AGENDA
FOR THE REGULAR MEETING
OF THE CITY COUNCIL FOR
THE CITY OF THORNE BAY, ALASKA
CITY HALL COUNCIL CHAMBERS
120 FREEMAN DRIVE
Tuesday, March 17, 2020
6:30 p.m.

The meeting will be preceded by a Workshop of the City Council beginning at 6:00 p.m.

1. CALL TO ORDER:
2. PLEDGE TO FLAG:
3. ROLL CALL:
4. VICE MAYOR OATH OF OFFICE
5. APPROVAL OF AGENDA:
6. MAYOR'S REPORT:
7. ADMINISTRATIVE REPORTS:
   a) City Clerk Report:
   b) Library Report:
   c) Streets & Roads Report:
   d) Solid Waste Report:
   e) Water Sewer Report:
   f) Harbor Report:
8. PUBLIC COMMENTS:
9. COUNCIL COMMENTS:
10. NEW BUSINESS:
    a) Resolution 20-03-17-01, a resolution of the City Council for the City of Thorne Bay, recognizing Cindy Edenfield for her leadership in the community, time, training, effort, and many years dedicated to the Thorne Bay EMS, discussion and action item:

    b) Resolution 20-03-17-02; a resolution of the Thorne Bay City Council supporting the Planning & Zoning Resolution No. 20-03-09-01-PZ regarding the City of Thorne Bay's Official Position on the proposed Bay View Timber Sale, outlining potential negative impacts the timber sale may have on the community, discussion and possible action item:

    c) Authorizing and setting a date for the Low-Cost Dump Day, discussion and action item:

    d) Appointment of a City Administrator for the City of Thorne Bay, discussion and action item: (The council may choose to adjourn to executive session to discuss terms and negotiations of the proposed contract in detail)

11. ORDINANCE FOR INTRODUCTION:

a) **Ordinance 20-04-05-01**, amending the FY20 Budget of Approved Expenditures and Income for Fiscal Year 2020 beginning July 1, 2019 and ending June 30, 2020, discussion and action item:

12. ORDINANCE FOR PUBLIC HEARING:

a) **Ordinance 20-03-17-01**, amending Title 1-General Provisions; Section 1.16.035-Minor Offense Fine Schedule, setting fine amounts for minor offense violations of Title 17-Zoning, discussion and action item:

b) **Ordinance 20-03-17-02**, amending Title 17-Zoning; Chapter 17.04-Planning & Zoning; Section 17.04.050 Enforcement, Violations and Penalties, discussion and action item:

13. EXPENDITURES EXCEEDING $2,000.00:

a) Discussion possible action for the expenditure of approximately $130,000, for D1 Rock to be placed on the Goose Creek Kasaan Road, discussion and possible action item:

14. EXECUTIVE SESSION:

a) The Council May adjourn to executive session for the purposes of
(This is to discuss concerns from councilmembers regarding procedures of Executive Sessions and Behaviors – Not sure how to word this one?)

15. CONTINUATION OF PUBLIC COMMENT:

16. CONTINUATION OF COUNCIL COMMENT:

17. ADJOURNMENT:

Posted: March 13, 2020

City Hall (2), Post Office, Riptide, AP Market, USFS, Thorne Bay School, SISD, Davidson Landing
Website: www.thornebay-ak.gov

RESOLUTION 20-03-17-01
CITY OF THORNE BAY, ALASKA

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF THORNE BAY, ALASKA, RECOGNIZING CINDY EDENFIELD FOR HER LEADERSHIP, TIME, TRAINING, AND MANY YEARS DEDICATED TO EMERGENCY SERVICES DEPARTMENT AND SERVICES WITHIN THE COMMUNITY

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

WHEREAS, Cindy Edenfield has dedicated many years to the Emergency Services Department, volunteering her time and skills to help save lives of others, served as an EMT II and a 911 Dispatcher; and

WHEREAS, Cindy Edenfield has not only dedicated time towards EMS, she has helped with putting together the annual Thorne Bay Days Events; Easter Egg hunts for the children, planning, cooking and hosting for different fundraisers within the community and more.

NOW THEREFORE BE IT RESOLVED, that the City Council for the City of Thorne Bay, Alaska, presents this certificate of appreciation to honor Cindy Edenfield for all she has done for our community..

PASSED AND APPROVED this 17th day of March 2020

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Lee Q. Burger, Mayor

ATTEST:

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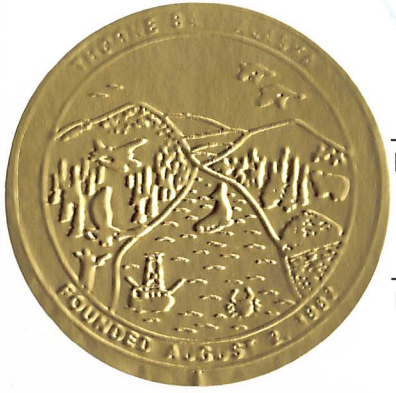
Teri Feibel, CMC

The City of Thorne Bay, City Council honors:

Cindy Edenfield

The City Council, on behalf of the Citizens of Thorne Bay,
would like to show our appreciation for the leadership, time, training, effort,
and many years you have dedicated to Thorne Bay EMS.
Not only for your time in EMS,
but all the things you do to support the community, be it putting together the Easter Egg hunt for the kids, planning, cooking, & hosting games during "Thorne Bay Days" and fundraising for, or training, or recruiting new people to the Thorne Bay EMS squad.
Your dedication to this community is greatly appreciated, and we honor you, this 17th Day of March 2020.



Mayor Lee Burger	Vice-Mayor Roger Longbotham	Harvey McDonald
Rose Hert	Eric Rhodes	Jon Stram

CITY OF THORNE BAY
RESOLUTION 20-03-17-02

A RESOLUTION OF THE THORNE BAY CITY COUNCIL SUPPORTING THE PLANNING & ZONING COMMISSIONS RESOLUTION NUMBERED 20-03-09-01-PZ PROVIDING THE CITY OF THORNE BAY'S OFFICIAL POSITION ON THE PROPOSED BAY VIEW TIMBER SALE

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

WHEREAS, the Planning and Zoning Commission for the city was established to constitute a department of the city and to perform the city-wide functions of planning, platting and zoning for the city, and to advise the chief executive officer and city council of them; and

WHEREAS, the Planning and Zoning Commission met on Monday March 9, 2020, to discuss the potentially negative impacts that the State's Bay View Timber Sale would have on the community of Thorne Bay; and

WHEREAS, the Thorne Bay City Council agrees fully with the statements approved in the Planning and Zoning Commission Resolution 20-03-09-01PZ; and

NOW, THEREFORE, BE IT RESOLVED, The City Council for the City of Thorne Bay fully supports, accepts and states as the City's official position on the proposed Bay View Timber Sale, Resolution 20-03-09-01PZ.

PASSED AND APPROVED BY THE CITY COUNCIL on this 17th day of March 2020

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Lee Q. Burger, Mayor

ATTEST:

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Teri Feibel, CMC

CITY OF THORNE BAY, PLANNING AND ZONING COMMISSION

RESOLUTION NO. 20-03-09-01PZ

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION FOR THE CITY OF THORNE BAY, ALASKA, TO STATE THE CITY OF THORNE BAY'S POSITION ON THE PROPOSED BAY VIEW TIMBER SALE.

WHEREAS, the City of Thorne Bay supports the State of Alaska, Division of Forestry's (DOF) right to plan and offer the Bay View Timber Sale and plan for the eventual disposal and divestiture from State ownership of a portion of the lands; and,

WHEREAS, the City of Thorne Bay recognizes that the sustainability of the future of Thorne Bay's economy, the livelihoods of our citizens, the recreation and visitor-based industry are highly dependent on a natural setting surrounding the community; and,

WHEREAS, the City of Thorne Bay wishes to ensure sustainability and economic viability of our local sawmills, which are dependent on a reliable supply of local timber; and,

WHEREAS, the State of Alaska in development of the Bay View Timber Sale has the responsibility to consider potential negative economic impacts of the proposed sale to the community of Thorne Bay. The visual effects of the proposed harvest would lessen visitor experiences, damaging the natural aesthetics, and threaten the livelihood of guest lodges and businesses that rely on a visitor-based economy; and,

WHEREAS, it is in the best economic interests of the City of Thorne Bay to protect the community viewshed, including the entrance to the Bay; and,

WHEREAS, the State of Alaska needs to openly advertise the sale of timber from the Bay View Timber Sale to all sawmill operators; and,

WHEREAS, it is the responsibility of the City of Thorne Bay to maintain roads of a City subdivision. The roads proposed to access the Bay View Timber Sale and subsequent subdivision need to be built to residential standards and grades. The DOF has indicated that these roads would eventually become the property and

responsibility of the City of Thorne Bay which is limited in funding to rebuild substandard roads; and,

WHEREAS, the State of Alaska proposes permanent access to the new subdivision by an extension of Shoreline Drive. The proposed access would skirt the City's Wastewater Treatment Facility, paralleling the beach for a short distance and climbing a 12-13% grade to the constructed timber harvest road above. The State of Alaska Department of Environmental Conservation (ADEC), Lagoon Construction Guidelines (2009) require that a lagoon shall be placed a minimum of 330 feet (100 meters) from all roads. The distance between the lagoon and the mean high tide line is 100.8 feet (30.7 meters). There is no room to extend Shoreline Drive and meet those requirements; and,

WHEREAS, the State of Alaska proposes road extension access to the Bay View Timber Sale and subsequent subdivision via Shoreline Drive which would cross the current sewer outfall thus complicating matters; and,

WHEREAS, the State of Alaska will be creating a subdivision without power and no potential for future connection to City provided utilities. The State of Alaska should provide power to the subdivision utilizing a portion of the timber sale receipts; and,

WHEREAS, the City of Thorne Bay is responsible for the safety of citizens and must maintain access to the City Wastewater Treatment Facility at all times, it recognizes that the areas facing Thorne Bay include zones of possible slope instability. No timber harvest should occur on the slopes immediately above and adjacent to private properties along Shoreline Drive and the Wastewater Treatment Facility; and,

WHEREAS, the Thorne Bay Municipal Watershed Boundary, based upon LiDAR information, is out of date and needs to be updated to reflect the precise watershed boundaries; and,

WHEREAS, the City of Thorne Bay believes that the design of the proposed subdivision, access, and lot placement should be developed with the help of the City of Thorne Bay and the City's Planning and Zoning Commission.

NOW, THEREFORE, BE IT RESOLVED, The City of Thorne Bay supports a modification to the Bay View Timber Sale to protect the viewshed of the community and entrance to the Bay; and

BE IT FURTHER RESOLVED, access to the proposed subdivision should be along State logging roads and the Sandy Beach Road (USFS 3000 RD) on the Prince of Wales road system; and,

BE IT FURTHER RESOLVED, that roads proposed to access the Bay View Timber Sale and subsequent subdivision be constructed to residential standards and grades; and,

BE IT FURTHER RESOLVED, that accessing the new subdivision by an extension of Shoreline Drive does not meet ADEC guidelines; and,

BE IT FINALLY RESOLVED, that the City of Thorne Bay encourages the State of Alaska, DOF to openly advertise the sale of timber from the Bay View Timber Sale to all sawmill operators by competitive bid, not by negotiated sale.

PASSED, APPROVED AND ADOPTED by the Planning and Zoning Commission of the City of Thorne Bay, Alaska on this 6th day of March 2020.

Jim Baichtal, Vice-Chairman

ATTEST:

Dana Allison 3/9/20

Dana Allison, Planning & Zoning Clerk

CITY OF THORNE BAY
ORDINANCE 20-04-05-01

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF THORNE BAY, ALASKA; AMENDING ORDINANCE 19-06-18-01; PROVIDING FOR THE ESTABLISHMENT OF THE BUDGET FOR THE CITY OF THORNE BAY, FISCAL YEAR 2020, JULY 1, 2019 -JUNE 30, 2020, ANTICIPATED REVENUES AND EXPENDITURES

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

Section 1. **Classification.** This is a non-code ordinance.

Section 2. **General Provisions**. The budget documents attached hereto list the authorized appropriations for expenditures, revenues and the change in cash balances as part of the budget for the period ***July 1, 2019 to June 30, 2020,*** detail anticipated line item revenues and expenditures for each appropriation and make the budget a matter of public record.

Section 3. **Authorization and Appropriation**. The appropriations are adopted and authorized for the period July 1, 2019 to June 30, 2020 and for that period. Subject to council approval by resolution, the Mayor may establish line item expenditures within an authorized appropriation. Subject to council approval by ordinance, the Mayor may transfer from one authorized appropriation to another any amount that would not annually exceed 10 percent or $10,000, whichever is less.

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

PASSED AND APPROVED: April 5, 2020

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Lee Q. Burger, Mayor

ATTEST:

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Teri Feibel, CMC

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[Introduction: March 17, 2020]
[Public Hearing: April 5, 2020]

CITY OF THORNE BAY
ORDINANCE 20-03-17-01

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF THORNE BAY, ALASKA, - AMENDING TITLE 1-GENERAL PROVISIONS; SECTION 1.16.035-MINOR OFFENSE FINE SCHEDULE, SETTING FINE AMOUNTS FOR MINOR OFFENSE VIOLATIONS OF TITLE 17-ZONING;

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, establishing fine amounts for the offenses listed in TBMC OF Title 17-Zoning; Chapters- 17.04.022 Residential Zone; 17.04.023 Deer Creek Residential Zone; 17.04.024-Mixed Residential/Commercial I; 17.04.025-Mixed Residential /Commercial II; 17.04.026-Mixed Residential/Commercial III; 17.04.027-Commercial Zone; 17.04.028-Industrial Zone; 17.04.029-Waterfront Zone; 17.04.030-Public Zone; 17.04.031-Low Density Residential; 17.04.032-Medium Density Residential; 17.04.033-High Density Residential; 17.04.034-Greentree Heights Residential; 17.04.036-Mobile Home Parks; 17.04.040-Communications-Telecommunications Facilities; 17.04.037-Recreational Vehicle and Travel Trailer Parks; 17.04.041-Off-Street Parking Requirements. The fines 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 March 17, 2020

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Lee Q. Burger, Mayor

ATTEST:

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Teri Feibel, CMC

[Introduction: January 7, 2019]
[Public Hearing: January 21, 2020]
[2nd Public Hearing: March 17, 2020]

Amending
Title 1 General Provisions

Adding Title 10-Vehicles and Traffic; Chapter 10.04-General Provisions Section 10.04.030 Provisions Adoption By Reference, Subsection (B)(2) Operations and Restrictions

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 20-04-05-02; Prior Ord. 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.

THORNE BAY OFFENSES IN UNIFORM MINOR OFFENSE TABLE (UMOT)

INSTRUCTIONS

The following offenses are currently listed in the court's Uniform Minor Offense Table. To update this list, contact the city attorney or city official authorized to notify the Alaska Court System's Administrative Office of all needed updates to the table by using the 'Request to Update UMOT' form (TR-550): https://public.courts.alaska.gov/web/forms/docs/TR-550.pdf

Ordinance Number	Ordinance Description	Offense Appearance type: Mandatory Optional or Correctable	Fine Schedule Amount for Optional / Correctable	**Maximum** Fine Permitted for Mandatory
TBMC 17.04.023 (D)	Deer Creek Residential. Failure to adhere to property development standards	Optional	$200.00	
TBMC 17.04.023 (D-1)	Deer creek residential. Property Development Standards. Failure to adhere to minimum lot size	Optional	$200.00	
TBMC 17.04.023 (D-2)	Deer creek residential. Property Development Standards. Failure to adhere to Parking Requirements off street on premises.	Optional	$200.00	
TBMC 17.04.023 (D-3)	Deer creek residential. Property Development Standards. Failure to adhere to Parking Setback Requirements.	Optional	$200.00	
TBMC 17.04.023 (D-4)	Deer creek residential. Property Development Standards. Building Height Exceeded	Optional	$200.00	
TBMC 17.04.023 (D-5)	Deer creek residential. Property Development Standards. Density exceeded	Optional	$200.00	
TBMC 17.04.023 (D-6)	Deer creek residential. Property Development Standards. Failure to connect to city utilities prior to occupancy.	Optional	$200.00	
TBMC 17.04.023 (D-8)	Deer creek residential. Property Development Standards. Exceeding building density	Optional	$200.00	
TBMC 17.04.023 (D-9)	Deer creek residential. Property Development Standards. Signs prohibited	Optional	$200.00	
TBMC 17.04.023 (D-10)	Deer creek residential. Property Development Standards. Fences exceeding height or obstructing vehicular traffic	Optional	$200.00	

TBMCCHAPTER 17.04	MIXED RESIDENTIAL/COMMERCIAL I	Optional	$200.00	
TBMC 17.04.024	Residential/Commercial-Failure to obtain development permit prior to construction	Optional	$200.00	
TBMC 17.04.024 (B)	Residential/Commercial-Failure to obtain Conditional Use Permit for non-residential use	Optional	$200.00	
TBMC 17.04.024 (c)	Residential/Commercial - Failure to adhere to Property Development Standards, minimum lot size, width and/or density	Optional	$200.00	
TBMC 17.04.024 (C-3)	Residential/Commercial - Property Development Standards. Failure to adhere to Parking Requirements off street on premises.	Optional	$200.00	
TBMC 17.04.024 (C-4)	Residential/Commercial - Property Development Standards. Failure to adhere to setback requirements	Optional	$200.00	
TBMC 17.04.024 (C-5)	Residential/Commercial - Building height exceeded.	Optional	$200.00	
TBMC 17.04.024 (c)(6)(d)	Residential/Commercial - Building density exceeded.	Optional	$200.00	
TBMC 17.04.024 (C-7)	Residential/Commercial - Fences exceeding height or obstructing vehicular traffic.	Optional	$200.00	
TBMC 17.04.024 (C-8)	Residential/Commercial - Signs prohibited	Optional	$200.00	

TBMC 17.04.025	MIXED RESIDENTIAL COMMERCIAL II	Optional	$200.00	
TBMC 17.04.025	Mixed Residential/Commercial II. Failure to obtain development permit prior to construction	Optional	$200.00	
TBMC 17.04.025 (B)	Mixed Residential/Commercial II - Failure to obtain Conditional Use Permit for non-residential use	Optional	$200.00	
TBMC 17.04.025 (c)	Residential/Commercial II - Failure to adhere to Property Development Standards, minimum lot size, width and/or density	Optional	$200.00	
TBMC 17.04.025 (c-3)	Mixed Residential/Commercial II - Property Development Standards. Failure to adhere to Parking Requirements off street on premises.	Optional	$200.00	
TBMC 17.04.025 (c-4)	Residential/Commercial II - Property Development Standards. Failure to adhere to setback requirements	Optional	$200.00	
TBMC 17.04.025 (c-5)	Residential/Commercial II - Building height exceeded.	Optional	$200.00	
TBMC 17.04.025 (c)(6)(c)	Residential/Commercial II - More than one principal structure on property	Optional	$200.00	
TBMC 17.04.025 (c)(6)(d)	Residential/Commercial II - Building density exceeded.	Optional	$200.00	
TBMC 17.04.025 (c)(7)	Residential/Commercial II - Fences exceeding height or obstructing vehicular traffic.	Optional	$200.00	
TBMC 17.04.025 (c)(8)	Residential/Commercial II - Signs prohibited	Optional	$200.00	

TBMC 17.04.026	Mixed Residential/Commercial III.	Optional	$200.00	
TBMC 17.04.026	Mixed Residential/Commercial III - Failure to obtain development permit prior to construction	Optional	$200.00	
TBMC 17.04.026 (b)	Mixed Residential/Commercial III - Failure to obtain Conditional Use Permit for non-residential use	Optional	$200.00	
TBMC 17.04.026 (c)	Mixed Residential/Commercial III - Failure to file a Notice of Intent	Optional	$200.00	
TBMC 17.04.026 (f)	Mixed Residential/Commercial II - Failure to adhere to Property Development Standards, minimum lot size, width and/or density	Optional	$200.00	
TBMC 17.04.026 (f)(3)	Mixed Residential/Commercial III - Property Development Standards. Failure to adhere to setback requirements	Optional	$200.00	
TBMC 17.04.026 (f)(4)	Mixed Residential/Commercial III - Building height exceeded.	Optional	$200.00	
TBMC 17.04.026 (f)(5)	Mixed Residential/Commercial III - Property Development Standards. Failure to adhere to Parking Requirements off street on premises.	Optional	$200.00	
TBMC 17.04.026 (f)(6)	Mixed Residential/Commercial III - Building density exceeded.	Optional	$200.00	
TBMC 17.04.026 (f)(9)	Mixed Residential/Commercial III - Signs prohibited	Optional	$200.00	

TBMC 17.04.027	Commercial Zone	Optional	$200.00	
TBMC 17.04.027	Commercial Zone - Failure to obtain development permit prior to construction	Optional	$200.00	
TBMC 17.04.027 (b)	Commercial Zone - Failure to obtain Conditional Use Permit for non-permitted commercial uses	Optional	$200.00	
TBMC 17.04.027 (c)	Commercial Zone - Failure to adhere to Property Development Standards, minimum lot size, width and/or density	Optional	$200.00	
TBMC 17.04.027 (c)(3)	Commercial Zone - Property Development Standards. Failure to adhere to setback requirements	Optional	$200.00	
TBMC 17.04.027 (c)(5)	Commercial Zone - Property Development Standards. Failure to adhere to Parking Requirements off street on premises.	Optional	$200.00	
TBMC 17.04.027 (c)(4)	Commercial Zone - Building height exceeded.	Optional	$200.00	
TBMC 17.04.027 (c)(6)	Commercial Zone - Signs prohibited	Optional	$200.00	

TBMC 17.04.028	Industrial Zone	Optional	$200.00	
TBMC 17.04.028	Industrial Zone - Failure to obtain development permit prior to construction	Optional	$200.00	
TBMC 17.04.028 (b)	Industrial Zone - Failure to obtain Conditional Use Permit for non-permitted commercial uses	Optional	$200.00	
TBMC 17.04.028 (c)	Industrial Zone - Prohibited Uses	Optional	$200.00	
TBMC 17.04.028 (d)(1)(2)	Industrial Zone - Property Development Standards - Failure to adhere to Property Development Standards, minimum lot size, width and/or density	Optional	$200.00	
TBMC 17.04.028 (e)	Industrial Zone - Failure to adhere to parking requirements	Optional	$200.00	
TBMC 17.04.028 (f)	Industrial Zone - Failure to obtain DEC approval for Private sewer treatment plans and subdivisions.	Optional	$200.00	
TBMC 17.04.028 (g)	Industrial Zone - Fences exceeding height or obstructing vehicular traffic	Optional	$200.00	
TBMC 17.04.029	Waterfront Zone	Optional	$200.00	
TBMC 17.04.029	Waterfront Zone - Failure to obtain development permit prior to construction	Optional	$200.00	
TBMC 17.04.029 (d)	Waterfront Zone - Failure to obtain Conditional Use Permit for uses not outright permitted	Optional	$200.00	
TBMC 17.04.029 (e)	Waterfront Zone - Failure to adhere to property development standards, lot size, width and/or density	Optional	$200.00	
TBMC 17.04.029 (e)(3)	Waterfront Zone - Property Development Standards. Failure to adhere to setback requirements	Optional	$200.00	
TBMC 17.04.029 (e)(4)	Waterfront Zone - Building height exceeded.	Optional	$200.00	
TBMC 17.04.029 (e)(5)	Waterfront Zone - Failure to adhere to Parking Requirements off street on premises.	Optional	$200.00	
TBMC 17.04.029 (e)(6)	Waterfront Zone - Signs causing glare prohibited.	Optional	$200.00	
TBMC 17.04.029 (e)(7)	Waterfront Zone - Fences exceeding height or obstructing vehicular traffic	Optional	$200.00	
TBMC 17.04.030	Public Zone	Optional	$200.00	
TBMC 17.04.030	Public Zone - Development Permit Required	Optional	$200.00	
TBMC 17.04.030 (c)	Public Zone - Failure to adhere to Property Development Standards lot size, width and/or density	Optional	$200.00	
TBMC 17.04.030 (c)(3)	Public Zone - Failure to adhere to setback requirements	Optional	$200.00	
TBMC 17.04.030 (c) (4)	Public Zone - Building height exceeded.	Optional	$200.00	
TBMC 17.04.030 (c) (5)	Public Zone - Failure to adhere to Parking Requirements off street on premises.	Optional	$200.00	
TBMC 17.04.030 (c) (6)	Public Zone - Signs causing glare prohibited.	Optional	$200.00	
TBMC 17.04.030 (c) (7)	Public Zone - Fences exceeding height or obstructing vehicular traffic	Optional	$200.00	

TBMC 17.04.031	Low Density Residential	Optional	$200.00	
TBMC 17.04.031	Low Density Residential - Failure to obtain development permit prior to construction	Optional	$200.00	
TBMC 17.04.031 (b)	Low Density Residential - Failure to obtain Conditional Use Permit for non-permitted commercial uses	Optional	$200.00	
TBMC 17.04.031 (c)	Low Density Residential - Prohibited Uses	Optional	$200.00	
TBMC 17.04.031 (d)(1)(2)(3	Low Density Residential - Property Development Standards - Failure to adhere to Property Development Standards, minimum lot size, width and/or density	Optional	$200.00	
TBMC 17.04.031 (d)(4)	Low Density Residential - Failure to adhere to parking requirements	Optional	$200.00	
TBMC 17.04.031 (d)(5)	Low Density Residential - Failure to adhere to setback requirements	Optional	$200.00	
TBMC 17.04.031 (d)(6)	Low Density Residential - Development impeding visibility	Optional	$200.00	
TBMC 17.04.031 (d)(7)	Low Density Residential - Building height exceeded.	Optional	$200.00	
TBMC 17.04.031 (d)(8)	Low Density Residential - Maximum Lot Coverage Exceeded	Optional	$200.00	
TBMC 17.04.031 (d)(9)	Low Density Residential - Fences exceeding height or obstructing vehicular traffic	Optional	$200.00	
TBMC 17.04.032	Medium Density Residential	Optional	$200.00	
TBMC 17.04.032	Medium Density Residential - Failure to obtain development permit prior to construction	Optional	$200.00	
TBMC 17.04.032 (b)	Medium Density Residential - Failure to obtain Conditional Use Permit for non-permitted commercial uses	Optional	$200.00	
TBMC 17.04.032 (c)	Medium Density Residential - Prohibited Uses	Optional	$200.00	
TBMC 17.04.032 (d)(1)(2)(3	Medium Density Residential - Property Development Standards - Failure to adhere to Property Development Standards, minimum lot size, width and/or density	Optional	$200.00	
TBMC 17.04.032 (d)(4)	Medium Density Residential - Failure to adhere to parking requirements	Optional	$200.00	
TBMC 17.04.032 (d)(5)	Medium Density Residential - Failure to adhere to setback requirements	Optional	$200.00	
TBMC 17.04.032 (d)(5)(d)	Medium Density Residential - Development impeding visibility	Optional	$200.00	
TBMC 17.04.032 (d)(6)	Medium Density Residential - Building height exceeded.	Optional	$200.00	
TBMC 17.04.032 (d)(7)	Medium Density Residential - Maximum Lot Coverage Exceeded	Optional	$200.00	
TBMC 17.04.032 (d)(8)	Medium Density Residential - Fences exceeding height or obstructing vehicular traffic	Optional	$200.00	

TBMC 17.04.033	High Density Residential	Optional	$200.00	
TBMC 17.04.033	High Density Residential - Failure to obtain development permit prior to construction	Optional	$200.00	
TBMC 17.04.033 (b)	High Density Residential - Failure to obtain Conditional Use Permit for non-permitted commercial uses	Optional	$200.00	
TBMC 17.04.033 (c)	High Density Residential - Prohibited Uses	Optional	$200.00	
TBMC 17.04.033 (d)(1)(2)(3	High Density Residential - Property Development Standards - Failure to adhere to Property Development Standards, minimum lot size, width and/or density	Optional	$200.00	
TBMC 17.04.033 (d)(4)	High Density Residential - Maximum Lot Coverage Exceeded	Optional	$200.00	
TBMC 17.04.033 (d)(5)	High Density Residential - Failure to adhere to parking requirements	Optional	$200.00	
TBMC 17.04.0332 (d)(6)	High Density Residential - Failure to adhere to setback requirements	Optional	$200.00	
TBMC 17.04.033 (d)(6)(c)	High Density Residential - Development impeding visibility	Optional	$200.00	
TBMC 17.04.033 (d)(7)	High Density Residential - Building height exceeded.	Optional	$200.00	
TBMC 17.04.033 (d)(8)	High Density Residential - Fences exceeding height or obstructing vehicular traffic	Optional	$200.00	
TBMC 17.04.034	Greentree Heights Residential	Optional	$200.00	
TBMC 17.04.034	Greentree Heights Residential - Failure to obtain development permit prior to construction	Optional	$200.00	
TBMC 17.04.034 (b)	Greentree Heights Residential - Failure to obtain Conditional Use Permit for non-permitted uses	Optional	$200.00	
TBMC 17.04.034 (c)	Greentree Heights Residential - Prohibited Uses	Optional	$200.00	
TBMC 17.04.034 (d)(1)	Greentree Heights Residential - Property Development Standards - Failure to adhere to Property Development Standards, minimum lot size	Optional	$200.00	
TBMC 17.04.034 (d)(2)	Greentree Heights Residential - Failure to adhere to parking requirements	Optional	$200.00	
TBMC 17.04.034 (d)(3)	Greentree Heights Residential - Failure to adhere to setback requirements	Optional	$200.00	
TBMC 17.04.034 (d)(4)	Greentree Heights Residential - Building height exceeded.	Optional	$200.00	
TBMC 17.04.034 (d)(6)	Greentree Heights Residential - Failure to hook into municipal utilities.	Optional	$200.00	
TBMC 17.04.034 (d)(8)	Greentree Heights Residential - Development-Failure to adhere to building requirements	Optional	$200.00	
TBMC 17.04.034 (d)(9)	Greentree Heights Residential - Signs Prohibited	Optional	$200.00	
TBMC 17.04.034 (d)(10)	Greentree Heights Residential - Fences exceeding height or obstructing vehicular traffic	Optional	$200.00	
TBMC 17.04.034 (d)(11)	Greentree Heights Residential - Failure to have septic system inspected prior to constructing buildings	Optional	$200.00	

TBMC 17.04.036	Mobile Home Park	Optional	$200.00	
TBMC 17.04.036 (b)	Mobile Home Park - Failure to obtain Conditional Use Permit from City Planning Commission	Optional	$200.00	
TBMC 17.04.036 (c)	Mobile Home Park - Failure to adhere to Mobile Home Park Design Requirements	Optional	$200.00	
TBMC 17.04.036 (c) (1)(2)(3	Mobile Home Park - Failure to adhere to Property Development Standards, minimum lot size, width and/or density	Optional	$200.00	
TBMC 17.04.036 (c)(7)	Mobile Home Parks - Failure to adhere to setbacks	Optional	$200.00	
TBMC 17.04.036 (c)(10)	Mobile Home Parks - Non-compliant water supply and/or sewage disposal systems	Optional	$200.00	
TBMC 17.04.036 (c)(12)	Mobile Home Parks - Failure to provide a screen of view obscuring fencing around the mobile home parks	Optional	$200.00	
TBMC 17.04.037	Recreational Vehicle & Travel Trailer Parks	Optional	$200.00	
TBMC 17.04.037 (b)	Recreational Vehicle and Travel Trailer Parks - Failure to obtain Conditional Use Permit from Planning Commission.	Optional	$200.00	
TBMC 17.04.037 (c)	Recreational Vehicle and Travel Trailer Parks - Failure to adhere to Development Standards.	Optional	$200.00	
TBMC 17.04.037	Recreational Vehicle and Travel Trailer Parks - Failure to license Recreational Vehicle within Trailer Park.	Optional	$200.00	
TBMC 17.04.041	Off-Street Parking Requirements	Optional	$200.00	
TBMC 17.04.041 (d)	Off-Street Parking Requirements - Violation of Required Parking Spaces	Optional	$200.00	
TBMC 17.05	Enforcement	Optional		
TBMC 17.05.030	Obedience to officials required - The failure or refusal to comply with any lawful order or direction of the Code Enforcement Officer given.	Optional	$300.00	
TBMC 17.05.070 (b)	Enforcement - Remediation measures – authority to enforce - unlawful threat or physical force to cause harm, or obstruction, impediment or interference with investigation	Mandatory		$750.00

CITY OF THORNE BAY
ORDINANCE 20-03-17-02
(Formerly introduced as Ordinance 20-01-21-02)

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF THORNE BAY, ALASKA, AMENDING TITLE 17-ZONING; CHAPTER 17.04-PLANNING & ZONING; SECTION 17.04.050 ENFORCEMENT, VIOLATIONS AND PENALTIES

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 17-Zoning; Chapter 17.04-Planning & Zoning; Section 17.04.050 Enforcement, Violations and Penalties, hereby amended and added to the Thorne Bay Municipal Code.

A. Penalties.

1. Whenever a violation of the provisions of this title occurs the property owner SHALL BE DEEMED 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 IF NOT LISTED IN 1.16.035 THEN BY THE FINE PROVIDED IN 1.16.030. ~~shall incur a civil penalty not to exceed one hundred dollars for each day of continuing violation~~. (Ord. 93-23 § 6(part), 1993)
2. IF A VIOLATION CONTINUES, EACH DAY'S VIOLATION SHALL BE DEEMED AS A SEPARATE VIOLATION.

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

PASSED AND APPROVED March 17, 2020

ATTEST:

_____
Lee Q. Burger, Mayor

_____
Teri Feibel, CMC

[Introduction: January 7, 2020]
[Second Introduction: January 21, 2020]
[Public Hearing: March 17, 2020]
[Sponsor: Harvey McDonald]

~~Deletions are red and stricken~~
ADDITIONS ARE BLUE AND CAPITALIZED

TITLE 17-ZONING
CHAPTER 17.04-PLANNING AND ZONING

SECTION 17.04.050-ENFORCEMENT, VIOLATIONS AND PENALTIES SHALL BE AMENDED AND WILL READ AS FOLLOWS:

17.04.050 ENFORCEMENT, VIOLATIONS AND PENALTIES.

A. **Enforcement**. The city zoning official shall administer and enforce this zoning title.

B. **Violations**. When the city zoning official finds that any provisions of this title are being violated, he shall notify in writing the property owner or person responsible for the violation. The notification shall include the nature of the violation and the ordering action necessary to correct it. The zoning official shall order the discontinuance of illegal uses of land, buildings or structures; the removal of illegal buildings or additions; alterations or structures; and discontinuance of any illegal work that is being done.

C. **Complaints** Regarding Violations. Whenever a violation of the provisions of this title occurs, any person may file a complaint in writing at City Hall. All such complaints shall be brought to the city zoning official who shall record such complaints and investigate the violation. The results of the investigation of the violation shall be reported to the planning commission.

D. **Penalties**.

1. Whenever a violation of the provisions of this title occurs the property owner SHALL BE DEEMED 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 IF NOT LISTED IN 1.16.035 THEN BY THE FINE PROVIDED IN 1.16.030. ~~shall incur a civil penalty not to exceed one hundred dollars for each day of continuing violation~~. (Ord. 93-23 § 6(part), 1993)

2. IF A VIOLATION CONTINUES, EACH DAY'S VIOLATION SHALL BE DEEMED AS A SEPARATE VIOLATION.

(Ordinance 20-01-21-02; Prior Ord. 93-23 § 6(part), 1993)