

Proposed by:	Public Safety Committee
Attorney Review:	08/15/2016
First Reading:	08/12/2016
Second Reading:	09/01/2016
Vote:	6 Aye 0 Nay 0 Absent

**MUNICIPALITY OF SKAGWAY, ALASKA**  
**ORDINANCE NO. 16-16**

**AN ORDINANCE OF THE MUNICIPALITY OF SKAGWAY, ALASKA AMENDING SMC 13.20.100 PENALTIES, OF TITLE 13 PUBLIC UTILITIES, TO PROVIDE THAT VIOLATIONS OF SMC CHAPTER 13.20 SOLID WASTE COLLECTION AND DISPOSAL 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 SMC 13.20.100 to provide that violations of SMC chapter 13.20 are subject to civil fines. The Skagway Municipal Code is hereby amended (~~strike through~~) indicates text to be deleted from, and **bold** indicates text added to the current code as follows:

**Section 3. Amendment.** SMC 13.20.100 is hereby amended as follows:

13.20.100 Penalties.

~~A. Any person found to be violating any provision of this chapter except Section 13.20.090 shall be served by the municipality with a written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.~~

~~B. Any person who continues any violation beyond the time limit provided pursuant to subsection A above shall be guilty of a noncriminal infraction, and shall be fined in an amount not exceeding one hundred dollars (\$100.00) for each violation. Each day in which any such violation continues shall be deemed a separate offense.~~

**A. For violations of SMC chapter 13.20, refer to Chapter 1.20 General Penalty. Violations of SMC chapter 13.20 are subject to civil fines established by resolution.**

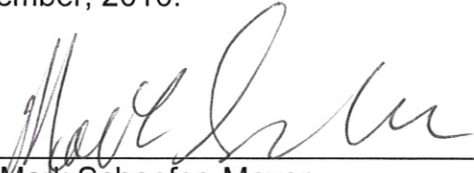
~~C.B. Any person violating any of the provisions of this chapter shall become liable to the municipality for any expense, loss or damage occasioned the municipality by reason of such violation.~~

**Section 4. 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.


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**Section 5. 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 1<sup>st</sup> day of September, 2016.

  
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Mark Schaefer, Mayor

ATTEST:

  
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Emily A. Deach, Borough Clerk

(SEAL)

