



PUBLIC NOTICE

The following ordinances were introduced on April 28, 2020 and are available for review at city hall during business hours.

Digital copies of these ordinances can be found on the city of Angoon Facebook page, the city of Angoon website, and can be requested via an email to: cityclerk@cityofangoon.com

1. Ordinance 20-15 – Amend General Penalty
2. Ordinance 20-16 – Repeal and Replace Title 10 – Traffic
3. Ordinance 20-17 – City Cemeteries and Burials Within
4. Ordinance 20-18 – Amend Mayor Ordinance
5. Ordinance 20-19 – Restricting Tree Felling in certain areas

The public hearing date has yet to be scheduled but will be posted as soon as available.

City Code requires that a notice of availability of proposed ordinances for public hearing be posted publicly no less than 5 days prior to the public hearing.

Angoon City Council

Mayor (Seat C)

Joshua Bowen

mayor@cityofangoon.com

907-957-7569

Council Member (Seat A)

Ed Jack

Treasurer (Seat B)

Doris Williams

Council Member (Seat D)

Gail Tharpe-Lucero

Council Member (Seat E)

Jesse Daniels

Council Member (Seat F)

Crystal Parkin

Council Member (Seat G)

Peter Duncan

City Clerk – Albert Kookesh III

cityclerk@cityofangoon.com

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Ordinance 20-15

AN ORDINANCE OF THE CITY OF ANGOON AMENDING TITLE 1 - GENERAL PROVISIONS, CHAPTER 20 – GENERAL PENALTY, TO CREATE A FINE SCHEDULE FOR LOCAL MINOR OFFENSES

BE IT ENACTED BY THE CITY OF ANGOON, ALASKA AS FOLLOWS:

Title 1 – General Provisions, Chapter 1.20 – General Penalty, is hereby amended via deletions indicated by strike through lines and additions indicated by underline, to read as follows:

1.20.010 General Penalty for Minor Offenses Designated

1.20.020 Minor Offense Fine Schedule

1.20.030 Surcharge

1.20.010 General Penalty for Minor Offenses Designated.

A. Every act prohibited by this Code of Ordinances is unlawful. Unless another penalty is expressly provided by this code or other law, every person convicted of a violation of any provision of this code Code, ~~or any rule or regulation adopted or issued in pursuance thereof~~, shall be guilty of an infraction and shall be punished by a fine of not more than one thousand dollars. ~~as set forth in this section.~~ Each act ~~or~~ of a violation and each day upon which a continuing violation occurs shall constitute a separate punishable offense. ~~The allowable penalties for infractions, to be administered in the discretion of the court, are as follows:~~

~~1. A fine not to exceed \$1,000.00, which at~~

~~2. Community service not to exceed 200 hours;~~

~~3. Restitution to the victim of the offense;~~

~~4. A specified course of treatment in an appropriate alcohol or domestic violence counseling program;~~

~~5. Payment of the court costs incurred in prosecuting the infraction.~~

~~B. The penalty provided by this section shall, unless any other penalty is expressly provided, apply to the amendment of any section of this Code, whether or not such penalty is reenacted in the amendment ordinance.~~

~~C. The court may order a defendant convicted of any offense to perform community work not to exceed 100 hours as a condition of a suspended imposition of sentence or in addition to any fine or restitution ordered. Community work includes work on projects designed to reduce or eliminate environmental damage, protect the public health, or improve public lands, forests, parks, roads, highways, facilities or education. Community work may not confer a private benefit on a person except as may be incidental to the public benefit.~~

~~D. The sentencing authority may suspend any portion of a sentence on such conditions as are deemed appropriate. These conditions may include, although are not limited to, the following:~~

~~1. That the offender have no further violations for a specified period of time, not to exceed one year;~~

~~2. That the offender make restitution to the victim of the offense;~~



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- ~~3. That the offender refrain from contact with the victim of the offense, or refrain from any activity which is deemed to increase the risk of a repeat offense;~~
- ~~4. Any other reasonable conditions which are calculated to lead to the rehabilitation of the offender and to reduce the likelihood of further criminal conduct.~~
- B. Except where otherwise provided, every day any violation of this code or any other ordinance of the city or state rule, regulation or order shall constitute a separate offense.
- C. At the discretion of the court the fine imposed may be worked off at a rate of \$5.00 per hour of community service. Community service may not exceed 100 hours. Community work includes work on projects designed to reduce or eliminate environmental damage, protect the public health, or improve public lands, forests, parks, roads, highways, facilities or education. Community work may not confer a private benefit on a person except as may be incidental to the public benefit. The court may also order restitution, a specified course of treatment in an appropriate alcohol or domestic violence counseling program and payment of court costs.

1.20.020 Minor Offense Fine Schedule

- A. In accordance with AS 29.25.070(a), citations for the following offenses may be disposed of as provided in AS 12.25.195-.230, without a court appearance, upon payment of the fine amounts listed below plus the state surcharge required by AS 12.55.039 and AS 29.25.074. Fines must be paid to the court. The Rules of Minor Offense Procedure in the Alaska Rules of Court apply to all offenses listed below. Citations charging these offenses must meet the requirements of Minor Offense Rule 3. If a person charged with one of these offenses appears in court and is found guilty, the penalty imposed for the offense may not exceed the fine amount for that offense listed below. If an offense is not listed on this fine schedule or another fine schedule, the defendant must appear in court to answer to the charges. These minor offense fines may not be judicially reduced.
- B. The fine amounts listed below are doubled for motor vehicle or traffic offenses committed in a highway work zone or traffic safety corridor, as those terms are defined in AS 28.90.990 and 13 AAC 40.010(b).
- C. An offense listed in this schedule may not be disposed of without court appearance if the offense is in connection with a motor vehicle accident that results in the death of a person.



Ordinance 20-15

AN ORDINANCE OF THE CITY OF ANGOON AMENDING TITLE 1 - GENERAL PROVISIONS, CHAPTER 20 – GENERAL PENALTY, TO CREATE A FINE SCHEDULE FOR LOCAL MINOR OFFENSES

| <u>Section</u> | <u>Offense Description</u> | <u>Fine Amount</u> |
|---------------------------|---|--|
| <u>ACC 6.04.050(A)(1)</u> | <u>Repeatedly disturb a neighborhood or any number of persons by frequent or prolonged noise, barking or howling;</u> | <u>First Offense: \$50.00 Second Offense: \$100.00</u> |
| <u>ACC 6.04.050(A)(2)</u> | <u>Defecate upon, dig upon, or injure private or public property or a public thoroughfare</u> | <u>First Offense: \$50.00 Second Offense: \$100.00</u> |
| <u>ACC 6.04.050(E)</u> | <u>Release of any impounded dog from impoundment area</u> | <u>\$250.00 Each Offense</u> |
| <u>ACC 2.66.080(A)</u> | <u>Obstruct, hinder or delay any accredited member of the disaster and civil defense organization in the enforcement of any lawful rule or regulation issued pursuant to this chapter, or in the performance of any duty imposed upon him by virtue of this chapter</u> | <u>\$500 and/or imprisonment for a term not to exceed 6 months</u> |
| <u>ACC 2.66.080(B)</u> | <u>Do any act forbidden by any lawful rule or regulation issued pursuant to this chapter, if such act is of such a nature as to give, or be likely to give, assistance to the enemy, or to imperil the lives or property of inhabitants of the city, or to prevent, hinder, or delay the defense or protection thereof;</u> | <u>\$500 and/or imprisonment for a term not to exceed 6 months</u> |
| <u>ACC 2.66.080(C)</u> | <u>Wear, carry or display, without authority and means of identification specified by the city office of emergency management or the Alaska Division of Emergency Services.</u> | <u>\$500 and/or imprisonment for a term not to exceed 6 months</u> |

1.20.030 Surcharge

In addition to any penalty prescribed by law, a defendant convicted of violating a city ordinance shall pay the surcharge required under AS 12.55.039 and 29.25.074. All such surcharges collected shall be remitted to the State of Alaska as required by AS 29.25.074.

Effective Date: This ordinance is effective upon its adoption by the Angoon City Council.



Ordinance 20-15

AN ORDINANCE OF THE CITY OF ANGOON AMENDING TITLE 1 - GENERAL PROVISIONS, CHAPTER 20 – GENERAL PENALTY, TO CREATE A FINE SCHEDULE FOR LOCAL MINOR OFFENSES

Date Introduced: 4/28/20 *20*

Date Published: 6/23/20

Public Hearing: _____

PASSED and APPROVED by the City Council of Angoon, Alaska this day, the ____ of ____ 2020.

Joshua Bowen, Mayor

Albert Kookesh III, City Clerk

| | | |
|--------------------|------------|------------|
| Jess Daniels | <u>Yea</u> | <u>Nay</u> |
| Gail Tharpe-Lucero | <u>Yea</u> | <u>Nay</u> |
| Crystal Parkin | <u>Yea</u> | <u>Nay</u> |
| Peter Duncan | <u>Yea</u> | <u>Nay</u> |
| Ed Jack | <u>Yea</u> | <u>Nay</u> |
| Doris Williams | <u>Yea</u> | <u>Nay</u> |
| Joshua Bowen | <u>Yea</u> | <u>Nay</u> |



Ordinance 20-16

AN ORDINANCE OF THE CITY OF ANGOON AMENDING TITLE 10 – VEHICLES AND TRAFFIC TO ADOPT STATE OF ALASKA TRAFFIC LAWS AND TRAFFIC BAIL FORFEITURE SCHEDULES, UPDATING PROVISIONS RELATED TO TRAFFIC VIOLATIONS AND CREATING A FINE SCHEDULE FOR LOCAL TRAFFIC OFFENSES

BE IT ENACTED BY THE CITY OF ANGOON, ALASKA AS FOLLOWS:

Title 10 – Vehicles and Traffic, is hereby repealed and replaced in its entirety with the following:

- 10.01.010 State traffic laws adopted by reference
- 10.01.020 Traffic Fine Schedule - State bail forfeiture schedules adopted by reference
- 10.01.030 Traffic Fine Schedule for Local Traffic Offenses
- 10.01.040 Surcharge
- 10.02.010 Posting parking signs
- 10.02.020 Municipal parking lots supervision
- 10.02.030 Parking use
- 10.02.040 Establishment of parking permit areas.
- 10.02.050 Issuing authority and duration of permit.
- 10.02.060 Conditions

10.01.010 State traffic laws adopted by reference.

The city of Angoon adopts by reference all vehicle and traffic statutes and regulations of the state of Alaska, creating minor offenses, as that term is defined in Minor Offense Rule 2 of the Alaska Rules of Court, as they presently exist and as they may be revised in the future, as part of the traffic code for the municipality.

10.01.020 State bail forfeiture schedules adopted by reference

The city adopts as its traffic fine schedule for state offenses the "Traffic Bail Forfeiture Schedule" and the "Oversize Vehicle Bail Forfeiture Schedule" in Administrative Rules 43.1 and 43.6 of the Alaska Rules of Court and any other bail forfeiture schedules relating to vehicles adopted by the Alaska Supreme Court. In addition, the city adopts all amendments of those schedules that become effective after the effective date of this ordinance. Citations for offenses listed on these schedules may be disposed of as provided in AS 12.25.195-.230, without a court appearance, upon payment of the amounts listed to the court plus the state surcharge required by AS 12.55.039 and AS 29.25.074. Fines must be paid to the court. If a person charged with one of these offenses appears in court and is found guilty, the penalty imposed for the offense may not exceed the amount listed for that offense on the schedule. Citations charging these offenses must meet the requirements of Minor Offense Rule 3 of the Alaska Rules of Court.

If an offense is not listed on the fine schedule, the defendant must appear in court to answer to the charges.

10.01.030 Traffic Fine Schedule for Local Traffic Offenses



Ordinance 20-16

AN ORDINANCE OF THE CITY OF ANGOON AMENDING TITLE 10 – VEHICLES AND TRAFFIC TO ADOPT STATE OF ALASKA TRAFFIC LAWS AND TRAFFIC BAIL FORFEITURE SCHEDULES, UPDATING PROVISIONS RELATED TO TRAFFIC VIOLATIONS AND CREATING A FINE SCHEDULE FOR LOCAL TRAFFIC OFFENSES

In accordance with AS 28.05.151(a), citations for offenses listed in this title, not otherwise provided by state law, may be disposed of as provided in AS 12.25.195-.230, without a court appearance, upon payment of the fine amounts listed below to the court plus the state surcharge required by AS 12.55.039

and AS 29.25.074. Fines must be paid to the court. The Rules of Minor Offense Procedure in the Alaska Rules of Court apply to all offenses listed below. Citations charging these offenses must meet the requirements of Minor Offense Rule 3. If a person charged with one of these offenses appears in court and is found guilty, the penalty imposed for the offense may not exceed the fine listed below.

If an offense in this title is not listed on the fine schedule, the defendant must appear in court to answer to the charges.

The fine amounts listed below are doubled for motor vehicle or traffic offenses committed in a highway work zone or traffic safety corridor, as those terms are defined in AS 28.90.990 and 13 AAC 40.010(b). An offense listed in this schedule may not be disposed of without court appearance if the offense is in connection with a motor vehicle accident that results in the death of a person.

| <u>Section</u> | <u>Offense Description</u> | <u>Fine Amount</u> |
|-----------------------|----------------------------|---|
| <u>ACC 10.020.030</u> | <u>Unlawful Parking</u> | <u>First Offense: \$50</u> <u>Second+ Offense: \$100</u> |

Any person violating any provision of this title not adopted from state law is guilty of an infraction and shall be punished by the fine established in the ACC 10.01.030 fine schedule or by a fine of up one thousand dollars if no fine is listed for the offense in the fine schedule.

10.01.040 Surcharge

In addition to any penalty prescribed by law, a defendant convicted of violating a city ordinance shall pay the surcharge required under AS 12.55.039 and 29.25.074. All such surcharges collected shall be remitted to the State of Alaska as required by AS 29.25.074.

10.02.010 Posting parking signs

The City Council or any other authorized person shall cause signs to be posted in all areas where parking is limited or prohibited, indicating such limitations or prohibitions.

10.02.020 Municipal parking lots supervision



Ordinance 20-16

AN ORDINANCE OF THE CITY OF ANGOON AMENDING TITLE 10 – VEHICLES AND TRAFFIC TO ADOPT STATE OF ALASKA TRAFFIC LAWS AND TRAFFIC BAIL FORFEITURE SCHEDULES, UPDATING PROVISIONS RELATED TO TRAFFIC VIOLATIONS AND CREATING A FINE SCHEDULE FOR LOCAL TRAFFIC OFFENSES

The municipal parking lots now or hereafter acquired or established by the city shall be under the supervision of the Angoon Code Compliance Officer.

10.02.030 Parking use

It is unlawful to park any vehicle in any municipal parking lot in violation of any ordinance, or to so park contrary to the rules established by the city for the use of such or parking in any place or manner other than that designated by the custodian thereof.

10.02.040 Establishment of parking permit areas.

When signs are erected giving plainly visible notice, no person shall park a vehicle at any time in any municipal parking lot or area on a lot established for long-term parking spaces, except in those spaces as marked or designated by the City Council, for permit parking only, without displaying a proper valid city parking lot permit.

10.02.050 Issuing authority and duration of permit.

All such parking permits shall be issued by City Hall. The monthly fee for each parking permit shall be \$30.00. The parking permits may be issued monthly or for a six-month period if desired by the purchaser.

10.02.060 Conditions.

- A. All permits must be displayed in the vehicles in the lower left side of the rear window, except, all vehicles which have no rear window or it is impossible to use the rear window to display the permit, shall display the permit in the vehicles' lower right front window.
- B. It shall be the sole responsibility of the person purchasing the parking permit to affix the parking permit to the window for proper display in that window as outlined above. Any vehicle having a parking permit improperly displayed shall be subject to the violation provisions of this chapter.
- C. It is further the responsibility of the person purchasing the parking permit to display the proper month permit as required by this chapter.

Effective Date: This ordinance is effective upon its adoption by the Angoon City Council.

Date Introduced: 4/28/20 JB

Date Published: 6/23/20

Public Hearing: _____



Ordinance 20-16

AN ORDINANCE OF THE CITY OF ANGOON AMENDING TITLE 10 – VEHICLES AND TRAFFIC TO ADOPT STATE OF ALASKA TRAFFIC LAWS AND TRAFFIC BAIL FORFEITURE SCHEDULES, UPDATING PROVISIONS RELATED TO TRAFFIC VIOLATIONS AND CREATING A FINE SCHEDULE FOR LOCAL TRAFFIC OFFENSES

PASSED and APPROVED by the City Council of Angoon, Alaska this day, the ____ of ____ 2020.

Joshua Bowen, Mayor

Albert Kookesh III, City Clerk

| | | |
|--------------------|------------|------------|
| Jess Daniels | <u>Yea</u> | <u>Nay</u> |
| Gail Tharpe-Lucero | <u>Yea</u> | <u>Nay</u> |
| Crystal Parkin | <u>Yea</u> | <u>Nay</u> |
| Peter Duncan | <u>Yea</u> | <u>Nay</u> |
| Ed Jack | <u>Yea</u> | <u>Nay</u> |
| Doris Williams | <u>Yea</u> | <u>Nay</u> |
| Joshua Bowen | <u>Yea</u> | <u>Nay</u> |



Ordinance 20-17

AN ORDINANCE OF THE CITY OF ANGOON ESTABLISHING REGULATIONS FOR CITY CEMETERIES AND BURIALS WITHIN

BE IT ENACTED BY THE CITY OF ANGOON, ALASKA AS FOLLOWS:

Title 8 – Health and Safety Chapter 30 – City cemeteries and burials within, is hereby added to the Angoon City Code with the following language:

- 8.30 City Cemeteries and Burials Within**
- 8.30.010 Definitions**
- 8.30.020 City cemeteries—responsibility for operation and maintenance**
- 8.30.030 Burial where permitted**
- 8.30.040 Prohibited acts**

8.30.010 Definitions

As used in this chapter:

“City cemeteries” or “cemeteries” means the “USS #1800 Cemetery” also known as the “Danger Point Cemetery” and the Cemetery Special Use Area on USS #2503 also known as the Killisnoo Cemetery.

8.30.020 City cemeteries—responsibility for operation and maintenance

The City shall be responsible for the maintenance of the city cemeteries.

8.30.030 Burial where permitted

It is unlawful for any person to bury the remains of any person within the city except in the city cemeteries.

8.30.040 Prohibited acts

It is unlawful for any person within any of the city cemeteries to deface, mar, write upon, or otherwise injure any monument, design, decoration, or other object

Effective Date: This ordinance is effective upon its adoption by the Angoon City Council.

Date Introduced: 4/28/20 20

Date Published: 6/23/20

Public Hearing: _____

PASSED and APPROVED by the City Council of Angoon, Alaska this day, the ____ of ____ 2020.



Ordinance 20-17

AN ORDINANCE OF THE CITY OF ANGOON ESTABLISHING REGULATIONS FOR CITY CEMETERIES AND BURIALS WITHIN

Joshua Bowen, Mayor

Albert Kookesh III, City Clerk

| | | |
|--------------------|------------|------------|
| Jess Daniels | <u>Yea</u> | <u>Nay</u> |
| Gail Tharpe-Lucero | <u>Yea</u> | <u>Nay</u> |
| Crystal Parkin | <u>Yea</u> | <u>Nay</u> |
| Peter Duncan | <u>Yea</u> | <u>Nay</u> |
| Ed Jack | <u>Yea</u> | <u>Nay</u> |
| Doris Williams | <u>Yea</u> | <u>Nay</u> |
| Joshua Bowen | <u>Yea</u> | <u>Nay</u> |



Ordinance 20-18

AN ORDINANCE OF THE CITY OF ANGOON ALASKA AMENDING TITLE 2, CHAPTER 12, SECTION 010

BE IT ENACTED BY THE CITY OF ANGOON, ALASKA AS FOLLOWS:

Title 2 Administration and Personnel, Chapter 12, Section 010 is hereby amended via strikethrough lines to remove text and underlines to add text to read as follows:

2.12.010 Election; duties.

The mayor is elected by and from the city council. The mayor is the chief executive officer of the city. He shall preside at council meetings, act as ceremonial head of the city and sign documents on the city's behalf, upon council authorization. Any executive decision made by the mayor may be overturned by a majority vote of the City Council on a resolution explaining the justification to overturn.

Effective Date: This ordinance is effective upon its adoption.

Date Introduced: 4/28/20 JB

Date Published: 6/23/20

Public Hearing: _____

PASSED and APPROVED by the City Council of Angoon, Alaska this day, the ___ of _____ 2020.

Joshua Bowen, Mayor

Albert Kookesh III, City Clerk

| | | |
|--------------------|------------|------------|
| Jess Daniels | <u>Yea</u> | <u>Nay</u> |
| Gail Tharpe-Lucero | <u>Yea</u> | <u>Nay</u> |
| Crystal Parkin | <u>Yea</u> | <u>Nay</u> |
| Peter Duncan | <u>Yea</u> | <u>Nay</u> |
| Ed Jack | <u>Yea</u> | <u>Nay</u> |
| Doris Williams | <u>Yea</u> | <u>Nay</u> |
| Joshua Bowen | <u>Yea</u> | <u>Nay</u> |



Ordinance 20-19

AN ORDINANCE OF THE CITY OF ANGOON ALASKA RESTRICTING TREE FELLING IN CERTAIN AREAS

BE IT ENACTED BY THE CITY OF ANGOON, ALASKA AS FOLLOWS:

Title 8 Health and Safety, Chapter 25 Tree Felling Restrictions is hereby added to the Angoon City Code to read as follows:

2.25 Tree Felling Restrictions

2.25.010 Purpose

The purpose of this ordinance is to protect the health and safety of the residents of Angoon by ensuring that any tree felling that occurs will not endanger community infrastructure.

2.25.020 Restricted Areas

There shall be no tree felling on any trees currently located on the any hillside parallel to Kootznahoo Road and Killisnoo Road starting at 145 Kootznahoo Road (Angoon Trading) and ending at 933 Killisnoo Road (Seaplane Base).

2.25.030 Penalty

Any violation of this chapter shall be punishable by a fine of \$200.

Effective Date: This ordinance is effective upon its adoption.

Date Introduced: 4/28/20 JB

Date Published: 6/23/20

Public Hearing: _____

PASSED and APPROVED by the City Council of Angoon, Alaska this day, the ____ of _____ 2020.

Joshua Bowen, Mayor

Albert Kookesh III, City Clerk

| | | |
|--------------------|------------|------------|
| Jess Daniels | <u>Yea</u> | <u>Nay</u> |
| Gail Tharpe-Lucero | <u>Yea</u> | <u>Nay</u> |
| Crystal Parkin | <u>Yea</u> | <u>Nay</u> |
| Peter Duncan | <u>Yea</u> | <u>Nay</u> |
| Ed Jack | <u>Yea</u> | <u>Nay</u> |
| Doris Williams | <u>Yea</u> | <u>Nay</u> |
| Joshua Bowen | <u>Yea</u> | <u>Nay</u> |