


**CITY OF THORNE BAY
ORDINANCE 20-04-07-01**

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;

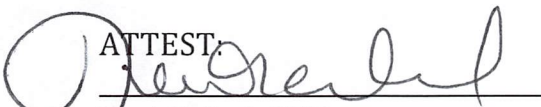
BE IT ENACTED BY THE CITY COUNCIL FOR THE CITY OF THORNE BAY, ALASKA

- 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 April 7, 2020



Lee Q. Burger, Mayor

ATTEST:


Teri Feibel, CMC

[Introduction: January 7, 2019]
[Public Hearing: January 21, 2020]
[Planning Commission Review: March 2, 2020]
[2nd Public Hearing: April 07, 2020]
[Sponsor: Harvey McDonald]

**Amending
Title 1 General Provisions**

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 20-03-17-01; 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
TBMCCCHAPTER 17.04	DEER CREEK RESIDENTIAL ZONING	Optional	\$200.00	
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 III - 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