

CITY OF THORNE BAY
ORDINANCE 20-04-07-02

(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.

17.04.050 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 April 07, 2020

ATTEST:


Teri Feibel, CMC


Lee Q. Burger, Mayor

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

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 20-03-17-02; Prior Ord. 93-23 § 6(part), 1993)