

Proposed by:	Administration
Public Safety Review:	05/23/2014
First Reading:	06/05/2014
Second Reading:	06/19/2014
Vote:	6 Aye 0 Nay 0 Absent

**MUNICIPALITY OF SKAGWAY, ALASKA
ORDINANCE NO. 14-12**

AN ORDINANCE OF THE MUNICIPALITY OF SKAGWAY, ALASKA AMENDING TITLE 5 BUSINESS LICENSES AND REGULATIONS TO PROVIDE THAT VIOLATIONS OF THIS TITLE ARE SUBJECT TO CIVIL FINES.

NOW THEREFORE BE IT ORDAINED AND ENACTED BY THE MUNICIPALITY OF SKAGWAY, ALASKA AS FOLLOWS:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the Skagway Municipal Code.

Section 2. Purpose. To amend Chapter 5.01 General Provisions and Chapter 5.20 Restricted Businesses to provide that violations of these chapters are subject to civil fines.

Section 3. Amendment. The Skagway Municipal Code is hereby amended; (~~strike through~~) indicates text to be deleted from and (**bold underscore**) indicates text added to the current code. Chapter 5.01 General Provisions is hereby amended as follows:

Sections:

- 5.01.010 License--Issuance conditioned upon applicant's financial good standing with municipality.
- 5.01.020 License--Renewal.
- 5.01.030 License--Exhibition.
- 5.01.040 License--Transferability.
- 5.01.050 Correction order--Grounds for issuance.
- 5.01.060 License--Suspension or revocation.
- 5.01.070 Appeal to borough assembly.
- 5.01.080 Judicial review.
- 5.01.090 Operation without a license unlawful.
- 5.01.100 Penalties **Penalty.**

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 - A. **For violations of SMC 5.01 refer to chapter 1.20 General Penalties. Violations of this chapter are subject to civil fines established by resolution.** ~~Any person who failed to timely procure a license may be assessed a civil penalty of three hundred dollars (\$300.00) per day for each day of operation without the required license.~~
 - B. ~~Any person who fails to conform to the terms and conditions the municipality places upon a license issued hereunder shall be subject to a civil penalty of three hundred dollars (\$300.00) for each day of violation of such terms or conditions.~~
 - CB.** The municipality may seek a court order enjoining the continued operation, within the municipality, of any business whose owner or operator fails to comply with correction orders issued under Section 5.01.050 or terms of the borough assembly

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decision under Section 5.01.070, or who fails to cease operation following suspension or revocation of a license under Section 5.01.060 or 5.01.070.


Section 4. Amendment. The Skagway Municipal Code is hereby amended; (strike through) indicates text to be deleted from and (**bold underscore**) indicates text added to the current code. Chapter 5.20 Restricted Businesses is hereby amended as follows:

- E. Violations and Penalties.
1. Any responsible OPC employer and each responsible OPC solicitor shall be jointly and severally liable for any violations of this article.
 2. **For violations of SMC 5.20 refer to chapter 1.20 General Penalties. Violations of this chapter are subject to civil fines established by resolution.** Any violation of the terms of this article shall be punishable by a fine up to \$750.00, and revocation of any letter of authorization issues under sections C1 and C3. In addition, the municipality may bring suit for injunctive relief where warranted.


Section 5. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 6. Effective Date. This ordinance shall become effective immediately upon adoption.

PASSED AND APPROVED by a duly constituted quorum of the Borough Assembly of the Municipality of Skagway this 19th day of June, 2014.


Mark Schaefer, Mayor

ATTEST:


Emily A. Deach, Borough Clerk

(SEAL)

