

CITY OF THORNE BAY  
ORDINANCE 19-04-02-03

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF THORNE BAY,  
ALASKA, - AMENDING TITLE 1-GENERAL PROVISIONS; SETTING A SCHEDULE OF  
FINES FOR VIOLATIONS OF TITLE 13-UTILITIES

**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 chapters of Title 1 - General Provisions, Chapter 1.16 - General Penalty, Section 1.16.035-Minor Offense Fine Schedule, adding fines for offenses listed in Title 13-Utilities, hereby amended and added to the Thorne Bay Municipal Code. The Fine Schedule for all offenses in Title 13-Utilities are added as written on page 3 through 5 of this ordinance.

**Section 4. Effective Date.** This ordinance shall become effective upon adoption.

**PASSED AND APPROVED April 2, 2019**

  
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Harvey McDonald, Mayor

ATTEST:

  
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Teri Feibel, CMC

[Introduction: March 19, 2019]  
[Public Hearing: April 2, 2019]

**Amending**  
**Title 1 General Provisions**  
**Adding Title 13-Utility Fine Schedule of Violations**

Chapter and Sections shall read as follows:

**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 an infraction, punishable by a 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. (Ordinance 18-01-02-01; Prior Ord. 88-23 § 5(part), 1988)

**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.**

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.

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**FINE SCHEDULE FOR ALL VIOLATIONS OF TITLE 13-UTILITIES ARE HEREBY ADDED  
TO THE THORNE BAY MUNICIPAL CODE MINOR OFFENSE FINE SCHEDULE AS  
FOLLOWS:**

<b>Ordinance Number</b>	<b>Ordinance Description</b>	<b>Offense Appearance type: Mandatory Optional or Correctable</b>	<b>Fine Schedule Amount for Optional / Correctable</b>	<b>Maximum Fine Permitted for Mandatory</b>
	<b>CHAPTER - 13.02 APPLICATION FOR SERVICES:</b>			
TBMC 13.02.010	UTILITY- APPLICATION FORM FAILURE TO COMPLETE APPLICATION FOR SERVICES .	OPTIONAL	\$ 150.00	
TBMC 13.02.020	APPLICATION AMENDMENTS. FAILURE TO NOTIFY CIT OF CHANGES TO SERVICE (APPLICATION AMENDMENTS)	OPTIONAL	\$ 100.00	
<b>TBMC</b>	<b>CHAPTER 13.08 - COLLECTION SYSTEM</b>			
TBMC 13.08.130	CUSTOMER'S PLUMBING.	OPTIONAL	\$ 100.00	
TBMC 13.08.140	REQUIRED CONNECTIONS.	OPTIONAL	\$ 100.00	
	<b>CHAPTER 13.20 - SEWER - PROHIBITED ACTS</b>			
TBMC 13.20.010	SEWER DESIGNATED - UNLAWFUL DEPOSITS INTO SANITATION AL SEWAGE COLLECTION SYSTEM	OPTIONAL	\$ 150.00	
TBMC 13.20.020	SEWER PROHIBITED CONNECTIONS - UNLAWFUL CONNECTION CAUSING WASTE WATER ENTERING SANITARY WATER SYSTEM	OPTIONAL	\$ 150.00	
TBMC 13.20.030	SEWER CONNECTIONS MADE WITHOUT PERMIT - UNLAWFUL CONNECTION TO CITY SERVICE LINES WITHOUT PRIOR PAYMENT AND PERMIT	OPTIONAL	\$ 150.00	
TBMC 13.20.040	SEWER - INTERFERENCE AND TAMPERING - UNLAWFUL TAMPERING OF CITY SEWER INFRASTRUCTURE, MATERIALS, EQUIPMENT AND POND.	OPTIONAL	\$ 150.00	
<b>TBMC</b>	<b>CHAPTER 13.24 - MISCELLANEOUS PROVISIONS</b>			
TBMC 13.24.010	ACCESS TO PROPERTY. FAILURE TO PERMIT UTILITY ACCESS TO UTILITY LINE DURING REASONABLE HOURS	OPTIONAL	\$ 150.00	
<b>TBMC</b>	<b>CHAPTER 13.28 - WATER - GENERAL PROVISIONS</b>			
TBMC 13.28.095	WATER - UNIMPROVED OR DISCONTINUED - FAILURE TO DISCLOSE AMOUNTS OWED ON PROPERTY SERVICE FEES TO NEW OWNERS	MANDATORY		\$ 1,000.00
TBMC 13.28.120	RESALE OF WATER. WITHOUT PERMIT IS PROHIBITED	MANDATORY		\$ 1,000.00



<b>TBMC</b>	<b>CHAPTER 13.40 - SERVICE REGULATIONS</b>			
TBMC 13.40.090	STANDBY FIRE PROTECTION SERVICE CONNECTIONS VIOLATIONS OF REGULATIONS.	OPTIONAL	\$ 200.00	
TBMC 13.40.160	CUSTOMER'S PLUMBING – FAILURE TO COMPLY WITH CITY PLUMBING CODE.	OPTIONAL	\$ 200.00	
TBMC 13.40.170	CUSTOMERS PLUMBING - CONTROL VALVES - UNLAWFUL OPERATION OR TAMPERING OF THE METER STOP OR ANY APPURTENANCES ON SERVICE CONNECTION	OPTIONAL	\$ 200.00	
<b>TBMC</b>	<b>CHAPTER 13.44 - WATER METERS</b>			
TBMC 13.44.020	INSTALLATION. UNLAWFUL INSTALLATION OF WATER METERS	OPTIONAL	\$ 300.00	
TBMC 13.44.050	JOINT USE. JOINING OF SEVERAL CUSTOMERS TO TAKE ADVANTAGE OF THE SINGLE MINIMUM CHARGES AND LARGE QUANTITY RATES IS PROHIBITED	OPTIONAL	\$ 500.00	
TBMC 13.44.070	LOCATION DETERMINATION. - FAILURE TO PERMIT ACCESS BY UTILITY FOR INSTALLATION OR READING OF METERS	OPTIONAL	\$ 500.00	
<b>TBMC</b>	<b>CHAPTER 13.52 - DISCONTINUANCE OF WATER SERVICE</b>			
TBMC 13.52.080	UNAUTHORIZED TURN-ON.	OPTIONAL	\$ 200.00	
<b>TBMC</b>	<b>CHAPTER 13.56 - RESPONSIBILITY FOR WATER EQUIPMENT</b>			
TBMC 13.56.030	DAMAGE TO DEPARTMENT EQUIPMENT.	MANDATORY		\$ 1,000.00
<b>TBMC</b>	<b>CHAPTER 13.60 - FIRE HYDRANTS</b>			
TBMC 13.60.010	OPERATION. UNLAWFUL TO TAMPER WITH OR OPEN VALVE OF ANY FIRE HYDRANT	OPTIONAL	\$ 500.00	
<b>TBMC</b>	<b>CHAPTER 13.64 WATER SERVICE – MISCELLANEOUS PROVISIONS</b>			
TBMC 13.64.020	WATER. MISC. PROVISIONS. UNUSUAL DEMANDS. FAILURE TO NOTIFY DEPARTMENT OF LARGE QUANTITY USAGES IN WATER	OPTIONAL	\$ 100.00	
TBMC 13.64.030	ACCESS TO PROPERTY. FAILURE TO PERMIT OPERATOR ACCESS	OPTIONAL	\$ 150.00	
<b>TBMC</b>	<b>CHAPTER 13.70 - SOLID WASTE</b>			
TBMC 13.70.030 (B)	SOLID WASTE SERVICE REQUIRED. UNLAWFUL DEPOSIT OF GARBAGE IN LOCATION NOT DESIGNATED AS SOLID WASTE SITE.	MANDATORY		\$ 1,000.00



TBMC 13.70.172	ALUMINUM SEGREGATION. UNLAWFUL TO DEPOSIT ANYTHING OTHER THAN ALUMINUM WHERE DESIGNATED AS "ALUMINUM ONLY"	OPTIONAL	\$ 150.00	
TBMC 13.70.174	ASH DISPOSAL - UNLAWFUL DISPOSAL OF ASH	OPTIONAL	\$ 100.00	
TBMC 13.70.176	UNLAWFUL DISPOSAL OF SPECIAL WASTE	MANDATORY		\$ 500.00
TBMC 13.70.180	UNLAWFUL ACCESS TO LANDFILL	MANDATORY		\$ 1,000.00
TBMC 13.70.182	PROHIBITED SUBSTANCES. IT IS UNLAWFUL TO DUMP ANY HAZARDOUS OR POISONOUS WASTE INTO RECEPTACLE, CONTAINER, DUMPSTER OR LANDFILL	MANDATORY		\$ 1,000.00
TBMC 13.70.186	UNAUTHORIZED USE OF COLLECTION CONTAINERS, TRASH RECEPTACLES, AND DUMPSTERS	OPTIONAL	\$ 150.00	
TBMC 13.70.320	FRAUD OR ABUSE OF SERVICES SUPPLIED TO RESIDENCE	MANDATORY		\$ 500.00
TBMC 13.70.370	PROTECTION FROM DAMAGE. UNLAWFUL TO DAMAGE OR TAMPER WITH ANY EQUIPMENT, STRUCTURE OR APPURTENANCE BELONGING TO THE SOLID WASTE	MANDATORY		\$ 1,000.00