

# City of Sand Point



## ORDINANCE 2017-03

**AN ORDINANCE OF THE SAND POINT CITY COUNCIL AMENDING VARIOUS ORDINANCES OF THE CITY OF SAND POINT TO CLARIFY OR CORRECT MINOR ERRORS OR INCONSISTENCIES IN THE CITY'S CODE GOVERNING MINOR OFFENSES FOR VIOLATIONS OF CITY LAWS, AND UPDATING THE FINE SCHEUDLE.**

**BE IT ENACTED** by the City Council of the City of Sand Point:

**Section 1.** Form. This is a Code ordinance.

**Section 2.** Amendment of Section 1.10.085. The Minor Offense Fine Schedule set forth in Section 1.10.085 of the Code of Ordinances of the City of Sand Point, Alaska is hereby amended as follows. New entries and sections shall be added in chronological order by subsection number in the existing fine schedule.

<b>Code Section</b>	<b>Offense Description</b>	<b>Fine Amount</b>
10.20.030	Failure to maintain solid waste collection service	\$300
10.20.090	Unsecured refuse	\$300
12.10.050(a)(b)	<u>Licensed nuisance dog at large</u> [Nuisance dog]	\$100 licensed dog [; <del>\$200 unlicensed dog</del> ]
<u>12.10.050(a)</u>	<u>Unlicensed nuisance dog at large</u>	<u>\$200</u>
12.20.150[ <del>(a)</del> ]	Littering – Private or Public Property	\$100
[ <del>12.20.150(b)</del> ]	<del>Defacing property of another or public property</del>	<del>200]</del>

**Section 3.** Amendment of Chapter 10.20. The Code of Ordinances of the City of Sand Point, Alaska, is hereby amended by the addition of new Section 10.20.100 to read as follows:

**10.20.100. VIOLATION; PENALTY.**

Introduction and 1<sup>st</sup> Reading      May 12, 2017  
2<sup>nd</sup> Reading and Adoption      June 5, 2017

Any person violating any provision of this chapter or any regulation adopted pursuant thereto shall be guilty of a minor offense punishable by a fine as provided in SPCO 1.10.085, or if no fine is there established, a fine not to exceed \$500.

**Section 4. Amendment of Section 12.10.030.** Section 12.10.030 of the Code of Ordinances of the City of Sand Point, Alaska, is hereby amended to read as follows [deleted language is ~~struck~~, added language is underlined]:

**12.10.030. UNLICENSED DOGS.**

(a) The owner of any dog found at large not wearing a license (whether previously licensed or not) will receive a warning to either purchase the dog a license and/or make sure the dog is wearing the license at all times. If the owner has not already purchased the dog a license, he will be given two weeks to do so.

(b) If the dog is found at large a second time without a license, the owner will be fined \$100 ~~\$50~~ and advised that if the dog is permitted to run at large a third time without a license, it will be destroyed by the Enforcement Officer designated for that purpose.

(c) If any owner refuses to pay the imposed fine or refuses to license their dog, the dog will be destroyed. Also, any dog found at large not wearing a license and whose owner cannot be located by the Enforcement Officer will, unless vicious, be held for five days and then destroyed. Fines will still be due and payable.

**Section 5. Amendment of Section 12.10.050.** Section 12.10.050 of the Code of Ordinances of the City of Sand Point, Alaska, is hereby amended to read as follows [deleted language is ~~struck~~, added language is underlined]:

**12.10.050. LICENSED AND UNLICENSED NUISANCE DOGS.**

(a) Any dog running at large, causing garbage or trash to be dispersed, or in any way causing alarm or harassment to a person shall be considered a nuisance. Except as otherwise provided in this chapter, a nuisance dog will be captured and returned to the owner. If the dog is properly licensed, a written warning will be given to the owner to control the dog. If the dog is unlicensed [~~unlicensed~~], the owner must immediately obtain the required licensing and will also receive a written warning to control the dog. If the dog is captured a second time for being a nuisance, the dog will be returned and, if the dog is licensed, the owner fined \$100, or if the dog is unlicensed, the owner will be fined \$200. If the dog is captured a third time for being a nuisance, the dog will be destroyed after notice to the owner and opportunity to be heard.

(b) Any nuisance dog that cannot be identified as having a responsible owner will be destroyed by the Enforcement Officer.

**Section 6. Amendment of Subsection 13.06.020(a).** Subsection 13.06.020(a) of the Code of Ordinances of the City of Sand Point, Alaska, is hereby amended to read as follows [deleted language is ~~struck~~, added language is underlined; all other subsection to remain unchanged]:

**13.06.020. GENERAL PROVISIONS.**

(a) *Compliance of structures or premises required.* No structure or premises shall [~~shale~~] hereafter be used or occupied and no structure or part thereof shall be erected, moved, reconstructed, extended, enlarged, or altered contrary to the provisions of this title. Failure to obtain a required permit or a violation of any condition of a permit required by this Title is unlawful and a minor offense punishable by a fine as provided in SPCO 1.10.085, or if no fine is there established, a fine not to exceed \$500.

**Section 7. Amendment of Subsection 13.06.030(a).** Subsection 13.06.030(a) of the Code of Ordinances of the City of Sand Point, Alaska, is hereby amended to read as follows [deleted language is ~~struck~~, added language is underlined; all other subsection to remain unchanged]:

**13.06.030. ADMINISTRATION.**

(a) *Enforcement.* The city Administrative Official shall have the power and duty to enforce the provisions of this title. An appeal from a ruling of the Administrative Official shall be made to the Planning Commission except that a citation for a minor offense is governed by Chapter 1.10 of this Code and the State of Alaska Rules of Minor Offense Procedure.

**Section 8. Effective Date.** This ordinance shall be effective immediately after it is adopted.

**PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE SAND POINT CITY COUNCIL THIS 5<sup>TH</sup> DAY OF June, 2017.**

**CITY OF SAND POINT**

Glen Gardner Jr.  
Glen Gardner, Jr., Mayor

ATTEST:

Shannon Sommer  
Shannon Sommer, City Clerk

Introduction and 1<sup>st</sup> Reading      May 12, 2017  
2<sup>nd</sup> Reading and Adoption      June 5, 2017