Chapter 1.16 - GENERAL PENALTY AND INTEREST RATE

Sections:

1.16.010 - Violation—Penalty.

A. Any person who violates a provision of the Municipal Charter, the borough code, or any ordinance or regulation of the borough shall be guilty of a violation. Except in cases where a different punishment is prescribed, a person found guilty of a violation is punishable by imposition of a fine not to exceed $1,000.00 for each separate violation or, for continuing violations, for each day that violation continues, plus any surcharge required to be imposed by AS 12.55.039; or, if the ordinance specifically provides, shall be guilty of a misdemeanor punishable by a fine not to exceed one thousand dollars or imprisonment for not more than 30 days, or by both such fine and imprisonment.

B. In addition to any penalty prescribed by law, a person found guilty of violating a borough ordinance shall pay any surcharge required under AS 12.55.039 and AS 29.25.074.

(Ord. No. 2013-13, § 3, 10-7-2013)

1.16.020 - Interest rate.

Any amount owed to the borough is delinquent if not paid when due. Except when otherwise provided by law or specifically provided by ordinance, resolution or written agreement, interest at the maximum legal rate allowed by state law shall accrue upon all delinquent fees, charges and assessments owed the borough, from the due date until paid in full.

(Ord. No. 2013-13, § 3, 10-7-2013)

1.16.030 - Fine schedule.

Citations for the following offenses may be disposed of without a court appearance upon payment of the fine amounts listed below, plus any required state surcharge. 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, plus any applicable state surcharge.

Section Number	Description of Violation/Traffic Infraction	Fine Amount
Tax		
4.24.060	Failure to file property tax statement or filing of false affidavit	$500.00
4.28.130 F.2.	Misuse of senior sales tax exemption card	$100.00
Alcohol and Marijuana		

6.04.020	Failure to obtain liquor or marijuana license	$500.00
6.04.030	Unlawful entry on licensed premises by minor	$100.00
6.04.040	Unlawful employment of minor on licensed premises	$500.00
6.04.050	Operations outside of permitted hours	$500.00
6.04.060	Serving intoxicated person	$250.00
6.04.070 A.	Sale/Offer to Sale to minor	$500.00
6.04.070 B.	Procurement/Possession by minor	$100.00
6.04.070 C.	Misrepresentation of age by minor	$100.00
6.04.080	Vulgar/Obscene language on licensed premises	$100.00
Itinerant Merchants		
6.08.020	Failure to obtain license	$250.00
6.08.050 A. and B.	Operating in prohibited area or from vehicle	$100.00
6.08.060 A. and C.	Operating outside of permitted hours or permitted manner	$100.00
6.08.060 B.	Improper use of license issued to another	$100.00
6.08.060 D.	Operating where prohibitory sign posted, or failure to leave premises when required	$100.00
Littering		

9.12.020 through 9.12.120	Littering	$100.00
9.12.140 through 9.12.190	Unlawful distribution, deposit or posting of handbills	$100.00
Offenses		
10.04.010, 10.04.020	Injury to posted notices and public improvements	$50.00
10.08.020	Disorderly conduct	$200.00
10.16.010, 10.16.020	Theft and injury to property of another	$100.00, if property obtained or destroyed/damaged valued at $50.00 or less;
		$250.00, if property obtained or destroyed/damaged valued at over $50.00
10.16.030	Injury to boundary monuments or public way improvements	$100.00
10.16.040	Trespassing	$100.00
10.20.010, 10.20.020	Discharge of firearms and other weapons	$250.00
10.28.010	Public consumption or possession of alcoholic beverages or marijuana	$150.00
Chapter 10.32	Curfew	$50.00
Vehicles		
11.12.020 A.	Driving without license	$150.00
11.12.020 B.	Driving while license cancelled, suspended, revoked or in violation of limitation	$500.00

11.12.020 C.	Permitting unlicensed person to drive	$300.00
11.12.020 D.	Reckless driving	$300.00
11.12.020 E.	Negligent driving	$150.00
11.12.020 F.	Parental/guardian responsibility	$ same as underlying violation
11.12.020 G.	Restrictions on skateboards/like devises	$25.00
11.12.020 H.	Low speed vehicles	$100.00
11.12.020 I.	Prohibited devises at harbor facilities	$25.00
11.12.040A(1) and (2)	Parking for certain purposes prohibited	$25.00
11.12.040B	Parking so as to impede snow removal	$25.00
11.12.040C	Unauthorized parking in commercial lot	$25.00
Tree Cutting		
13.16	Each Illegally Cut Tree	$500.00
Sanitation		
14.12.030	Unlawful collection	$100.00
14.12.040	Unlawful conduct by collectors	$250.00
14.12.050 A.	Unlawful disposal of refuse and recyclables	$250.00
14.12.050 B.	Unlawful burning of refuse	$100.00[1]
14.12.050 C., D., E., G. and H.	Improper deposit of refuse and recyclables; improper commingling of hazardous waste	$100.00
14.12.060	Unlawful disposal of industrial waste	$500.00

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14.12.070	Polluting water	$500.00
14.12.080 A.	Failure to utilize approved container	$ 50.00
14.12.080 C.	Failure to use/maintain recyclables container	$ 50.00
14.12.080 D., E. and F.	Failure to maintain container; improper siting and placement of container	$ 50.00
14.12.160	Filing of false affidavit for low-income senior citizen rate discount	$250.00
14.16.780 B.2.	Theft of Electric Power	$500.00
14.16.790 C.	Other violation, other than theft of power	$1,000.00

[1] or the fine amount set out for violation of chapter 9.24 (open burning), whichever is higher.

(Ord. No. 2013-22, § 3, 1-6-2014; Ord. No. 2013-25, § 4, 1-21-2014; Ord. No. 2014-05, § 4, 3-3-2014; Ord. No. 2014-19, § 3, 8-18-2014; Ord. No. 2014-20, § 4, 2-2-2015; Ord. No. 2014-22, § 3, 1-5-2015)

1.16.040 - Other remedies.

A. In addition to or in lieu of any fine imposed under this chapter, a civil penalty may be imposed against any person who violates a provision of the municipal code, in an amount up to $1,000.00 for each separate violation or, for continuing violations, for each day that violation continues.

B. The borough may bring a civil action seeking 1) injunctive or declaratory relief to enjoin a violation or threatened violation of the municipal code, and/or 2) recovery of a civil penalty.

C. All remedies for violation of the municipal code are cumulative and in addition to any others existing at law or in equity.

(Ord. No. 2013-22, § 3, 1-6-2014)