ *Fine must include base amount plus additional per item amounts per bail forfeiture schedule.

I have probable cause to believe defendant committed the above offense. I certify under penalty of perjury that the above information is true and that

- I personally handed it to defendant on the date shown below.
I left it on property that is the subject of the offense on the date shown below.
this citation will be served by a Civil Rule 4 method of service that requires a separate proof of service at filing.

Officer's Signature Officer's Printed Name ID Date

REQUIRED RESPONSE

- MANDATORY COURT APPEARANCE. For criminal or under 21 refusal/driving offenses you must appear on at AM/PM. If you fail to appear, a warrant will be issued for your arrest.
For a minor offense, you must appear on at AM/PM or request a trial date. If you fail to appear and did not request a trial date, a default judgment will be entered against you as explained on the back of this citation. Court's physical address:
CORRECTABLE. This citation will be dismissed if, within 30 days, you:
Correct the defect and present the vehicle for inspection
Show proof that you had a license or insurance that was valid when this citation was issued at any Alaska State Trooper Post or
If you do not, you must pay online or fill out the back of this form and mail it within 30 days to: (court or city)
OPTIONAL COURT APPEARANCE. Within 30 days you must pay online or fill out the back of this form and mail it to: (court or city mailing address)

If you come to court, bring this citation with you. If you are under 18, you must bring your parent or legal guardian.

JUDGE'S NOTES FOR MINOR OFFENSE JUDGMENT
(Electronic record in CMS is the official judgment. MO Rule 20(a))

Default Judgment because defendant failed to appear for trial.

Plea: No Contest Guilty

Trial: Not Guilty Guilty

Dismissed by: Prosecution

Court because:

unnecessary delay in bringing defendant to trial

prosecution or representative failed to appear for trial

defendant was not the person whom the prosecution intended to charge

in furtherance of justice because _____

SENTENCE

Date: _____

Fine: \$ _____ Due Date: _____

Surcharge: \$ _____ Due Date: _____

Restitution¹ Ordered: [Can be ordered only for mandatory court appearance offenses. MO Rule 10(d).

CR-465 Restitution Judgment must be entered when restitution is ordered.]:

Game Restitution: \$ _____ Other Restitution: \$ _____ for _____

Forfeiture² Ordered: The following items are ordered forfeited:

- Seized items required by statute or ordinance to be forfeited: _____
- Items authorized (but not required) to be forfeited by statute or ordinance: _____
- All fish, or its fair market value, taken or retained as a result of a strict liability commercial fishing violation as provided in AS 16.05.722(b).

Court Costs: \$25 (if default judgment)

Collection Costs: \$25 (if transferred for collection)

¹ Minor Offense Rule 10(d) **Restitution.** If the offense is a mandatory appearance offense, the court may order restitution as provided in AS 16.05.925(b) or any other statute or ordinance authorizing restitution. If the offense is a mandatory appearance offense, any default judgment entered must order payment of any applicable restitution listed in AS 16.05.925(b). As provided in AS 16.05.165(d), restitution under AS 16.05.925(b) may not be ordered for offenses for which bail has been forfeited under AS 16.05.165(c).

² Minor Offense Rule 10(c) **Forfeiture.**

- (1) A default judgment or a judgment entered on a no contest plea must order forfeiture of any seized items listed on the citation or other charging document.
- (2) All other judgments of conviction must order forfeiture of:
 - (A) all fish and game seized under AS 16.05.190 and listed on the citation or other charging document,
 - (B) all fish, or its fair market value, taken or retained as a result of a strict liability commercial fishing violation as provided in AS 16.05.722(b),
 - (C) any seized items listed on the citation or other charging document if a statute or ordinance requires the item to be forfeited upon conviction, and
 - (D) any other items ordered by the court to be forfeited when forfeiture is authorized by statute or ordinance.
- (3) Forfeited items shall be disposed of at the discretion of the prosecuting authority, unless otherwise ordered by the court.

MINOR OFFENSES ONLY

MANDATORY COURT APPEARANCE: You must do one of the following:

- (1) Appear on the court date listed on the front of the citation. (At the hearing, the court will explain the charges and your rights and ask you to enter a plea.)
- (2) Enter a plea of **NOT GUILTY** now and request a trial date by checking the "I plead NOT GUILTY" box below, providing the requested information, and sending the response to the court before the hearing date listed on the front of the citation.

OPTIONAL COURT APPEARANCE: Within 30 days, you must do one of the following:

- (1) Plead **NO CONTEST** by paying online at www.courtrecords.alaska.gov.
- (2) Check one of the boxes below, provide the requested information, and mail this response to the court or city address listed on the front of the citation.

DEFENDANT'S RESPONSE

- I plead **NO CONTEST**. I am enclosing a check or money order payable to the plaintiff for the total due. (*Do not send cash.*) I understand that
 - 8. I am giving up my right to a trial and the other rights listed below.
 - 9. A judgment of conviction will be entered against me.
 - 10. The number of points shown on the front will be assessed against my driver's license.
 - 11. Any seized item listed on the front of this citation will be forfeited.
 - 12. If this is my second or subsequent conviction for an optional appearance fish and game offense in the last two years, an action may be filed to revoke my license under AS 16.05.410(g).
 - 13. If this is a commercial fishing offense, points may be assessed against my fishing permit
 - 14. If I do not pay the **total amount due** then the balance may be transferred for collection, a \$25 collection cost added, and my PFD garnished.
- I plead **NOT GUILTY** and request a trial. I have read and understand my rights listed below. I understand that the court will send me a notice of trial date, and that if I fail to appear for trial, a default judgment will be entered against me as explained below. (*Do not send money. The court will send you a notice of the trial date.*)
- I do not wish to enter a plea at this time. I want to appear in court to have a judge explain the charges and my rights to me before I enter a plea. (*The clerk will give you a date and time to appear. This is NOT a trial.*)

SAMPLE

Signature	Printer Name	Date
Mailing Address	Email*	Phone

*By providing my email address, I request that the court email court documents issued in this case to the email address provided above. I agree to notify the court if I change my email address or wish to receive documents by mail.

CONSEQUENCES FOR FAILURE TO RESPOND TO MINOR OFFENSE CITATION

If you fail to respond within 30 days, or if you fail to appear for a court hearing, a default judgment will be entered against you for:

- A fine in the amount shown on the front or, for mandatory appearance offenses, the maximum fine permitted by law** **AND**
- \$50 in court and collection costs, **AND**
- Restitution if required by law, **AND**
- Forfeiture of any seized item listed on the front of this citation, **AND**
- If your fine is \$30 or more, you will also be assessed surcharge(s) required by statute, **AND**
- If this offense involves a moving motor vehicle, points will be assessed against your driver's license.
- If this is a commercial fishing offense, points may be assessed against your fishing permit

Efforts to collect this judgment will include garnishment of your **Permanent Fund Dividend**.

****Maximum Fine Information:**

- For a minor in possession/consuming or minor on premises offense, the fine is \$500.
- For all other minor offenses, either (1) contact the clerk of court; or (2) look at the CourtView docket at: www.courtrecords.alaska.gov.

YOUR RIGHTS

FOR A MINOR OFFENSE, you have the right to: 1. A trial; 2. Hire a lawyer to represent you in court; 3. Confront and question witnesses; 4. Testify; and 5. Have subpoenas issued to compel witnesses to appear on your behalf.

FOR A CRIMINAL OR UNDER 21 REFUSAL/DRIVING OFFENSE the judge will explain your rights when you appear in court, including your right to a court-appointed attorney if you cannot afford to hire one.

CITY OF THORNE BAY
ORDINANCE 17-12-05-01

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF THORNE BAY,
ALASKA, AMENDING TITLE 2-ADMINISTRATION AND PERSONNEL, CHAPTER
2.24-OFFICERS AND EMPLOYEES, SECTIONS 2.24.030, .040, .060, .070, PERMANENT
EMPLOYEES, BENEFITS

BE IT ENACTED BY THE CITY COUNCIL FOR THE CITY OF THORNE BAY,
ALASKA

- Section 1. Classification. This ordinance is of a general and permanent nature, the chapter and section hereby amended shall be added to the Thorne Bay Municipal Code.
- Section 2. Severability. If any provisions of this ordinance or any application thereof to any person or circumstances is held invalid, the circumstances shall not be affected thereby.
- Section 3. Amendment of Chapter. Amending Chapter 2.24-Officers and Employees, Sections 2.24.030 Employment, 2.24.040-Travel and Per-Diem, 2.24.060 - Annual Leave, 2.24.070-Sick Leave, are hereby amended and added to the Thorne Bay Municipal Code.
- Section 4. Effective Date. This ordinance shall become effective upon adoption.

PASSED AND APPROVED December 5, 2017

James Gould, Mayor

ATTEST:

Teri Feibel, City Clerk

[Introduction: November 21, 2017]
[Public Hearing: December 5, 2017]

ADDITIONS ARE IN BOLD AND CAPITALIZED

Deleted items are ~~stricken~~

Chapter 2.24
Officers and Employees

Section: **2.24.030 Employment. A. Permanent Employees.** Permanent appointments are made to positions which are considered to be part of the regular complement work force needed to perform municipal services.

1. Full-time. Where the work week is forty hours, but not less than 31 hours on a regular basis;

2. Part-time. Where the work is done during a portion of a work day, work week, or work year, and totals at least fifteen hours but less than thirty hours a week on a regular basis;

3. Short-hours Employee. Where the work is done on a predetermined schedule of less than ~~twenty~~ **FOURTEEN** hours per week on a regular basis.

F. Work Day. The regular work day shall consist of eight working hours. An unpaid lunch break of one hour shall be allowed.

G. Work Week. A regular work week shall consist of a total of forty hours.

H. Exceptions. The nature of certain positions may dictate terms of hire which are exceptions to the general rules. The employee will be fully informed of these exceptions at the time of hire.

I. Holidays. The following days shall be recognized as holidays with full pay for all permanent and probationary employees who are in pay status before and following said days:

New Year's Day, January 1st

Martin Luther King Day, third Monday in January

President's Day, as observed nationally

Seward's Day, last Monday in March

Memorial Day, last Monday in May

Fourth of July, July 4th

Labor Day, first Monday in September

Alaska Day, as observed by the State of Alaska

Veteran's Day, November 11th

Thanksgiving Day, fourth Thursday in November

Half-day Christmas Eve, p.m. of December 24th

Christmas Day, December 25th

FULL PAY FOR EMPLOYEES IS DEFINED FOR THE PURPOSE OF THIS SECTION AS:

- **PERMANENT AND PROBATIONARY EMPLOYEES**
 - **FULL TIME EMPLOYEES WILL RECEIVE 8 HOURS HOLIDAY PAY**
 - **PART-TIME WILL RECEIVE 4 HOURS OF HOLIDAY PAY**

When a holiday falls on a Sunday, the following Monday will be observed as the holiday. When a holiday falls on a Saturday, the preceding Friday will be observed as a holiday.

2.24.040 Travel and per diem allowance. **A. Per Diem.** While traveling on official business and away from home or designated posts of duty overnight, an employee shall receive a per diem allowance of at least sixty dollars, or an amount to be determined by the mayor, or designee. The amount will be dependent upon the area to which the employee is traveling. **A. Per Diem.** While traveling on official business and away from home or designated posts of duty overnight, an employee shall receive a per diem allowance of an amount to be determined by the **DOD PER DIEM RATES CALCULATOR FOR ALASKA.**

2.24.060 Annual leave. **A. Permanent Full-time Employees.** Permanent full-time employees shall accrue annual leave at the following rates: Four hours annual leave per pay period for the first three years of continuous city employment; five hours annual leave per pay period for the fourth and fifth years of continuous city employment; six hours annual leave per pay period for the sixth through ninth years of continuous city employment; eight hours annual leave per pay period for ten years or more of continuous city employment.

B. Permanent Part-time Employees. Permanent part-time employees shall accrue annual leave **AT 50% OF THE RATES ESTABLISHED FOR FULL TIME EMPLOYEES.** on a ratio of the hours they work to a forty-hour work week.

C. Permanent Short-hours Employees. Permanent short-hour employees shall accrue annual leave **AT 25% OF THE RATES ESTABLISHED FOR FULL TIME EMPLOYEES** on a ratio of the hours they work to a forty-hour work week.

I. Accumulation Limit. Up to **TWO HUNDRED AND FORTY HOURS** ~~one hundred twenty~~ hours of annual leave time may be accrued. ~~during one fiscal year and carried over into subsequent fiscal years.~~ An employee shall forfeit any leave over two hundred forty hours. ~~accumulated and not taken by the end of any fiscal year.~~

J. Termination. Accrued annual leave time up to two hundred forty hours will be paid to employees who terminate their employment with the city after six months of service. Payment will be based on salary on date of termination.

K. Pay in Lieu of Time Off. There shall be no pay in lieu of earned annual leave time except on termination of an employee. **THE MAYOR OR MAYOR DESIGNEE AND CITY ADMINISTRATOR MAY APPROVE AN EXCEPTION TO PAYMENT IN LIEU OF TIME OFF UNDER EXTENUATING CIRCUMSTANCES NOT CAUSED BY EMPLOYEE.**

2.24.070 Sick leave. **A. Policy.** All permanent full-time and part-time employees shall accrue and may use as accrued, sick leave on the basis of:

1. **Permanent Full-time.** Four hours per pay period;
2. **Permanent Part-time.** **AT 50% OF THE RATES ESTABLISHED FOR FULL TIME EMPLOYEES** ~~On a ratio of the hours they work to a forty-hour work week.~~
3. **Permanent Short-hours Employees.** Permanent short-hour employees shall accrue sick leave **AT 25% OF THE RATE ESTABLISHED FOR FULL TIME EMPLOYEES** ~~on a ratio of the hours they work to a forty-hour work week.~~ (Ord. 17-05-02-01)

2.24.090 Compensation. **A. Objective.** 1. To establish the framework for equal pay for work similar in nature, degree of difficulty or level of responsibility;

2. To provide a means of rewarding city employees for continued good or outstanding service;

3. To establish salary rates which compare favorably with those of other public and private employers in the area, subject to availability of funds;

4. To provide administrative flexibility in recognizing differences among employees whose positions are the same but who differ in terms of quality and length of service rendered;

5. To allow within the annual budget planning to give consideration to possible revision and amendment to the pay schedule;

6. To allow employees completing the six-month probationary period to have their rate of pay reviewed.

B. Benefits (At the Option of the Employee).

1. Employees who work thirty-two hours a week or more shall have eighty percent of life and health insurance paid by the city. The remaining twenty percent of life and health insurance premiums is to be deducted from employee's monthly wages.

2. Permanent part-time employees shall have fifty percent of life and health insurance paid by the city. The remaining fifty percent of life and health insurance premiums is to be deducted from employee's monthly wages.

C. Overtime.

1. Employees who work over forty hours per week shall be compensated at the rate of one and one-half their hourly rate.

2. Employees, except employees specifically hired to work on holidays, who are authorized to work on stated city holidays will be compensated at the rate of usual holiday pay plus regular pay for each hour they work up to eight hours then at regular overtime rates for time worked over eight hours.

D. Pay Increases.

The mayor may adjust an employee's rate of pay according to the quality of service rendered, length of service, and funding availability. (Ord. 03-08-21-01 §4, 2003; Ord. 94-11 §5(part), 1994; Ord. 8201-2 §9,1986), Ord. 09-02-03-01

CITY OF THORNE BAY
ORDINANCE 17-12-05-02

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF THORNE BAY,
ALASKA, AMENDING TITLE 3-REVENUE AND FINANCE, SECTION
3.17.030-DUTY OF SELLER TO COLLECT

BE IT ENACTED BY THE CITY COUNCIL FOR THE CITY OF THORNE BAY,
ALASKA

- Section 1. Classification. This ordinance is of a general and permanent nature, the chapter and section hereby amended shall be added to the Thorne Bay Municipal Code.
- Section 2. Severability. If any provisions of this ordinance or any application thereof to any person or circumstances is held invalid, the circumstances shall not be affected thereby.
- Section 3. Amendment of Section. The title and chapter of Title 3- Revenue and Finance, Section 3.17.030-Duty of Seller to collect; is hereby amended.
- Section 4. Effective Date. This ordinance shall become effective upon adoption.

PASSED AND APPROVED December 5, 2017

James Gould, Mayor

ATTEST:

Teri Feibel, CMC

[Introduction: November 21, 2017]
[Public Hearing: December 5, 2017]

ADDITIONS ARE BOLD AND CAPITALIZED

~~Deletions are stricken~~

Thorne Bay Municipal Code
Title 3-Revenue and Finance
Chapter 3.17-Sales Tax
Section 3.17.030-Duty of Seller to Collect

3.17.030 Duty of seller to collect. (A) The tax levied under the provisions of this chapter is primarily upon the buyers of the personal property, rentals, or services, but the tax is payable to the city by the seller regardless of whether the seller has collected the same from the buyers. It is the duty of each seller to collect from the buyer or consumer the full amount of the sales tax payable on each taxable sale, service or rental, at the time the property sold is delivered, or when the rentals are collected. Every sale, which is made within the city, unless explicitly exempted by this chapter, or a subsequent ordinance, shall be presumed to be subject to the tax imposed under this chapter in any action to enforce the provisions of this chapter. (Ord. 870 §2(part), 1977)

(B) In the specific instances where the tenant is occupying space in/on ~~a government~~ **U.S.D.A. FOREST SERVICE** owned land, it is the tenant's obligation to pay the sales tax directly to the City, unless the landlord is willing to voluntarily receive the tax payment and remit to the city.