

AGENDA January 2, 2018

AGENDA FOR THE REGULAR MEETING OF THE CITY COUNCIL FOR THE CITY OF THORNE BAY CITY HALL COUNCIL CHAMBERS, TUESDAY, January 2, 2018 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:
 - A. Minutes:
 1. Minutes for the November 21, 2017, Regular Council Meeting, discussion and action item:
10. NEW BUSINESS:
 - A. Resolution 18-01-02-01, approving the November 1, 2017, DOWL Business Plan for Water and Sewer Utilities, discussion and action item:
 - B. Resolution 18-01-02-02, supporting the RCA Public Hearings being held on Prince of Wales Island for gathering information on lack of or limited wireless communication and broadband data service, discussion and action item:
11. ORDINANCES FOR INTRODUCTION:
 - A. Ordinance 18-01-16-01, amending Title 3, Revenue and Finance, Chapter 3.17 – Sales Tax, adding Section 3.17.185 – Forgiveness of penalties and interest on delinquent taxes, amending Section 3.17.190 – Forgiveness of uncollected taxes, penalties and interest, discussion and action item:
12. ORDINANCES FOR PUBLIC HEARING:
 - 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:
13. EXPENDITURES EXCEEDING \$2,000.00:
 - A. Approval of expenditure of \$50,000.00, to Southeast Roadbuilders for the purchase of crushed rock, discussion and action item:
 - B. Approval of expenditure of \$3,830.50, to LOWES, for replacement and repairs to the Emergency Services Building Garage Doors, discussion and action item:
 - C. Review of quote submitted by Tongass Electric for the cost of repair and upgrade to the electrical at the Thorne Bay RV Park, discussion and action item:

14. 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.
15. CONTINUATION OF PUBLIC COMMENT:
16. CONTINUATION OF COUNCIL COMMENT:
17. ADJOURNMENT:

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MINUTES
FOR THE REGULAR
CITY COUNCIL MEETING
FOR THE CITY OF THORNE BAY
LOCATED IN THE CITY HALL
COUNCIL CHAMBERS,
TUESDAY, NOVEMBER 21, 2017
AT 6:30 P.M.

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

1. CALL TO ORDER:

Vice Mayor McDonald called the meeting to order at 6:30 p.m.

2. PLEDGE TO FLAG:

The council and audience stood for the pledge to the flag.

3. ROLL CALL:

Carlson, Edenfield, Hartwell, McDonald and Burger were present. Slayton and Gould attended by telephone. Telephone disconnected numerous times throughout the meeting causing the City Council to excuse Gould and Slayton from the remainder of the meeting at 6:43 p.m.

4. APPROVAL OF AGENDA:

McDonald moved to approve the agenda. Hartwell seconded the motion. There was no further discussion.

MOTION: Move to approve the agenda

F/S: McDonald/Hartwell

YEAS: Burger, Gould, McDonald, Carlson, Slayton, Edenfield and Hartwell

NAYS: None

STATUS: Motion Passed.

5. MAYOR'S REPORT:

Vice Mayor McDonald reported that he attended the Prince of Wales Watershed Meeting on November 17th. McDonald informed the council and public that the Watershed Committee was at a point they were not sure they would be able to continue with their committee due to lack of interest for members. McDonald stated the Committee wanted to continue with their work and hoped for more interest from people to join.

6. CITY ADMINISTRATOR & CLERK REPORT:

Administrators Report:

Meetings Attended and Updates:

A. POWCAC meeting November 28th, in the Craig Tribal hall beginning at 1 pm. Lunch will be provided prior to the meeting beginning at noon. November is the time that Transportation Priorities are discussed and we need to make sure the Kasaan Road stays a number one priority.

B. All City operations will be closed Nov 23 and 24 for Thanksgiving.

C. Transportation Safety Meeting at OVK on December 11th @ 1 p.m.

ADMINISTRATOR REPORT CONTINUED:

Tasks and Projects:

A. The City has stepped up to assist in administering and funding some of the past Thorne Bay Business Association programs such as the grapple and grounds maintenance, summer and winter banners, and the Fishing Derby. I believe the City should also consider assisting with administering and funding for the Community Christmas Dinner. The Christmas Dinner is a big community event that the public looks forward to every year, and there needs to be assurances that it continues into the future. The Thorne Bay School had stepped up in the past and offered to help with the Christmas Dinner coordination, and financing, however the School can no longer continue to be the sole financer or coordinator for the event. The City currently has money in the bed tax fund that could be used to finance the Community Christmas Dinner, and the City Staff is willing to help with coordinating the event. I suggest the City consider establishing a program similar to the Fishing Derby to help support the Christmas Dinner for future years.

B. I am working on addressing the DEC Thorne Bay Wastewater Treatment Facility violation letter. I have e-mailed Kristi Asplund, compliance enforcement officer with DEC, requesting clarification as to which DMR reports were missing as claimed in the letter, but have not received a response. Upon my investigation of these reports, I was able to find every DMR and discharge violation the City has, in the City records as required by law.

New Business:

A. Approval of Solid Waste Transport and Disposal Agreement with Republic Services. This agreement was first approved and signed in 2014 but the City has yet to complete all of the tasks required in order to allow shipping of baled municipal waste. This agreement is the same as the previous agreement including the fees with the exception of the CPI adjustment which was part of the initial agreement. Due to shipping regulations, Republic Services is going to require all waste shipped be baled, which means Klawock will need to establish a baling system. Hence the offer from Republic Services to help Thorne Bay resolve our baler issue may include addressing Klawock's need to start baling. We have discussed it may be more cost effective to have just one large baler that will serve all POW.

B. Review of Draft Ordinance to amend Title 10.20 Parking. Parking concerns have been discussed for several years and the proposed changes hopefully will address them. This item is on the agenda for review purposes only. I hope that if you have any comments or suggestions you come to the office or email me so we are able to address them in the ordinance amendment.

C. Opposition of the 2016 TLMP Amendment is a request from Craig to support their efforts to oppose the Amendment. This is also on the agenda for the next POWCAC meeting.

Ordinances for Introduction:

A. Ordinance 17-12-05-01 Amending Title 2 Administration and Personnel Chapter 2.24, removes the use of the term "ratio" and sets a percentage for benefits accrued. This does not change the benefits accrued, just states the accrual in an easier format to understand.

B. Ordinance 17-12-05-02 amending Title 3 Revenue and Finance, Chapter 3.17-Sales Tax. The intent of this section was to provide wording to match the US Forest Service process for payment of tenant's rental sales tax. This change removes the word government and list the USDA Forest Service specifically.

C. Ordinance 17-11-21-01 amending the Thorne Bay Municipal Code General Penalties. This will remain on the agenda as more and more sections of the code are added and the State reviews the changes. Once approved by the State it will be ready for final reading.

Ordinances for Public Hearing:

A. Ordinance 17-11-21-02 Amending Title 2, Powers and Duties of the VPSO, to reflect those powers and duties as established in the latest agreement with the City and VPSO program. This is a request by the VPSO Director as the old code did not match the current agreement.

B. Ordinance 17-11-21-03 amending Title 2.24-Officers and Employees, amending the language for hours worked by part-time employees to match the State of Alaska's definition. This amendment is for house cleaning only, so there is no confusion between PERS definition.

Expenditures over \$2000: These expenditures are for a snow plow blade. We were hoping to convert a plow system from a Ford frame to a Dodge frame and found that there is no way. We bought a mounting bracket but now find that the plow itself will not fit either so this request is to buy a new plow. When we are all done we should have a plow system that fits a Ford that could be sold.

Harbors and Parks: Electrical bids will be opened tomorrow afternoon for electrical work on Davidson Landing floats and also on the main harbor.

Streets and Roads: Freezing rain and frozen ground are starting the winter headache, although there may be a reprieve with some warmer weather this next week.

Water and Sewer: Looking for a small leak of about 10,000 gallons. The water pump that serves the water treatment went out, so we have a new one on the way. We are going to upgrade to an on-demand pump in order to open up space taken up by two pressure tanks from old system.

Solid Waste: Solid Waste is still accepting scrap metal. Coffman Cove, Klawock and Hydaburg have yet to sign the basic Waste Management Agreement. Until those are signed we are in a waiting pattern.

Law Enforcement: Buck will be in Kake November 26- December 11th, sharing in 2-week rotations with other VPSO'S.

FIRE/EMS: Omnilert Agreement has been signed and sent to Craig. Thorne Bay will begin Administration of the System in house once instructions are received.

Library: There will be 4 Strategic Planning meetings, first meeting December 1st, at noon in City Hall, the following meetings are Dec 15th, Jan 12th & Jan 26th.

City Clerk Report:

First Bank Checking: **\$49,227.52**

TFCU Accounts: *Accounts reflect Actual balances if All checks were cleared:*

Checking Account:	\$ 203,211.65
Harbor Savings:	\$ 59,150.42
Occupancy Tax:	\$ 27,667.55
Fisheries: (NOT CITY'S)	\$ 16,003.26
Sales Tax Savings:	\$297,203.38
• 60% Streets/Roads Maint:	\$187,992.68
• 40% Comm. Develop:	\$109,162.38
• Interest Earned:	\$ 149.32

TOTAL TFCU Account: \$603,337.26 (-16,000 Fish \$) = **\$588,337.26**

Wells Fargo Investments:

Bonds:	\$ 199,788.20
Market:	\$ 880,694.00
TOTAL Wells Fargo ACCT:	\$1,080,482.20

QuickBooks Income/Expense year-to-date:

• Income:	\$770,516.07
• Expense:	\$487,940.53
NET OPERATING INCOME:	\$282,575.54

Total Chart of Income City TNB: **\$1,733,046.98**

Sales Tax Audit Income:

Senior Sales Tax Exemption Audit brought in a total of \$6,424.42, funds that the City otherwise would not have received. The next sales tax audit will be of sales tax exemptions claimed for deliveries made outside of City for the first quarter of 2018 (January 1st through March 31).

AAMC Clerks Conference:

Great Conference. Learned more about records management, team building, communication skills, and how to deal with difficult people,

7. PUBLIC COMMENTS:

Jim McFarland commented on the following:

- Thorne Bay Community Christmas Dinner December 13th, Dinner will begin at 6, with the school program beginning at 7:00
- Expressed appreciation to those who had volunteered to help cook the turkeys and hams for the dinner
- Special thank you to the Thorne Bay Market for donating 4 hams, rolls and butter for the dinner
- Encouraged the Council to approve Wayne Benner's request that the City step in to help with the administration and financing of the dinner to ensure that the Community could continue to enjoy the event every year.
- Encouraged the public to bring plenty of food to share at the dinner so there would be enough to feed all in attendance.

8. COUNCIL COMMENTS:

Hartwell acknowledged how much time and effort Jim McFarland put into the Community by being largely involved and heading so many committees and events. Hartwell stated that throughout the years there were fewer and fewer people stepping up to help with the activities or committees in Thorne Bay. Hartwell expressed his appreciation for all Jim McFarland has done for the Community. Hartwell stated he would be getting more involved in the activities for Thorne Bay now that he would be in town all year round. Hartwell encouraged the Council to approve the City funding and helping to administrate the Community Christmas Dinner.

9. CONSENT AGENDA:

- A. Minutes for the October 9 & 16, 2017, Special City Council Meeting, and November 7, 2017, Regular City Council Meeting, discussion and action item:

McDonald moved to approve the consent agenda. Edenfield seconded the motion. There was no further discussion.

MOTION: Move to approve the consent agenda
F/S: McDonald/Edenfield
YEAS: McDonald, Carlson, Burger, Hartwell and Edenfield
NAYS: None
STATUS: Motion Passed.

10. NEW BUSINESS:

- A. Approval of Solid Waste Transport and Disposal Agreement between the City of Thorne Bay and Regional Disposal Company, aka Republic Services, discussion and action item:

McDonald moved to approve the Solid Waste Transport and Disposal Agreement between the City of Thorne Bay and Regional Disposal Company. Carlson seconded the motion. Benner stated the agreement was approved by the City Council in 2014. This agreement is the same as the previous agreement including the fees except for the CPI adjustment that was part of the initial agreement. Due to shipping regulations, Republic Services is going to require all waste shipped be baled. There was no further discussion.

MOTION: Move to approve the Solid Waste Transport and Disposal Agreement between the City of Thorne Bay and Regional Disposal Company
F/S: McDonald/Carlson
YEAS: Edenfield, Carlson, Burger, McDonald and Hartwell
NAYS: None
STATUS: Motion Passed.

B. Review of Draft Ordinance to amend Title 10.20 – Parking Standing and Stopping, of the Thorne Bay Municipal Code, Discussion and possible action item:

No action was taken on this agenda item. Discussion included the following comments.

McDonald informed the council and audience that the City had been working on the Parking Ordinance in the Thorne Bay Municipal Code, to revise it so it best fit the needs of the City and Community. McDonald requested the council and public review the proposed parking ordinance amendment and contact Wayne with their comments or concerns. Benner stated if no negative comments were received regarding the proposed parking amendment, he would bring it to the City Council as an Introduction Ordinance at a later meeting.

C. Opposition of 2016 Tongass Land Management Plan (TLMP) Amendment, discussion and action item:

McDonald moved to submit a response regarding the TLMP Amendment. Hartwell seconded the motion. Discussion included concerns that the TLMP Amendment failed to provide a requirement for the agency to provide reasonable access to and use of the forest, as well as failure to provide economical support to the communities. Carlson explained that it was very important for the agency responsibilities be spelled out in the plan to ensure that it is followed. There was further discussion.

MOTION: Move to submit a response regarding the TLMP Amendment
F/S: McDonald/Hartwell
YEAS: McDonald, Burger, Carlson, Hartwell and Edenfield
NAYS: None
STATUS: Motion Passed.

11. ORDINANCES FOR INTRODUCTION:

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:

McDonald moved to approve Ordinance 17-12-05-01. Burger seconded the motion. City Clerk Teri Feibel stated the Ordinance Amendment would change the accrual of annual leave and sick leave from “ratio of hours worked to a forty-hour week” to “accrue at 50% of a full-time employee”, Holidays would be amended to define a regular workday for employees, full-time would get 8 hours, part time would get 4 hours. There was no further discussion.

MOTION: Move to approve Ordinance 17-12-05-01
F/S: McDonald/Burger
YEAS: Hartwell, Carlson, Burger, Edenfield and McDonald
NAYS: None
STATUS: Motion Passed.

- 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:

McDonald moved to approve Ordinance 17-12-05-02. Hartwell seconded the motion. Benner explained the ordinance amendment was in regards to how sales tax was remitted for those who rented land or building from a government entity. Benner continued that the amendment struck the word "government" and replaced with USDA Forest Service. There was further discussion.

MOTION: Move to approve Ordinance 17-12-05-02
F/S: McDonald/Hartwell
YEAS: Hartwell, Carlson, Burger, McDonald and Edenfield
NAYS: None
STATUS: Motion Passed.

- C. Ordinance 17-11-21-01, Amending the Thorne Bay Municipal Code General Penalties, adding Sections 1.16.031-Surcharges, and 1.16.035-Minor Offence Fine Schedule, discussion and action item:

McDonald moved to approve Ordinance 17-11-21-01. Hartwell seconded the motion. City Clerk Feibel explained the Ordinance was to place all fines for violating the Thorne Bay Ordinances into one Minor Offense Schedule that could be recorded with the Alaska Courts and enforced by the VPSO. The amendment places all Minor Offense Fines in Thorne Bay Municipal Code, Title 1 – General Provisions, Chapter 1.16.035.

MOTION: Move to approve Ordinance 17-11-21-01
F/S: McDonald/Hartwell
YEAS: Hartwell, Carlson, Burger, McDonald and Edenfield
NAYS: None
STATUS: Motion Passed.

12. ORDINANCES FOR PUBLIC HEARING:

- A. Ordinance 17-11-21-02, amending the Thorne Bay Municipal Code Title 2-Administration and Personnel, Chapter 2.36-Police Department--Chief, Sections 2.34.010-Department Generally, and 2.36.020-Powers and Duties, discussion and action item:

McDonald moved to approve Ordinance 17-11-21-02. Hartwell seconded the motion. There was no further discussion.

MOTION: Move to approve Ordinance 17-11-21-02
F/S: McDonald/Hartwell
YEAS: Edenfield, Carlson, Hartwell, Burger and McDonald
NAYS: None
STATUS: Motion Passed.

- B. Ordinance 17-11-21-03, Amending Title 2.24 – Administration and Personnel, Section 2.24.030 Employment. A. Permanent Employees, 2. Part-Time,
discussion and action item:

McDonald moved to approve Ordinance 17-11-21-03. Carlson seconded the motion. There was no further discussion.

MOTION: Move to approve Ordinance 17-11-21-03
F/S: McDonald/Carlson
YEAS: Hartwell, Carlson, Edenfield, McDonald, and Burger
NAYS: None
STATUS: Motion Passed.

13. **EXPENDITURES EXCEEDING \$2,000.00:**

- A. Expenditure of \$5,000.00, to Central Parts Warehouse, for the purchase of snow plow, discussion and action item:

McDonald moved to approve the expenditure of \$5,000.00, to Central Parts Warehouse, for the purchase of snow plow. Edenfield seconded the motion. There was no further discussion.

MOTION: Move to approve the expenditure of \$5,000.00, to Central Parts Warehouse, for the purchase of snow plow
F/S: McDonald/Edenfield
YEAS: Hartwell, Carlson, Edenfield, McDonald, and Burger
NAYS: None
STATUS: Motion Passed.

14. **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, employees or personnel, or negotiations for contracts.

No Executive Session was called.

15. **CONTINUATION OF PUBLIC COMMENT:**
There were no further public comments.

16. **CONTINUATION OF COUNCIL COMMENT:**
Burger inquired about the status of the WIFI at the harbor. Wayne Benner replied the City had not heard back.

17. **ADJOURNMENT:**
McDonald adjourned the meeting at 7:35 p.m.

James Gould, Mayor

ATTEST:

Teri Feibel, CMC

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

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF
THORNE BAY, ALASKA, APPROVING THE NOVEMBER 1, 2017
DOWL BUSINESS PLAN FOR WATER AND SEWER UTILITIES

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

WHEREAS, DOWL has prepared a Utility Business Plan for the Water and Wastewater operations; and

WHEREAS; a business plan provides the City with the information necessary to better understand the direction of the operations, management and finances of the City's water utility, among other purposes; and

WHEREAS; the public interest relies on the City's ability to operate a self-supporting utility operation, and the City expects the anticipated user fees to support the operations and maintenance of the utility with limited or no subsidy from the general fund; and

WHEREAS; the City has participated in the development of the water and sanitation utility business plan for the City of Thorne Bay;

NOW, THEREFORE, BE IT RESOLVED the City of Thorne Bay hereby adopts the November 1, 2017, DOWL Business Plan for Water and Sewer utilities, including the water usage rates within and intends to utilize the plan in the day-to-day management of the utility once facility improvements are completed.

PASSED AND APPROVED January 2, 2018

James Gould, Mayor

ATTEST:

Teri Feibel, City Clerk

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

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF THORNE BAY, ALASKA, IN SUPPORT OF RCA HOLDING PUBLIC HEARINGS ON PRINCE OF WALES ISLAND (POW) FOR GATHERING INFORMATION ON THE ISSUES POW RESIDENTS FACE CONCERNING LACK OF OR LIMITED WIRELESS COMMUNICATION AND BROADBAND DATA SERVICE

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

WHEREAS, the Residents of the City of Thorne Bay and other communities on Prince of Wales Island (POW) struggle to have reliable wireless communications; and

WHEREAS, wireless communication is a key component of everyday modern life; and

WHEREAS, lack of or intermittent wireless communications has a negative impact on economic development, especially those business that work outside such as the tourism industry; and

WHEREAS, Wireless communications is a critical component for all emergency services, especially outside of community boundaries; and

WHEREAS, there are portions of the City of Thorne Bay that have no landline or wireless communications capabilities; and

WHEREAS, the Residents of the City of Thorne Bay have limited internet service due to bandwidth and speed; and

WHEREAS, there are times during normal business hours that internet service goes down or slows limiting or cutting off access to a critical component of today's business world; and

WHEREAS, new computer software requires continuous access to the internet or a server to operate, including online banking and QuickBooks; and

WHEREAS, many businesses use the internet for business, mail, billings and communications via some form of electronic system such as e-mail, Skype or video conferencing; and

WHEREAS, the City of Thorne Bay, Local Businesses, Thorne Bay School, Southeast Island School District, USDA Forest Service and many residents rely on electronics for communication, banking, business and educating our children; and

WHEREAS, reliable high-speed communications and internet service are key qualities that new (and old) businesses must have to survive and compete in today's world; and

WHEREAS, the lack of access to unlimited high-speed communications and internet service is impacting the economics of Thorne Bay and creating a disadvantage for our children and business trying to compete with other parts of Alaska and the world, and

WHEREAS, communication equipment that serves the City of Thorne Bay is old and in need of repair and upgrades; and

WHEREAS, the City of Thorne Bay has several sites for communication and data receiving and transmitting equipment,

NOW THEREFORE BE IT RESOLVED that the City Council for the City of Thorne Bay, hereby RCA holding public hearings on Prince of Wales Island (POW), for gathering information on the issues POW residents face concerning lack of or limited wireless communication and broadband data service.

PASSED AND APPROVED: January 2, 2018

James Gould, Mayor

ATTEST:

Teri Feibel, City Clerk

CITY OF THORNE BAY
ORDINANCE 18-01-16-01

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF THORNE BAY,
ALASKA, AMENDING TITLE 3-REVENUE & FINANCE, ADDING SECTION 3.17.085-
FORGIVENESS OF PENALTIES, AND INTEREST ON DELINQUENT TAXES,
AMENDING SECTION 3.17.190 FORGIVENESS OF UNCOLLECTED TAXES,
PENALTIES AND INTEREST

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 & Finance, adding Section 3.17.085- Forgiveness of penalties and interest on delinquent tax, and amending Section 3.17.190 Forgiveness of uncollected taxes, penalties and interest; is hereby amended.
- Section 4. Effective Date. This ordinance shall become effective upon adoption.

PASSED AND APPROVED January 16, 2018

James Gould, Mayor

ATTEST:

Teri Feibel, CMC

[Introduction: January 2, 2018]
[Public Hearing: January 16, 2018]

ADDITIONS ARE BOLD AND CAPITALIZED

~~Deletions are stricken~~

Title 3-Revenue and Finance
Chapter 3.17-Sales Tax

3.17.080 Penalty and interest on delinquent taxes. (a) In the event a seller fails or neglects to file a return when due, or fails to remit taxes collected, or which should have been collected, in a timely manner as required by this chapter, then such return and tax is delinquent and the revenue collector shall add thereto penalties as follows:

- (1) Within five working days after delinquency date 6%
 - (2) More than five working days up to and including thirty days after delinquency date 15%
 - (3) More than thirty days up to and including sixty days after delinquency date 20%
 - (4) More than sixty days after delinquency date 25%
- (b) Interest shall accrue on the unpaid tax, not including penalty, from the date of delinquency to the date of payment at the rate of one percent per month.....

ADDING: 3.17.085 Forgiveness of penalties and interest on delinquent taxes.
THE CITY ADMINISTRATOR, WITH THE CONSENT OF THE MAYOR, MAY FORGIVE THE PAYMENT OF PENALTIES AND INTEREST ASSESSED ON DELINQUENT TAXES, UPON A DETERMINATION BY THE CITY ADMINISTRATOR THAT THE FAILURE TO FILE TAXES IN A TIMELY MANNER, AS REQUIRED BY THIS CHAPTER, WAS DUE TO CIRCUMSTANCES OUT OF THE TAX PAYERS CONTROL.

AMENDING: 3.17.190 Forgiveness of uncollected taxes, tax penalties and interest. (a) The City Administrator, with the consent of the Mayor ~~and council~~, may forgive the payment of uncollected sales taxes, interest and penalty thereon and penalties for failure to file owing by a seller to the city upon a determination by the City Administrator that such uncollected sales taxes have never been collected by a substantial portion of a clearly definable class of sellers or which have never been collected on a substantial portion of a clearly defined class or type of transaction or service. (b) The City Administrator may, upon recommendation of the Mayor ~~and City Council~~, authorize forgiveness of uncollected sales taxes, interest and penalty thereon and penalties for failure to file, as part of the compromise and settlement of a disputed claim in an action for collection of such funds. (c) The City Administrator, with the consent of the Mayor ~~and City Council~~, may ~~onetime~~ forgive the payment of uncollected sales taxes, interest, and penalty thereon and penalties for failure to file owing by a seller to the city upon a determination by the city administrator that such uncollected sales taxes are the result of a family **OR** medical hardship. (Ord. 17-03-21-02)

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 7th & 21st, 2017]
[Continued Introduction Readings: December 5th & 21st, 2017]
[Public Hearing/ Final Reading: 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 COURT 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
CONTINUED ON PAGE 3**

TBMC6.04.020 - G	Animals - Licensing - Failure to license animal - 1st and Subsequent Offenses	Optional	\$50.00
TBMC6.04.020 - M	Animals - Licensing - M - Use of animal license for animal other than which issued - 1st and Subsequent Offenses	Optional	\$50.00
TBMC6.04.020 - N	Animals - Licensing - N - Failure to notify change in animal ownership to Clerks Office - 1st and Subsequent Offenses	Optional	\$10.00
TBMC6.04.050 - A	Animals - Restraint- A - Animal running at large - 1st Offense within 1-year	Optional	\$35.00
TBMC6.04.050 - A	Animals - Restraint- A - Animal running at large - 2nd and Subsequent Offense	Optional	\$50.00
TBMC6.04.050 - B	Animals - Restraint- B - Grazing on public space without consent of city - 1st and Subsequent Offense	Optional	\$50.00
TBMC6.04.050 - C	Animals - Restraint- Allow livestock on private property within city - 1st and Subsequent Offenses	Optional	\$50.00
TBMC6.04.050 - D	Animals - Restraint - D - Release tied/confined animal without owner's permission - 1st and Subsequent Offenses	Optional	\$100.00
TBMC6.04.055 - (A)(1-6)	Animals - Control of Dogs - A - Unlawful acts - (1-6) - 1st and Subsequent Offenses	Optional	\$50.00
TBMC6.04.070 (A)	Animals - Animal Care - A- Humane Care and Treatment - 1st Offense	Optional	\$200.00
TBMC6.04.070 (B)	Animals - Animal Care - B- Animal Abuse - 1st Offense	Optional	\$200.00
TBMC6.04.070 (C)	Animals - Animal Care- C- Abandonment - 1st Offense	Optional	\$200.00
TBMC6.04.070 (D)	Animals - Animal Care- D - Giving live animal as prizes - 1st and Subsequent Offenses	Optional	\$75.00
TBMC6.04.070 (E)	Animals - Animal Care- E - Failure to render assistance - 1st Offense	Optional	\$100.00
TBMC6.04.070 (F)	Animals - Animal Care- F - Knowingly Expose Animals to Poison - 1st Offense	Mandatory	
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
TBMC6.05.030	Dangerous Animals - On Premises Confinement - 1st Offense	Optional or Mandatory	?
TBMC6.05.030	Dangerous Animals - On Premises Confinement - 2nd Offense	Optional or Mandatory	?
TBMC6.05.030	Dangerous Animals - On Premises Confinement - 3rd Offense	Optional or Mandatory	?
TBMC6.05.040	Dangerous Animals - Off Premises Restraint - 1st Offense	Optional or Mandatory	?
TBMC6.05.040	Dangerous Animals - Off Premises Restraint - 2nd Offense	Optional or Mandatory	?
TBMC6.05.040	Dangerous Animals - Off Premises Restraint - 3rd Offense	Optional or Mandatory	?

TBMC6.05.080	Dangerous Animals - Biting Dogs - 1st Offense	Optional or Mandatory	?
TBMC6.05.080	Dangerous Animals - Biting Dogs - 2nd Offense	Optional or Mandatory	?
TBMC6.05.080	Dangerous Animals - Biting Dogs - 3rd Offense	Optional or Mandatory	?
	8.04.050 Sell/display/give way/use fireworks within city prohibited		
TBMC8.04.050 (A)	8.04.050(A) Throwing fireworks prohibited	Optional	\$50.00
TBMC8.04.050 (B)	8.04.050(B) Throwing fireworks from a motor vehicle	Optional	\$50.00
TBMC8.04.050 (C)	8.04.050(C) Store/keep/sell/se fireworks within 50 ft of gasoline/volatile liquids prohibited	Optional	\$100.00
TBMC8.04.050 (D)	8.04.050(D) Discharge fireworks within 1,000 ft of hospital	Optional	\$100.00
TBMC8.04.050 (E)	8.04.050(E) Discharge fireworks under/on a motor vehicle	Optional	\$100.00
TBMC8.04.050 (F)	8.04.050(F) Discharge fireworks within 50 ft from where fireworks are sold	Optional	\$100.00
TBMC8.04.050 (G)	8.04.050(G) Mishandle fireworks	Optional	\$100.00
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 within 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 and subsequent offenses	Optional	\$100.00
TBMC9.08.160	Alcohol Beverages - Playing music - Restriction - 2nd within 1 year	Optional	\$200.00
TBMC9.08.160	Alcohol Beverages - Playing music - Restriction - 3rd within 1 year	Optional	\$300.00
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	
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	
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	
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	
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	
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	
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	
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	
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	
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	
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	
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	
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	
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	
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	
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	
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	
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	
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	
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	
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	
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
<u>TBMC10.04.015</u>	<u>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"</u>	-	-
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	
TBMC10.04.160	Traffic Fine Schedule - Violations and Penalties: Alaska Statutes Title 28 "Adopted By Reference"		

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, 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 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.

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: 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.

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. 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(e), 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~~ **FEES** 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.**



ESTIMATE

KN/PP
12/15/17

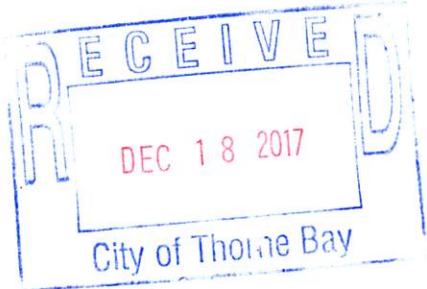
Klawock Office

P.O. Box 302 Klawock, AK 99925

Rock / Concrete / Asphalt Sales Ph: (907) 755-2183

Business Office Ph: (907) 755-2258

Fax: (907) 755-2136

Customer Name: CITY OF THORNE BAYAddress: P.O. Box 19110T. BAY, ALASKA 99919907-828-3300Phone: 208-290-256Email: ADMINISTRATOR@thornebay-ak.govWAYNE BENNERJob DescriptionSCOPE OF WORK - TO MOBE CRUSHER TO THORNE BAY AND PITCRUSH D-1 PER QUANTITY DESIGNATED BY CITY AND STOCKPILEDAT SITE

Applicable Sales Tax will be added to final invoice for work.

Itemized Estimate

<u>MOBE LUMP SUM</u>	<u>6500 @ LS</u>
<u>CRUSHED D-1 IN STOCKPILE PER CUBIC YARD</u>	<u>21.50 C.Y.</u>
Total Estimated Job Cost	\$ 50,000

This is an estimate only, not a contract for services. This estimate is for completing the job as described above. It is based on our evaluation and does not include material price increases or additional labor and materials which may be required should unforeseen problems arise after the work has started.

CUSTOMER SIGNATURE (By signing this estimate you accept the above prices) _____ DATE _____



Quote Support Program

Quote #: 4140038
Volume Savings Expiration Date: 1/11/2018
Customer Name: Nyquest
Selling System Quote Project Description: shop ddors
Customer Phone#: 9075758900
Pricing is per Lowe's Store at: Store #2420
RENTON, WA
Store Phone #: (425) 757-5520
Store Contact: Donna Rettke

Item #	Quantity	Item Description	QSP Unit Price	Extended QSP Price
168268	1	GARAGE DOOR OPENER BRACKET	7.23	7.23
168268	1	HOD - HOME DELIVERY (REQUIRED FOR DIY ORDERS)	12.56	12.56
168268	1	SINGLE CAR DOOR INSTALLATION KIT (MODEL SUTHERLAND 3 LAYER)	101.35	101.35
168268	1	HOD - HOME DELIVERY (REQUIRED FOR DIY ORDERS)	37.67	37.67
141890	1	SUTHERLAND 3 LAYER, 10-FTX10-FT	1,476.95	1,476.95
141890	1	HOD - HOME DELIVERY (REQUIRED FOR DIY ORDERS)	55.90	55.90
168268	1	DOUBLE CAR DOOR INSTALLATION KIT (MODEL SUTHERLAND 3 LAYER)	94.44	94.44
168268	1	HOD - HOME DELIVERY (REQUIRED FOR DIY ORDERS)	37.67	37.67
152290	1	SUTHERLAND 3 LAYER, 12-FTX12-FT	1,950.83	1,950.83
152290	1	HOD - HOME DELIVERY (REQUIRED FOR DIY ORDERS)	55.90	55.90

Total savings for this quote is \$288.26 (7.0%)

*All items requested for volume savings may not be listed if they did not qualify for QSP savings.

QSP Total: \$3,830.50

MANAGER SIGNATURE

DATE

*THIS ESTIMATE IS NOT VALID WITHOUT A MANAGER'S SIGNATURE.

*LOWE'S RESERVES THE RIGHT TO LIMIT THE QUANTITIES OF MERCHANDISE SOLD TO CUSTOMERS

*ALL OF THE PRODUCT MUST BE ORDERED BY THE EXPIRATION DATE IN ORDER TO RECEIVE VOLUME SAVINGS

*THIS IS AN ESTIMATE ONLY. DELIVERY OF ALL MATERIALS CONTAINED IN THIS ESTIMATE ARE SUBJECT TO AVAILABILITY FROM THE MANUFACTURER OR SUPPLIER. QUANTITY, EXTENSION, OR ADDITION ERRORS ARE SUBJECT TO CORRECTION. CREDIT TERMS SUBJECT TO APPROVAL BY LOWE'S CREDIT DEPARTMENT.

*LOWE'S IS A SUPPLIER OF MATERIALS ONLY. LOWE'S DOES NOT ENGAGE IN THE PRACTICE OF ENGINEERING, ARCHITECTURE, OR GENERAL CONTRACTING. LOWE'S DOES NOT ASSUME SELECTION OR CHOICE OF MATERIALS FOR A GENERAL OR SPECIFIC USE; FOR QUANTITIES OR SIZING OF MATERIALS; FOR THE USE OR INSTALLATION OF MATERIALS; OR FOR COMPLIANCE WITH ANY BUILDING CODE OR STANDARD OF WORKMANSHIP.

*LOWE'S IS MAKING THE FOLLOWING QUOTE BASED ON ITS STANDARD COMMERCIAL TERMS, AND DOES NOT AGREE TO TERMS AND CONDITIONS, INCLUDING ANY GOVERNMENTAL REGULATIONS, NOT SPECIFICALLY INDICATED OR REFERENCED IN THE REQUEST FOR THIS QUOTATION. IF TERMS AND CONDITIONS ARE PRESENTED, PRODUCT SELECTION AND PRICING MAY CHANGE PENDING LEGAL REVIEW.

*TAXES AND DELIVERY WILL BE ADDED AT TIME OF PURCHASE AS APPLICABLE.

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Electrical Quote

SUBMITTED TO: City of Thorne Bay
CONTACT: Wayne Benner
PHONE: 907-828-3380
EMAIL: administrator@thornebay-ak.gov
PROJECT: Proposal - Thorne Bay RV Park Electrical Upgrades
DATE: December 14, 2017

SCOPE: Prepare a proposal for the purposes of providing information to the City of Thorne Bay regarding the existing electrical system at the TB RV Park. Proposal shall include our recommendations regarding electrical improvements and the cost of those improvements.

Tongass Electric is submitting a proposal for the work on the above PROJECT on a time and materials basis. Rates listed below:

Journeyman Electrician	\$90/ hour
Electrical Apprentice	\$55/ hour
Travel	\$65/ hour

All Electrical work will be completed by licensed electricians and according to National Electrical Code Standards. Tongass Electric is a licensed, bonded and insured electrical contracting company.

Please indicate your acceptance by signing below. Once you've returned a signed copy to us, we will put you on the schedule.

Accepted by _____ Date _____
Customer Signature

Business License #: 1041324
Contractor License #: 114300
Electrical Administrator #: EADE1432

The above quote is valid for 1 month. If notification in writing is not submitted to our office within the required amount of time, this quote may be voided at the discretion of Tongass Electric. We look forward to working with you and appreciate your business.