

Proposed by:	Administration
Attorney Review:	05/31/2022
Vote:	4 Aye 2 Nay 0 Absent

MUNICIPALITY OF SKAGWAY, ALASKA
RESOLUTION NO. 22-17R

A RESOLUTION OF THE MUNICIPALITY OF SKAGWAY, ALASKA ADDING MUNICIPAL FINES TO THE FINE SCHEDULE AND CONSOLIDATING EXISTING FINES

WHEREAS, the Municipality has established fines via many separate resolutions for violations of code requirements; however, some violations of code do not currently have fines associated with them, which hampers the Police Department’s ability to enforce those code requirements; and

WHEREAS, establishing currently missing fines for code violations will provide a mechanism for the Police Department to efficiently enforce municipal code; and

WHEREAS, the Municipality wishes to supplement the existing fine schedule in order to fully cover all regulations in municipal code that may be violated; and

WHEREAS, the Municipality wishes to consolidate and re-establish existing fines within this resolution, for ease of use and efficiency;

NOW, THEREFORE BE IT RESOLVED, by the Borough Assembly of the Municipality of Skagway that the following municipal fines are added to the existing fine schedule:

Title 5 – Business Licenses and Regulations

Name of Violation	Code	Fine	Frequency
License Exhibition	5.01.030	\$50	Each incident
Vehicle Equipment and Maintenance License Required	5.08.030(I)(1)	\$150	Each incident
Identification of Vehicles Failure to remove	5.08.030(J)(2)	\$150	Each incident
Taxi Company Permit Required	5.08.032(A)(1)	\$500	Each incident
Dyea Shuttle service comply with NPS permitting	5.08.032(A)(3)(e)	\$50	Each incident
Operating with less than two vehicle or more than five	5.08.032(E)	\$150	Each incident
Taxi exceeds vehicle size	5.08.032(F)	\$150	Each incident
Holding more than One Interest in Taxi Company	5.08.032(G)(2)	\$500	Each incident
Taxi Vehicle Inspection required	5.08.032(J)	\$150	Each incident
Taxi Vehicle Equipment Violations	5.08.032(J)(1)-(4)	\$75	Each incident
Taxi Vehicle Markings	5.08.032(K)(1)-(5)	\$150	Each incident
Dispatch and Records Requirements not met	5.08.032(M)(1)-(5)	\$300	Each incident
Taxi driver Maximum Hours Exceeded	5.08.032(N)	\$150	Each incident
Duty to Serve Public	5.08.032(O)	\$150	Each incident
Prohibited Alcoholic Beverages and Controlled Substances	5.08.032(P)(1)-(2)	\$300	Each incident
Prohibited Smoking in Taxi or Fail to Display No Smoking Signs	5.08.032(P)(3)	\$100	Each incident
Exclusive Use of Taxi	5.08.032(Q)	\$150	Each incident

MUNICIPALITY OF SKAGWAY

RESOLUTION NO. 22-17R

Page 2 of 7

Taxi Fares not Posted	5.08.032(R)(1)	\$150	Each incident
Failure to Provide Fare Receipts on request	5.08.032(R)(2)	\$50	Each incident
Sightseeing/Tours Violation	5.08.032(R)(3)	\$150	Each incident
Display of Identification and Licenses	5.08.032(U)	\$50	Each incident
Prohibited Practices Solicitation	5.08.032(V)(1)	\$300	Each incident
Prohibited Practices Purchasing Alcohol	5.08.032(V)(2)	\$150	Each incident
Prohibited Practices Alcohol Use and Open Container	5.08.032(V)(3)-(4)	\$200	Each incident
Prohibited Practices Passengers exceed number of seatbelts	5.08.032(V)(5)	\$150	Each incident
Safe and Reliable Taxicab Services	5.08.032(W)(1)-(4)	\$100	Each incident
Seatbelts and Child Safety Restraints	5.08.032(X)	\$50	Each incident
Non-Taxi use of Taxi zones	5.08.032(Y)	\$25	Each incident
Taxicab must Abide by all Parking Regulations	5.08.032(Z)	\$25	Each incident
Limousine Company Permit Required	5.08.033(A)(1)	\$500	Each incident
Exceeding Number of Permitted Vehicles	5.08.033(E)	\$150	Each incident
Holding more than One Interest in Limousine Company	5.08.033(F)(2)	\$500	Each incident
Limousine Vehicle Inspection Required	5.08.033(I)	\$150	Each incident
Limousine Equipment Violations	5.08.033(I)(1)-(3)	\$75	Each incident
Limousine Vehicle Markings	5.08.033(J)(1)-(3)	\$150	Each incident
Limousine Driver Maximum Hours Exceeded	5.08.033(L)	\$150	Each incident
Prohibited Alcoholic Beverages and Controlled Substances	5.08.033(M)(1)-(2)	\$300	Each incident
Prohibited Smoking in Taxi or Fail to Display No Smoking Signs	5.08.033(M)(3)	\$100	Each incident
Exclusive Use of Limousine	5.08.033(N)	\$150	Each incident
Limousine Fare Violations	5.08.033(O)(1)-(2)	\$150	Each incident
Display of Identification and Licenses	5.08.033(R)	\$50	Each incident
Prohibited Practices Solicitation	5.08.033(S)(1)	\$300	Each incident
Prohibited Practices Purchasing Alcohol	5.08.033(S)(2)	\$150	Each incident
Prohibited Practices Alcohol Use and Open Container	5.08.033(S)(3)	\$200	Each incident
Prohibited Practices Passengers exceed number of seatbelts	5.08.033(S)(4)	\$150	Each incident
Child Safety Restraints	5.08.033(T)	\$50	Each incident
Limousines must abide by all Parking Regulations	5.08.033(U)	\$25	Each incident
Courtesy Vehicle Equipment and Maintenance License Required	5.08.035(A)	\$150	Each incident
Courtesy Vehicle Drivers must have Alaska Driver's License	5.08.035(B)	\$100	Each incident
Liability Insurance Requirements	5.08.035(C)(1)-(2)	\$500	Each incident
Alaska Driver's License required with Chauffeur's Permit	5.08.040(C)	\$100	Each incident
Solicitation Prohibited	5.08.040(H)(1)	\$300	Each incident
Receipt and Discharge of Passengers	5.08.040(H)(2)(a)	\$100	Each incident
S.M.A.R.T. Vehicle Discharge of Passengers	5.08.040(H)(2)(b)	\$100	Each incident
Restriction on Number of Passengers	5.08.040(H)(3)	\$100	Each incident

MUNICIPALITY OF SKAGWAY

RESOLUTION NO. 22-17R

Page 3 of 7

Illegal Operation of Shuttle Bus	5.08.040(I)	\$500	Each incident
Non-motorized Conveyances Cert. of Public Transportation Required	5.08.045(A)(3)	\$500	Each incident
Illegal Walking Tours	5.08.045(B)	\$300	Each incident
Exceeding Tours and Tour Group Sizes	5.08.045(B)(2)	\$100	Each incident
State License for Alcoholic Beverages must be displayed	5.12.020	\$100	Each incident
State Licenses Required for Sale of Alcoholic Beverages	5.12.020	\$500	Each incident
State License for Marijuana Operations must be displayed	5.12.025	\$100	Each incident
State Licenses Required for Marijuana Operations	5.12.025	\$500	Each incident
Specific Prohibitions & Appropriate Behavior of OPC Solicitors	5.20.010(D)(1)-(2)	\$300	Each incident
Mobile Food Units and Mobile Retail Unit Violations	5.20.030(A)-(I)	\$300	Each incident
Panhandling Restricted	5.20.040 (B)(1)	\$25	Each incident
Aggressive Panhandling	5.20.040(C)(1-5)	\$50	Each incident

Title 6 - Animals

Name of Violation	Code	Fine	Frequency
Running at Large Prohibited	6.04.010(A)-(F)	\$50	Each incident
Fail to Notify and Change Dog Ownership	6.06.060	\$25	Each incident
Failure of Medical Practitioner to Report Animal Bites	6.12.030(B)	\$75	Each incident

Title 8 – Health and Safety

Name of Violation	Code	Fine	Frequency
Gutters to be Kept Clean	8.04.050	\$250	Each incident
Electrical Interference	8.04.080(1)	\$25	Each incident
Causing Crowds to Obstruct street or sidewalk	8.04.080(2)	\$100	Each incident
Stagnate Water Causing Public Health Hazard	8.04.080(3)	\$300	Each incident
Compost Material to Cause Nuisance	8.04.080(4)	\$300	Each incident
Pit, Hole or other Things Constructed to cause Public Danger	8.04.080(5)	\$300	Each incident
Fire or Explosion Hazard Endangering Health, Peace or Safety	8.04.080(6)	\$300	Each incident
Obstruction of Public Sidewalks	8.04.080(7)	\$25	Each incident

Title 9 – Public Peace, Safety, and Welfare

Name of Violation	Code	Fine	Frequency
Public Use of Marijuana	9.02.025(A)(1)-(2)	\$100	Each incident
Tree Trap Regulations	9.04.025	\$25	Each incident
Leg-Hold Trap Regulations	9.04.030	\$25	Each incident
Areas Trapping Prohibited	9.04.035(A)-(C)	\$25	Each incident

MUNICIPALITY OF SKAGWAY

RESOLUTION NO. 22-17R

Trapping on Private Property	9.04.040(A)-(B)	\$25	Each incident
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Title 10 – Vehicles and Traffic

Name of Violation	Code	Fine	Frequency
Pushcarts and Animals	10.02.030(A)	\$25	Each incident
Failure to Drive with Due Care while Operating Emergency Vehicles	10.02.030(C)(4)	\$100	Each incident
Driving Through Cemeteries	10.02.030(D)	\$50	Each incident
Use of Personal Motorized Vehicles for tours	10.02.030(D)(1)(a)	\$300	Each incident
Parade upon street without Approval	10.02.030(E)(1)	\$300	Each incident
Interruption of Authorized Parade	10.02.030(E)(2)	\$150	Each incident
Areas where Motorcycle, ATV's similar vehicles are Prohibited	10.02.030(F)(1)(a)-(d)	\$150	Each incident
Storage of property on Municipal Property Prohibited	10.02.035(A)	\$100	Each incident
Construction Equipment Impeding Traffic in Historic District	10.02.035(C)	\$100	Each incident
Riding Bicycles on sidewalks in Urbanized Area	10.02.040(B)	\$25	Each incident
Bicycles to Yield to Traffic	10.02.040(C)	\$50	Each incident
Bicycle Equipment and lighting	10.02.040(D)(1)-(2)	\$50	Each incident
Drivers are to Exercise Due Care to Avoid Hitting Pedestrians	10.02.060(B)	\$50	Each incident
Sleeping in Parked Vehicles	10.02.070(C)(1)-(2)	\$100	Each incident
CMV Prohibited from parking overnight on Municipal Streets	10.02.070(F)	\$50	Each incident
Walking, riding, driving on newly made streets or sidewalks	10.04.010	\$50	Each incident
Spilling oil on streets or sidewalks	10.04.020	\$50	Each incident
Depositing Dirt, Rubbish or Other Objects on Street or Sidewalk	10.04.050	\$100	Each incident
Municipal Permit Required for Oversize or Overweight Vehicles	10.08.020	\$150	Each incident
Fail to Comply to Oversize or Overweight Regulations	10.08.020(A)-(E)	\$100	Each incident
Violating Load Restrictions on Certain Roads & highways	10.08.050	\$150	Each incident
Projections on Wheels or Tracks Prohibited	10.08.060	100 +cost	Each incident

Title 12 – Harbors and Ports

Name of Violation	Code	Fine	Frequency
Fail to Apply for Mooring Space	Port Tariff	\$25	Each incident
Fail to Register Boat with Harbormaster	Port Tariff	\$25	Each incident
Fail to Identify Boat	Port Tariff	\$25	Each incident
Duty of Boat Owners to Keep Boats Clean, Safe and Secure	Port Tariff	\$25	Each incident

MUNICIPALITY OF SKAGWAY

RESOLUTION NO. 22-17R

Operating in Harbor in Excess of 5 mph or causing disturbing wake	Port Tariff	\$50	Each incident
Leaving Boat Unattended while Fire is Burning Thereon	Port Tariff	\$50	Each incident
Create or Maintaining Nuisance	Port Tariff	\$25	Each incident
Dogs Running at Large	Port Tariff	\$50	Each incident
Deposit, place or leave things on the Docks	Port Tariff	\$25	Each incident
Tampering with Harbor infrastructure without Permission	Port Tariff	\$50	Each incident
Posting on Harbor Facility Bulletin Boards without Permission	Port Tariff	\$25	Each incident
Posting Advertisement on Harbor Facility without Permission	Port Tariff	\$50	Each incident
Disregard, Damage, Remove or Tamper with Harbor Signs	Port Tariff	\$100	Each incident
Obstructing Access to Harbor	Port Tariff	\$100	Each incident
Installation of Non-Standardized Bumpers	Port Tariff	\$25	Each incident
Operating Boat in Harbor in Reckless Manner	Port Tariff	\$50	Each incident
Unauthorized Commercial Operations	Port Tariff	\$100	Each incident
Subleasing Mooring Spaces	Port Tariff	\$50	Each incident
Operating Boat in Harbor in Negligent Manner	Port Tariff	\$50	Each incident
Operating Boat while DUI of Alcohol or Drugs	Port Tariff	\$1,000	Each incident
Authorizing someone to Operate a Boat While DUI of Alcohol or Drugs	Port Tariff	\$500	Each incident
Operate in Manner which Interferes with normal Operations	Port Tariff	\$25	Each incident
Authorizing Someone not capable to Operate Boat	Port Tariff	\$50	Each incident
Endangering Person or Property	Port Tariff	\$100	Each incident
Violating this Title or any rule or Regulation or posted signs	Port Tariff	\$50	Each incident
Failure to Render Aid and Give Identification After Accident	Port Tariff	\$200	Each incident
Failure to Report Accident to Authorities within 1 hour	Port Tariff	\$200	Each incident
Aiding and Abetting Violations	Port Tariff	half	Each incident

Title 13 – Public Utilities

Name of Violation	Code	Fine	Frequency
Unauthorized Operation of Control Valve	13.08.060(B)	\$100	Each incident
Unauthorized operation of Fire Hydrant	13.08.140(A)	\$50	Each incident
Use of Public Water Quality Protection System Required	13.12.030(A)-(D)	\$50	Each incident
Private Wastewater Disposal Infractions	13.12.050(A)-(F)&(H)	\$500	Each incident
Unauthorized Access to the WQPS	13.12.060(A)	\$500	Each incident
Unlawful Discharge of Water into WQPS	13.12.070(A)	\$200	Each incident
Unlawful Discharge of Toxic Material into WQPS	13.12.070(B)(1-3)	\$500	Each incident

MUNICIPALITY OF SKAGWAY

RESOLUTION NO. 22-17R

Page 6 of 7

Unlawful Discharge of Solids into WQPS	13.12.070(B)(4)	\$300	Each incident
Discharge Dangerous to System or Public into WQPS	13.12.070(C)(1-9)	\$500	Each incident
Damaging WQPS	13.12.090	\$500 +cost	Each incident
Abandoning Appliances with self-locking doors	13.20.040(F)	\$150	Each incident
Allowing Refuse to Collect on Premises	13.20.060(A)	\$100	Each incident
Leaving Solid Wastes upon Vacated Premises	13.20.060(B)	\$100	Each incident
Unlawful Dumping	13.20.060(C)	\$250	Each incident
Damaging Municipal Solid Waste Systems	13.20.090	\$500 +cost	Each incident

Title 15 – Buildings and Construction

Name of Violation	Code	Fine	Frequency
Prohibited Material Storage	15.08.030	\$500	Each incident
Storage of RVs on Public Property or Right-of-Ways	15.15.040(A-C)	\$25	Per Day
Habitation of Parked or Stored RVs	15.15.050(A)	\$1,000	Per Day
RV Utilities Hook-ups	15.15.060	\$50	Per Day
RV Nuisances	15.15.070	\$50	Per Day

Title 16 – Public Lands

Name of Violation	Code	Fine	Frequency
Dyea Flats Prohibited Uses by Private Persons	16.08.020(D)(1-4)	\$100	Each incident
Dyea Flats Campground Fail to Self-Register	16.08.020(E)(1)	\$25	Each incident
Dyea Flats Campground Long-Term Camping	16.08.020(E)(2)	\$100	Each incident
Dyea Prohibited Uses by Private Persons	16.10.020(C)(1-4)	\$100	Each incident
Dyea Campground Fail to Self-Register	16.10.020(D)(1)	\$25	Each incident
Dyea Campground Long-Term Camping	16.10.020(D)(2)	\$100	Each incident
Dewey Lakes Recreation Area Prohibited Uses by Private Persons	16.12.030(D)(1-4)	\$100	Each incident
Nahku Bay Conservation Area Prohibited Use by Private Persons	16.14.030(D)(1-7,9,10)	\$100	Each incident

Title 19 – Planning and Zoning

Name of Violation	Code	Fine	Frequency
Application of Regulations	19.04.010(A-C)	\$100	Each incident
General Provisions	19.04.020(D-G)	\$100	Each incident
Private Use of Public Property	19.04.040	\$100	Each incident
Preexisting Nonconforming Uses	19.040.050(A-B)	\$100	Each incident

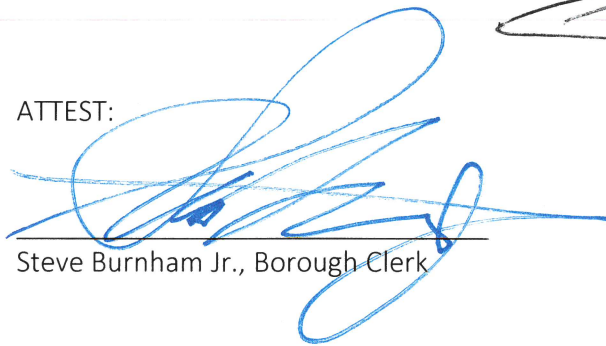
BE IT FURTHER RESOLVED THAT the existing civil fines already established by previous resolution as detailed in Attachment A are consolidated and re-established via this resolution and remain in effect, and this resolution thereby replaces Resolutions 2006-01R, 2007-13R, 2011-02R, 2013-15R, 2014-05R, 2014-06R, 2014-07R, 2014-13R, 2014-14R, 2014-15R, 2014-18R, 2014-19R, 2016-11R, 2016-25R, 2016-27R, and 2017-03R.

PASSED AND APPROVED by a duly constituted quorum of the Borough Assembly of the Municipality of Skagway this 16 day of June, 2022.



Andrew Cremata, Mayor

ATTEST:



Steve Burnham Jr., Borough Clerk

(SEAL)

