
Haines Borough
Borough Assembly Meeting #315
AGENDA

May 24, 2016 - 6:30 p.m.

Location: Assembly Chambers, Public Safety Bldg.

Jan Hill,
Mayor

Margaret Friedenauer,
Assembly Member

Diana Lapham,
Assembly Member

Mike Case
Assembly Member

Tresham Gregg,
Assembly Member

George Campbell,
Assembly Member

Ron Jackson,
Assembly Member

Brad Ryan
Interim Manager

Julie Cozzi, MMC
Borough Clerk

Krista Kielsmeier
Deputy Clerk

1. CALL TO ORDER/PLEDGE TO THE FLAG

2. ROLL CALL

3. APPROVAL OF AGENDA & CONSENT AGENDA

[The following Consent Agenda items are indicated by an asterisk () and will be enacted by the motion to approve the agenda. There will be no separate discussion of these items unless an assembly member or other person so requests, in which event the asterisk will be removed and that item will be considered by the assembly on the regular agenda.]*

Consent Agenda:

- 4 – Approve Assembly Meeting Minutes
- 8B – Accept Museum Report
- 8C – Accept Fire Department Report
- 9A – Accept PHAC Meeting Summary
- 9B – Accept PC Meeting Summary
- 9C – Accept Museum Board Meeting Minutes
- 11A1 – Adopt Resolution 16-05-677
- 11B2 – Introduce Ordinance 16-05-436 and Schedule Public Hearings

*** 4. APPROVAL OF MINUTES – 5/10/16 Regular, 5/14/16 Special**

5. PUBLIC COMMENTS - Sign-up is NOT required
[This is for any topics not scheduled for public hearing.]

6. MAYOR'S COMMENTS/REPORT

7. PUBLIC HEARINGS

A. Ordinance 16-04-434 – Second Hearing

An Ordinance of the Haines Borough, Alaska, providing for the establishment and adoption of the operating budget, capital budget, and capital improvement plan of the Haines Borough for the period July 1, 2016 through June 30, 2017.

*This ordinance is recommended by the interim manager and was introduced on 4/26/16. The first hearing was on 5/10/16. Per Haines Borough Charter 9.01(D), the budget must be adopted by June 15. **Motion:** Adopt Ordinance 16-04-434.*

B. Ordinance 15-06-413 – First Hearing

An Ordinance of the Haines Borough amending various provisions of the Haines Borough Code to designate certain violations of Borough law as minor offenses and to establish a fine schedule for certain offenses and to provide for other penalties for violations.

On 10/13/15, the assembly postponed adoption of this ordinance and established an ad hoc committee to review it and make recommendations for the assembly's consideration. That committee met for several months and, with borough attorney assistance, prepared a substitute ordinance. The committee also recommended two public hearings on the new draft to give the community and assembly ample time to consider the recommended changes. On 5/10/16, the assembly replaced the ordinance with the substitute and scheduled the recommended hearings. Since the assembly already scheduled the second hearing for 6/14/16, no motion is needed now unless the second hearing date needs to change or some other action is desired.

8. STAFF/FACILITY REPORTS

A. Interim Borough Manager – 5/24/16 Report

***B. Haines Sheldon Museum – Report of April 2016**

***C. Fire Department – Report of April 2016**

9. COMMITTEE/COMMISSION/BOARD REPORTS & APPROVED MINUTES

- *A. Port & Harbor Advisory Committee – Summary of 5/5/16 Meeting
- *B. Planning Commission – Summary of 5/12/16 Meeting
- *C. Museum Board of Trustees – Minutes of 4/19/16 Meeting
- D. Assembly Board Liaison Reports
- E. Assembly Standing Committee Reports

10. UNFINISHED BUSINESS

11. NEW BUSINESS

A. Resolutions

*1. **Resolution 16-05-677**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a purchase order with Polar Supply Company of Anchorage to purchase high-density polyethylene (HDPE) and associated material for the Bjornstad Street Culvert Replacement project for an amount not-to-exceed \$41,000.

*This resolution is recommended by the interim manager. **Motion:** Adopt Resolution 16-05-677.*

B. Ordinances for Introduction

1. **Ordinance 16-05-435**

An Ordinance of the Haines Borough amending Haines Borough Code Title 2 to add a new Chapter 2.51 establishing a Code Review Commission.

On 5/10/16, in response to a recommendation from the Minor Offenses Committee (MOC), the assembly passed a motion to introduce on 5/24/16 a draft ordinance creating a code review commission, The assembly agreed the commission should be an ongoing board as opposed to an ad hoc group. One member of the MOC (D.Vogt) provided the assembly with suggested ordinance language. Staff has prepared a draft ordinance for the assembly's consideration that is patterned after the Public Safety Commission ordinance. It incorporates most of the provisions found within the Vogt draft. It has been referred to the borough attorney for review.

Motion: Introduce Ordinance 16-05-435 and set a first public hearing for 6/14/16 and a second public hearing for 6/28/16.

*2. **Ordinance 16-05-436**

An Ordinance of the Haines Borough adopting a revised fee schedule for harbor facility usage to revise the boat launch ramp use fees.

*This ordinance is recommended by the port & harbor advisory committee. **Motion:** Introduce Ordinance 16-05-436 and set a first public hearing for 6/14/16 and a second public hearing for 6/28/16.*

C. Other New Business

1. **Sales Tax Exemption Request – Haines Ski & Hike Club**

*The Haines Ski & Hike Club, a 501(c)3 organization, has applied for sales tax exemption status as allowed by HBC 3.80.050(13). The borough has granted sales tax exemption certificates to other non-profit organizations. **Motion:** Approve the request from the Haines Ski & Hike Club for sales tax exemption status, and authorize the borough clerk to issue an exemption certificate.*

2. **Confirm Chief of Police Hire**

*The hiring decision is still pending, but the Interim Borough Manager expects to be prepared to recommend a hire for the position of Chief of Police during the meeting. This is a department head position hired by the manager but it must be confirmed by the assembly. **Motion:** Confirm the manager's decision to hire _____ as Chief of Police for the Haines Borough.*

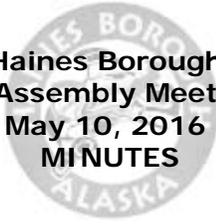
12. CORRESPONDENCE/REQUESTS

13. SET MEETING DATES

14. PUBLIC COMMENTS

15. ANNOUNCEMENTS/ASSEMBLY COMMENTS

16. ADJOURNMENT


Haines Borough
Borough Assembly Meeting #314
May 10, 2016
MINUTES

Draft

1. **CALL TO ORDER/PLEDGE TO THE FLAG**: Mayor **HILL** called the meeting to order at 6:30 p.m. in the Assembly Chambers and led the pledge to the flag.

2. **ROLL CALL**

Present: Mayor Jan **HILL**, and Assembly Members Diana **LAPHAM**, Margaret **FRIEDENAUER**, Ron **JACKSON**, Tresham **GREGG**, Mike **CASE**, and George **CAMPBELL** (via telephone).

Staff Present: Brad **RYAN**/Interim Borough Manager, Julie **COZZI**/Borough Clerk, Leslie **ROSS**/Tourism Director, and Jila **STUART**/Finance Director.

Visitors Present: Karen **GARCIA**/CVN, Jillian **ROGERS**/KHNS, Susan **TANDY**, Mike **DENKER**, Pam **RANGLES**, Brenda **JOSEPHSON**, Jeremy **STEPHENS**, Darsie **CULBECK**, Sierra **JIMENEZ**, Kyle **GRAY**, Paul **NELSON**, Norm **HUGHES**, Dan **EGOLF**, Bill **MCCORD**, and others.

3. **APPROVAL OF AGENDA & CONSENT AGENDA**

The following items were on the published consent agenda indicated by an asterisk (*):

- 4 – Approve Assembly Meeting Minutes
- 8B – Accept Chilkat Center Report
- 9A – Accept Port & Harbor Advisory Committee Minutes
- 9B – Accept Parks & Recreation Advisory Committee Minutes & Meeting Summary
- 11A1 – Adopt Resolution 16-05-672
- 11A2 – Adopt Resolution 16-05-673
- 11A3 – Adopt Resolution 16-05-674
- 11A4 – Adopt Resolution 16-05-675
- 11A5 – Adopt Resolution 16-05-676

Motion: **LAPHAM** moved to “approve the agenda/consent agenda,” and it was amended to remove items 11A1, 11A2, 11A3, and 11A5 from the consent agenda,” and the motion as amended carried unanimously.

- * 4. **APPROVAL OF MINUTES** – 4/26/16 Regular, 4/27/16 Special (with School Board)

The motion adopted by approval of the consent agenda: “approve minutes of the 4/26/16 borough assembly regular meeting and the 4/27/16 special joint meeting with the school board.”

5. **PUBLIC COMMENTS**

NELSON and **JOSEPHSON** – Expressed support for a code review commission being established.

VOGT – Noted the Minor Offenses Committee recommended a standing code review commission as opposed to an ad hoc group.

RANGLES and **EGOLF** - Spoke in favor of the resolution to fund a bear monitor.

MCCORD – Asked the borough to structure the upcoming candidate public reception to give citizens a reasonable opportunity to interact with the candidates.

6. **MAYOR’S COMMENTS/REPORT**

Mayor **HILL** said the ad hoc trailer committee will consist of Heather Lende, PC, Nelle Greene-Jurgeleit, Kyle Gray, and Diana Lapham. She said it was a limited pool, and everyone who put their name forward was appointed.

The mayor also reported Governor Walk and Southeast Conference have entered into a memorandum of understanding to develop a 25-year strategic plan for the Alaska Marine Highway System. Southeast Conference will be looking for funding and participation from all communities served by the ferry system.

7. **PUBLIC HEARINGS**

- A. **Ordinance 16-03-431** – First Hearing

An Ordinance of the Haines Borough, Alaska, providing for the establishment and adoption of the operating budget, capital budget, and capital improvement plan of the Haines Borough for the period July 1, 2016 through June 30, 2017.

Mayor **HILL** opened the public hearing at 6:48 pm.

NELSON – Reminded the assembly to cautiously spend borough money in light of declining state revenues.

Hearing no further comments, the mayor closed the public hearing at 6:50 pm.

Note: the assembly already scheduled the second hearing for 5/24/16. No motion was needed now unless the second hearing date needed to change or some other action was desired. No motion was made.

Motion: CASE moved to "amend the budget by amending the organization chart, as follows: the EMTs will report directly to the Chief of Police with a dotted line to the Fire Chief for work coordination."

Motion to Postpone: CAMPBELL moved to "postpone the motion until the Personnel Committee reviews it and brings it back to the assembly," and the motion to postpone carried unanimously.

Motion: GREGG moved to "amend the manager's budget to include \$300K special projects fund in economic development for community proposals for projects to enhance local business, create new jobs, and approach community betterment. This would be handled by a special committee composed of two assembly members, two chamber of commerce members and two non-profit representatives," and the motion **FAILED** 1-5 with **FRIEDENAUER, JACKSON, LAPHAM, CASE,** and **CAMPBELL** opposed.

Motion: JACKSON moved to "refer Tresham Gregg's economic stimulus proposal/concept to the finance and commerce committees, and the motion carried unanimously.

Motion: FRIEDENAUER moved to "amend the budget to keep the deputy clerk full-time," and the motion carried unanimously.

Motion: JACKSON moved to "amend the budget by directing the manager to create a 3-year action plan to get all property reassessed and to reflect that in the budget."

Motion to Amend: CAMPBELL moved to "amend the motion by changing 3-year to 6-year."

Motion to Table: CASE moved to "table the topic," and the motion to table carried unanimously.

8. STAFF/FACILITY REPORTS

A. Interim Manager – 5/10/16 Report

The manager summarized his written report and responded to a few questions from the assembly.

CAMPBELL asked why the residing of the Senior Center is moving ahead at this time given the proposed preschool addition. **RYAN** explained the call for bids was already out, it's grant funded, and the addition would affect a very short section of an exterior wall.

***B. Chilkat Center – Facility Report of April 2016**

9. COMMITTEE/COMMISSION/BOARD REPORTS & APPROVED MINUTES

***A. Port & Harbor Advisory Committee – Minutes of 4/7/16**

***B. Parks & Recreation Advisory Committee – Minutes of 3/16/16, Summary of 4/20/16**

C. Assembly Board Liaison Reports

LAPHAM – Museum Board, Tourism Advisory Board

JACKSON – Port and Harbor Advisory Committee

D. Assembly Standing Committee Reports

10. UNFINISHED BUSINESS

A. Ordinance 15-06-413

An Ordinance of the Haines Borough amending various provisions of the Haines Borough Code to designate certain violations of Borough law as minor offenses and to establish a fine schedule for certain offenses and to provide for other penalties for violations.

Note: On 10/13/15, the assembly postponed adoption of this ordinance and established an ad hoc committee to review it and make recommendations for the assembly's consideration. That committee had been meeting for several months and, with borough attorney assistance, prepared a substitute ordinance. The committee also recommended two public hearings on the new draft to give the community and assembly ample time to consider the recommended changes.

Motion already on the table: Adopt Ordinance 15-06-413.

Motion to Amend: LAPHAM moved to "substitute Ordinance 15-06-413 in its entirety with the substitute ordinance recommended by the Minor Offenses ad hoc Committee, and schedule a public hearing for 5/24/16 and a second public hearing for 6/14/16," and the motion carried 5-1 with **CAMPBELL** opposed.

B. Code Review Committee

Note: On 4/26/16, the assembly postponed a motion to create a code review committee so that it would come up the same time as the minor offenses ordinance. The Minor Offense Ad Hoc Committee recommends creation of an ad hoc Code Review Commission to allow the community time to focus on the appropriateness of individual violations to our community. During the 4/12/16 assembly meeting, Mayor Hill announced her intention to assign the work of reviewing the code to the Government Affairs & Services Committee. The assembly had an opportunity to decide which way to handle this work. One member of the Minor Offenses Committee (D.Vogt) recommended a code review commission be established by ordinance and presented a draft in the meeting packet along with an explanatory memo.

Motion already on the table: Create an ad hoc code review committee.

Motion to Amend: CASE moved to "replace the term *ad hoc* with the word *standing*," and the motion carried unanimously.

Motion: JACKSON moved to "introduce on 5/24/16 a draft ordinance creating a code review commission," and the motion carried unanimously.

11. NEW BUSINESS

A. Resolutions

1. Resolution 16-05-672

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a purchase order with NC Machinery of Juneau to purchase a Caterpillar 2016 Model 950M Wheel Loader for Public Works for an amount not-to-exceed \$298,302.38.

NELSON - Asked why a new loader is needed. RYAN said one of the loaders is very old and it needs to be replaced before it becomes problematic. We need to ensure we have four for snow removal.

Motion: LAPHAM moved to "adopt Resolution 16-05-672," and the motion carried 5-1 in a roll call vote with CAMPBELL opposed.

2. Resolution 16-05-673

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a purchase order with Cal Worthington Ford of Anchorage to purchase a pickup for Public Works for an amount not-to-exceed \$36,699.

NELSON – Asked if the borough get other bids. RYAN explained the state got bids; the borough participated in the state's procurement process.

Motion: FRIEDENAUER moved to "adopt Resolution 16-05-673," and the motion carried unanimously in a roll call vote.

3. Resolution 16-05-674

A Resolution of the Haines Borough Assembly supporting a Rasmuson Foundation grant application for the Chilkat Valley Preschool addition to the Haines Senior Center.

JIMENEZ - Reported the Preschool has raised a total of \$189K, and there is only \$10K to go. They have entered into an agreement with ProHNS (Jeremy Stephens) for engineering.

Motion: FRIEDENAUER moved to "adopt Resolution 16-05-674," and the motion carried 5-1 in a roll call vote with CAMPBELL opposed.

*** 4. Resolution 16-05-675**

A Resolution of the Haines Borough Assembly authorizing the extension and increased size of 450-feet of water main along Bear Trails Lane at a borough cost of approximately \$28,000.

The motion adopted by approval of the consent agenda: "adopt Resolution 16-05-675."

5. Resolution 16-05-676

A Resolution of the Haines Borough Assembly authorizing funding collaboration with the Alaska Department of Natural Resources for an additional Division of Parks staff member in the Chilkoot River Corridor for June through September 2016.

RANGLES – Spoke as a member of the Chilkat Bear Foundation board. There are serious congestion problems during the tourism and salmon seasons, and it would make a big difference to have a full-time monitor. The Foundation is willing to put forward some money, as well.

EGOLF - Spoke in support of a monitor. Visitor volume has greatly increased.

ROSS, tourism Director - Explained this request is coming from the tourism Advisory Board and the Tourism Department. She reminded this is not just for visitors. The area is also heavily used by residents and it's a cultural area, as well. The Alaska Department of Natural Resources has taken over managing the road rather than the borough, and this is a way we can provide support.

GAFFNEY said this is a special opportunity to get out in front of the situation. In the short term, placing additional monitors will really help out there.

Motion: **LAPHAM** moved to "adopt Resolution 16-05-676," and the motion carried 5-1 in a roll call vote with **CAMPBELL** opposed.

B. Ordinances for Introduction - None

C. Other New Business

1. Board Appointments

Note: appointment applications were received for seats on the Public Safety Commission and a non-voting advisory position on the Tourism Advisory Board. The mayor planned to make the appointments and sought assembly confirmation.

Motion: **LAPHAM** moved to "confirm the mayor's appointment of Kay Clements and Judy Erekson to the Public Safety Commission for terms ending 11/30/18; and Kelleen Adams to the Tourism Advisory Board for a non-voting advisory position," and the motion carried unanimously.

12. CORRESPONDENCE/REQUESTS

- A. Record of Decision Reaffirming Support for Lookout Park Demolition per 95% Plans** – PHAC
- B. Request for Assembly Action to Amend Harbor Fee Schedule** - PHAC

13. SET MEETING DATES

- A. Special Meeting – Saturday, 5/14, 2:00pm, Public Library** – Purpose: Final Selection of Borough Manager and Discuss Contract Parameters
- B. Commerce Committee** – Topic: Economic Stimulus Proposal. The chairperson will call the meeting.

14. PUBLIC COMMENTS

HUGHES – Asked the assembly's intention regarding the Port and Harbor Advisory Committee's request in Item 12B to amend the harbor fee schedule. Mayor **HILL** said it can be added to the next meeting agenda.

15. ANNOUNCEMENTS/ASSEMBLY COMMENTS

CAMPBELL – Said it is the assembly's job to establish and eliminate policy. It's the assembly's job to look out for the citizens.

LAPHAM – Said she is looking forward to meeting with all of the candidates. It will be a busy but good weekend. She also expressed support for borough staff; they are exemplary.

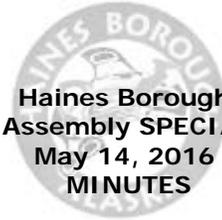
16. ADJOURNMENT – 9:03 p.m.

Motion: **LAPHAM** moved to "adjourn the meeting," and the motion carried unanimously.

Janice Hill, Mayor

ATTEST:

Julie Cozzi, MMC, Borough Clerk



Haines Borough
Borough Assembly SPECIAL Meeting
May 14, 2016
MINUTES

Draft

THIS SPECIAL MEETING WAS HELD SOLELY FOR CONSIDERING THE ITEMS LISTED ON THE PUBLISHED AGENDA. NO ADDITIONAL ISSUES WERE CONSIDERED AT THIS MEETING.

1. **CALL TO ORDER/PLEDGE TO THE FLAG:** Mayor HILL called the meeting to order at 3:13 p.m. in the Assembly Chambers and led the pledge to the flag.

2. **ROLL CALL**

Present: Mayor Jan HILL, and Assembly Members Diana LAPHAM, Margaret FRIEDENAUER, Ron JACKSON, Tresham GREGG, Mike CASE, and George CAMPBELL.

Staff Present: Brad RYAN/Interim Borough Manager, Julie COZZI/Borough Clerk, Jila STUART/Finance Director, Krista KIELSMEIER/Deputy Clerk, and Patty BROWN/Library Director.

Visitors Present: Richard & Irina FURSMAN/Executive Search Consultants, Karen GARCIA/CVN, Emily FILES/KHNS, Kyle GRAY, Jim SHOOK, Carol TUYNMAN, Joseph ORLANDO, Walter BETTS, Evelyn VIGNOLA, and others.

3. **APPROVAL OF SPECIAL MEETING AGENDA**

Motion: CAMPBELL moved to "approve the special meeting agenda," and the motion carried unanimously.

4. **PUBLIC COMMENTS** – None

COZZI – Said from the perspective of both a citizen and a borough employee she appreciates the difficult and serious decision the assembly will make. She expressed her support for their ultimate choice for the next borough manager. It is true staff and citizens do not have the benefit of all information the assembly will consider, and she trusts them to make the best decision for the community.

5. **BUSINESS**

A. **Borough Manager Hire**

Consider selection of the new borough manager

Note: This was a public meeting, but a portion of it took place in Executive Session; it was eligible because a frank discussion of the finalists in an open meeting could have prejudiced the character of those involved.

Motion: CAMPBELL moved to "go into executive session as allowed by AS 44.62.310(b)(2) to discuss the borough manager candidates and potential selection and, if so, the terms of an agreement; this matter qualifies for executive session because it contains "...subjects that tend to prejudice the reputation and character of any person..."; and invite consultants Richard and Irina Fursman and interim manager Brad Ryan to attend." The motion carried unanimously.

Present: Mayor Hill; Assembly Members Lapham, Jackson, Campbell, Friedenauer, Case, and Gregg; Consultants Richard and Irina Fursman; and Interim Manager Brad Ryan. The executive session convened at 3:17 p.m. and ended at 4:42 p.m.

Motion: LAPHAM moved to "ask Richard Fursman to offer the position of borough manager to William Seward," and the motion carried 4-2 in a roll call vote with FRIEDENAUER and JACKSON opposed.

Motion: FRIEDENAUER moved to "authorize Richard Fursman to negotiate a contract with William Seward," and the motion carried unanimously in a roll call vote.

Mr. FURSMAN recommended an open-ended contract since the assembly always maintains the ability to terminate with or without cause. If the borough pays his transportation and lodging costs, he offered to return after six months, free of charge, to assist with a performance review. He wants this to work.

Motion: **CASE** moved that "Brad Ryan continue with interim manager salary until two weeks after the new manager begins work," and the motion carried unanimously in a roll call vote.

6. PUBLIC COMMENTS - None

7. ADJOURNMENT– 5:10 p.m.

Motion: **LAPHAM** moved to "adjourn the meeting," and the motion carried unanimously.

ATTEST:

Janice Hill, Mayor

Julie Cozzi, MMC, Borough Clerk



Agenda Bill No.: 16-649
 Assembly Meeting Date: 5/24/16

Business Item Description:	Attachments:
Subject: Adopt FY17 Haines Borough Operating Budget	1. Ordinance 16-04-434
Originator: Borough Manager	
Originating Department: Administration	
Date Submitted: 4/1/16	

Full Title/Motion:
 Motion: Adopt Ordinance 16-04-434.

Administrative Recommendation:
 The borough manager recommends adoption.

Fiscal Impact:

Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$ See proposed budget	\$ See proposed budg	\$ See proposed budget	undetermined

Comprehensive Plan Consistency Review:

Comp Plan Goals/Objectives: Pages 44-55 and Objective 2B	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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Summary Statement:

The manager submitted a proposed budget on 4/1/16, and the assembly is in the process of conducting budget work sessions as a committee of the whole. Per the Charter 9.01(D), the budget must be adopted by 6/15. Two public hearings must be held prior to June 1st.

The attached ordinance reflects amendments the assembly made on 5/10/16.

The FY17 manager's budget is available on the borough website: <http://www.hainesalaska.gov>

Referral:

Referred to: Assembly COW	Referral Date: 3/29/16
Recommendation:	Meeting Date: 4/12, 4/18, 5/3

Assembly Action:

Meeting Date(s): 4/26, 5/10, 5/24/16	Public Hearing Date(s): 5/10, 5/24/16
	Postponed to Date:

AN ORDINANCE OF THE HAINES BOROUGH, ALASKA, PROVIDING FOR THE ESTABLISHMENT AND ADOPTION OF THE OPERATING BUDGET, CAPITAL BUDGET, AND CAPITAL IMPROVEMENT PLAN OF THE HAINES BOROUGH FOR THE PERIOD JULY 1, 2016 THROUGH JUNE 30, 2017.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is a non-code ordinance.

Section 2. General Provisions. The following FY17 budget document, listing estimated resources and expenditures is hereby adopted and established as the budget for the period of July 1, 2016 through June 30, 2017 and made a matter of record for that purpose. Except in the case of appropriations for capital improvements, all unexpended balances not otherwise encumbered or disposed of in this ordinance as of June 30, 2017, shall lapse to those appropriate funds.

Section 3. Authorization and Appropriation. The expenditures set forth herein are authorized and appropriations as provided for are hereby made.

01 AREAWIDE GENERAL FUND

REVENUES

Property Tax	\$ 1,827,500
Sales Tax	632,000
State Revenue	525,200
Federal Revenue	339,600
Interest Earnings	110,000
User Fees	59,500
License, Permits, & Fees	74,135
Penalty & Interest	62,000
Rents	104,609
Sale of Fixed Assets	25,000
TOTAL AREAWIDE REVENUES	<u>\$ 3,759,544</u>

EXPENDITURES

Administration	551,439
Borough Assembly	108,991
Elections	5,736
Finance	420,350
Assessment/Land Management	294,145
Information Technology	88,669
Dispatch	378,327
Public Facilities	290,116
Solid & Hazardous Waste	26,755
Chilkat Center for the Arts	117,544

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Ordinance No. 16-04-434
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Road Maintenance Service Areas	27,500
Haines Borough School District	1,779,500
Library	408,774
Museum	200,836
Parks	43,455
Community Youth Development	29,364
Swimming Pool	222,187
Transfers	(226,865)
Allocated Expense	<u>(799,471)</u>
TOTAL EXPENDITURES & TRANSFERS	3,967,352
CONTRIBUTION TO (FROM) FUND BALANCE	<u>\$ (207,808)</u>

02 TOWNSITE SERVICE AREA

REVENUES	
Property Tax Revenue	\$ 436,000
Sales Tax	720,000
State Revenue	280,234
Miscellaneous Revenues	<u>7,500</u>
	1,443,734
EXPENDITURES	
Police	520,270
Public Works	537,462
Animal Control	28,541
Transfers	50,000
Allocated Expense	<u>386,383</u>
TOTAL EXPENDITURES & TRANSFERS	1,522,656
CONTRIBUTION TO (FROM) FUND BALANCE	<u>\$ (78,922)</u>

17 LAND DEVELOPMENT & SALES

REVENUES	<u>\$ 20,000</u>
EXPENDITURES	
Direct Expenditures	31,900
Allocated Expense	<u>8,990</u>
TOTAL EXPENDITURES	40,890
CONTRIBUTION TO (FROM) FUND BALANCE	<u>\$ (20,890)</u>

20 MEDICAL SERVICE AREA

REVENUES	<u>\$ 268,000</u>
EXPENDITURES	
H.E.L.P. Committee	8,000
Other Medical Services	15,000
Ambulance	52,473
Operating Transfers	10,000
Allocated Expense	<u>190,176</u>
TOTAL EXPENDITURES & TRANSFERS	275,649
CONTRIBUTION TO (FROM) FUND BALANCE	<u>\$ (7,649)</u>

23 ECONOMIC DEVELOPMENT & TOURISM PROMOTION

REVENUES	<u>\$ 536,000</u>
EXPENDITURES	
Tourism	397,051
Economic Development	71,570
Transfers	104,000
Allocated Expense	<u>72,811</u>
TOTAL EXPENDITURES & TRANSFERS	645,432
CONTRIBUTION TO (FROM) FUND BALANCE	<u>\$ (109,432)</u>

25 FIRE SERVICE AREAS

REVENUES	
Fire District #1	\$ 195,500
Fire District #2	<u>32,408</u>
TOTAL REVENUES	227,908
EXPENDITURES	
Fire District #1	225,469
Fire District #2	28,918
Allocated Expense	<u>(23,661)</u>
TOTAL EXPENDITURES & TRANSFERS	230,726
CONTRIBUTION TO (FROM) FUND BALANCE	<u>\$ (2,818)</u>

34 COMMERCIAL PASSENGER VESSEL TAX

REVENUES	<u>\$ 185,000</u>
EXPENDITURES	
Direct Expenditures	106,500
Operating Transfers	<u>86,000</u>
TOTAL EXPENDITURES & TRANSFERS	192,500
CONTRIBUTION TO (FROM) FUND BALANCE	<u>\$ (7,500)</u>

35 VEHICLE IMPOUNDMENT FUND

REVENUES	<u>\$ 26,000</u>
EXPENDITURES	
Direct Expenditures	25,000
CONTRIBUTION TO (FROM) FUND BALANCE	<u>\$ 1,000</u>

50 CAPITAL IMPROVEMENT PROJECTS

REVENUES	<u>\$ 804,000</u>
EXPENDITURES	
Direct Expenditures	556,503
Operating Transfers	298,900
Allocated Expense	<u>48,597</u>
TOTAL EXPENDITURES & TRANSFERS	904,000
CONTRIBUTION TO (FROM) FUND BALANCE	<u>\$ (100,000)</u>

61 EQUIPMENT SINKING FUND

TRANSFERS	(182,635)
CONTRIBUTION TO (FROM) FUND BALANCE	<u>\$ 182,635</u>

75 LIBRARY BOND FUND

REVENUES	\$ 14,100
EXPENDITURES	14,148
CONTRIBUTION TO (FROM) FUND BALANCE	<u>\$ (48)</u>

76 SCHOOL G.O. BOND FUND

REVENUES	\$ 1,277,894
EXPENDITURES	1,286,894
CONTRIBUTION TO (FROM) FUND BALANCE	<u>\$ (9,000)</u>

90 WATER REVENUE FUND

REVENUES	<u>\$ 393,750</u>
EXPENDITURES	
Direct Expenditures	401,723
Transfers	(18,400)
Allocated Expense	(1,617)
Depreciation Expense	<u>269,500</u>
TOTAL EXPENDITURES	651,206
CONTRIBUTION TO (FROM) FUND BALANCE	<u>\$ (257,456)</u>

91 SEWER REVENUE FUND (WASTEWATER TREATMENT)

REVENUES	<u>\$ 1,778,500</u>
EXPENDITURES	
Direct Operating Expenditures	364,093
Allocated Expense	62,177
Depreciation Expense	251,500
Capital Expenditures	1,827,000
Transfers	<u>(200,000)</u>
TOTAL EXPENDITURES	2,304,770
CONTRIBUTION TO (FROM) FUND BALANCE	<u>\$ (526,270)</u>

92 BOAT HARBOR FUND

REVENUES	<u>\$ 435,000</u>
EXPENDITURES	
Direct Expenditures	553,460
Transfers	(31,000)
Allocated Expense	<u>(93,395)</u>

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Depreciation Expense	<u>316,000</u>
TOTAL EXPENDITURES	745,065
CONTRIBUTION TO (FROM) FUND BALANCE	<u>\$ (310,065)</u>

93 LUTAK DOCK FUND

REVENUES	<u>\$ 350,000</u>
EXPENDITURES	
Direct Expenditures	188,630
Allocated Expense	90,858
Depreciation Expense	<u>173,000</u>
TOTAL EXPENDITURES	452,488
CONTRIBUTION TO (FROM) FUND BALANCE	<u>\$ (102,488)</u>

94 PORT CHILKOOT DOCK FUND

REVENUES	<u>\$ 69,300</u>
EXPENDITURES	
Direct Expenditures	40,950
Allocated Expense	58,153
Transfers	(49,000)
Depreciation Expense	<u>370,000</u>
TOTAL EXPENDITURES	420,103
CONTRIBUTION TO (FROM) FUND BALANCE	<u>\$ (350,803)</u>

97 PERMANENT FUND

REVENUES	<u>\$ 337,200</u>
EXPENDITURES	
Direct Expenditures	23,250
Operating Transfers	293,000
TOTAL EXPENDITURES & TRANSFERS	<u>316,250</u>
CONTRIBUTION TO (FROM) FUND BALANCE	<u>\$ 20,950</u>

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Section 4. Rates of Levy. The following are rates of levy on taxable property within the Haines Borough for the Calendar Year beginning January 1, 2016, based upon the proposed Year FY17 beginning July 1, 2016.

	<u>Borough Areawide</u>	<u>Fire Service Area</u>	<u>Road / Other Service Area</u>	<u>Debt Service Mills</u>	<u>FY17 Total Levy</u>
Townsite	5.95	0.84	2.38	1.30	10.47
Fire District #1 (outside the Townsite)	5.95	0.84	-	1.30	8.09
Fire District #3	5.95	0.92	-	1.30	8.17
Dalton Trail RMSA	5.95	0.92	0.62	1.30	8.79
Dalton Trail RMSA (no fire service)	5.95	-	0.62	1.30	7.87
Dalton Trail & Eagle Vista RMSA	5.95	0.92	4.12	1.30	12.29
Dalton Trail & Chilkat Lake RMSA	5.95	-	0.62	1.30	7.87
Riverview RMSA	5.95	0.92	0.90	1.30	9.07
Letnikof RMSA	5.95	0.84	1.17	1.30	9.26
Borough	5.95	-	-	1.30	7.25

Section 5. Effective Date. This ordinance becomes effective July 1, 2016.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS ____
DAY OF _____, 2016

ATTEST:

Janice Hill, Mayor

Julie Cozzi, MMC, Borough Clerk

Date Introduced: 04/26/16
Date of First Public Hearing: 05/10/16
Date of Second Public Hearing: 05/24/16



Haines Borough
Assembly Agenda Bill

Agenda Bill No.: 15-576

Assembly Meeting Date: 5/24/16

Business Item Description:	Attachments:
Subject: Comprehensive Minor Offenses Ordinance to put the fines for existing laws into a single table	1. Ordinance 15-06-413, current draft 2. Attorney Advice regarding Ordinance Effective Date 3. Transmittal Memo from Minor Offenses Committee 4. Borough Attorney Memo 5. Recommendations from the GASC; advisory boards PSC, PHAC, PC & TAB; and HARK.
Originator: Borough Attorney	
Originating Department:	
Date Submitted: 5/2/16 substitute ordinance (6/1/15 initial ordinance)	

Full Title/Motion:

The assembly already scheduled the second hearing on this ordinance draft for 6/14/16. No motion is needed now unless the second hearing date needs to change or some other action is desired such as amendments.

Administrative Recommendation:

Fiscal Impact:

Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$ none	\$ n/a	\$ n/a	TBD

Comprehensive Plan Consistency Review:

Comp Plan Goals/Objectives:

Consistent: Yes No

Summary Statement:

On 10/13/15, the assembly postponed adoption of this ordinance and established an ad hoc committee to review it and make recommendations for the assembly's consideration. That committee met for several months and, with borough attorney assistance, prepared a substitute ordinance that was presented on 5/10/16. The committee also recommended two public hearings on this new draft to give the community and assembly ample time to consider the recommended changes. The assembly accepted the substitute ordinance recommended by the committee and scheduled the recommended hearings before adopting the ordinance.

As advised by the attorney, the effective date on the draft ordinance has been written to say "[t]his ordinance shall become effective thirty days following adoption." The assembly may amend it if there is any objection.

Referral:

Referred to: ad hoc Minor Offenses Committee Referral Date: 10/13/15
 Recommendation: Adopt Committee Draft of Ordinance after two hearings Meeting Date: Various

Assembly Action:

Meeting Date(s): 6/9, 7/14, 8/25, 9/8, 9/22/15, 5/10 Public Hearing Date(s): 8/25, 9/8/15, 5/24, 6/14/16
 Postponed to Date:

HAINES BOROUGH, ALASKA
ORDINANCE No. 15-06-413

An Ordinance of the Haines Borough amending various provisions of the Haines Borough Code to designate certain violations of Borough law as minor offenses and to establish a fine schedule for certain offenses and to provide for other penalties for violations.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is of a general and permanent nature and the adopted amendment shall become a part of the Haines Borough Code.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance shall become effective thirty days following adoption.

Section 4. Amendment of Chapter 1.04. Chapter 1.04 of the Haines Borough Code is hereby amended to include a new Section 1.04.005 to read as follows:

1.04.005 Purpose and Intent

The purpose and intent of this code is to enhance and protect the lives, health and safety of the public and government employees; to protect public and private property; and to protect the rights guaranteed in the United States Constitution, the State of Alaska Constitution, and the Haines Borough Charter Preamble and Bill of Rights. Under no circumstances shall revenue generation be used as a motive to enforce the provisions of this code.

Section 5. Repeal and Reenactment of Chapter 1.24. Chapter 1.24 of the Haines Borough Code is hereby repealed in its entirety and reenacted to read as follows:

1.24.010 General penalty

A. Every act prohibited by borough ordinance is unlawful. Unless another penalty is expressly provided by this code for a particular act or offense, every person who commits an infraction or violation of any provision of this code, or any rule or regulation adopted or issued pursuant to this code, commits a minor offense as that term is defined in the Alaska Rules of Minor Offense Procedure and may be punished by a fine of not more than five hundred (\$500) dollars.

B. In addition to any other remedies or penalties that may be provided in this code, or may otherwise be available, the borough or any aggrieved person may institute a civil action to obtain injunctive or compensatory relief against a person who violates any provision of the code. An action to enjoin a violation may be brought notwithstanding the availability of any other remedy. On application for injunctive relief and a finding of violation or threatened violation, the superior court shall grant the injunction.

C. Each act of violation and every day upon which the violation shall occur will constitute a separate offense. A separate citation must be issued for each calendar day upon which a violation is alleged to have occurred.

D. The Borough Clerk's office shall maintain a record of the amount of all fines imposed by the borough or a court and all fines remitted to the borough as a result of all violations of the ordinances in this code. The total dollar amount of fines remitted to the borough each fiscal year shall be provided to the Public Safety Commission or the Borough Assembly upon request, and to

members of the public pursuant to normally applicable laws governing requests for public records. Nothing in this ordinance is intended to require the borough to create records in response to public records requests that are not otherwise maintained by the borough in the normal course of business.

1.24.015 Surcharge required

In addition to any penalty prescribed by law, a person found to have violated a borough 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.

1.24.020 Procedure.

A. The charge for the violation of a code provision may be brought by a borough police officer based upon information personally known to the police officer or upon sworn statement by the borough manager or other borough official responsible for the administration and enforcement of the code provision which has been violated. Police officers are authorized, but not required, to issue warnings for a first violation of any provision of this code.

B. The borough shall use the Alaska Uniform Citation form, or the electronic version if authorized, to provide notice of a minor offense to anyone accused of violating any provision of this Code.

1.24.030 Disposition of minor offenses.

A person charged with a minor offense listed on a fine schedule may appear in court to contest the charge. If an offense is not listed on a fine schedule, or if the citation indicates that a court appearance is mandatory, the defendant must appear in court to answer the charges. As a minor offense, trial is by the court without a jury, and there is no right to court-appointed defense counsel.

1.24.040 Minor Offense Fine Schedule.

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 Alaska Court System's Rules of Minor Offense Procedures apply to all offenses listed below. If a person charged with one of these offenses appears in court and is found to have committed the offense, the court shall impose the penalty set forth in the fine schedule below for that offense. Citations charging these offenses must meet the requirements of the Rules of Minor Offense Procedure. The penalty imposed for any offense may not exceed the fines set forth below.

Code Section	Offense Description	Fine Amount
3.80.035(D)	Failure of operator to collect and/or remit sales tax for rental space	300
3.80.080	Failure to identify and add amount of sales tax to taxable transaction	300
3.80.090(A)	Failure to timely file sales tax returns	300
3.80.090(B)	Failure to remit taxes with returns	300

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3.80.170	Failure to obtain business license	300
3.80.190(A)	Failure to file final sales tax return	300
5.04.030(C)	Failure to obtain required permit (general)	500
5.04.080(E)(2)	Sign violation	100
5.04.140(A)	commercial tour/ enterprise operating w/o permit or failure to follow permit condition	500
5.08.010(A)	Permit required for solicitation on public property	300
5.08.020	Solicitation on private property without invitation prohibited	300
5.08.030(A)	Permit required for transient/ itinerant merchants/ vendors	300
5.08.040	Permit required for circus, carnival, fair/other concessions	300
5.08.050(A)	Sale/solicitation of commercial magazines on public sidewalks/ streets prohibited	300
5.12.010(A)	License required to manufacture/ sell any alcoholic beverage	500
5.12.020	Closing hours for licensed alcoholic beverage premises between 5:00 a.m. and 8 a.m.	500
5.12.040	Accessibility for inspection of licensed premises within the townsite service area	300
5.16.010(A)	All operators of gaming activities prohibited from conducting gaming activities	300
5.18.015	Commercial tour permit required	500
5.20.030	Failure to display commercial passenger	100

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	vehicle / tour vehicle permit	
5.20.040(A)(1)	Failure to display license	100
5.20.040(A)(2)	Failure to display rates	100
5.20.040(A)(3)	Failure to display contact information of Borough Clerk	100
5.20.040(B)	Taxicab soliciting passenger or otherwise blocking traffic	100
5.20.050	Soliciting persons along the roadway	100
5.22.010(C)	Use of commercial parking vehicle areas when not engaged in commercial tour activity	100
5.22.040(C)	Failure to display parking permit	100
5.22.040(D)	Unreasonable interference with efficient operations	100
5.22.040(E)	Leaving commercial vehicle unattended	100
5.22.040(F)	Improper signage	100
5.22.040(H)	Unauthorized use of parking area	100
5.22.040(J)	Unauthorized display of sales material	100
6.08.010(A)	Dog license required	Altered dog: \$50
6.08.010(A)	Dog license required	Unaltered dog: \$150
6.08.010(D)	Failure to display tag	Altered dog: \$50
6.08.010(D)	Failure to display tag	Unaltered dog: \$150
6.08.010(F)	Failure to obtain kennel permit	Altered dog: \$50
6.08.010(F)	Failure to obtain kennel permit	Unaltered dog: \$150
6.08.010(H)	Using dog license receipt or license tag issued for another dog	Altered dog: \$50

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6.08.010(H)	Using dog license receipt or license tag issued for another dog	Unaltered dog: \$150
6.08.020(A)	At-large dog	Altered dog: \$50
6.08.020(A)	At-large dog	Unaltered dog: \$150
6.08.020(B)	Barking, howling, or other noises	Altered dog: \$50
6.08.020(B)	Barking, howling, or other noises	Unaltered dog: \$150
6.08.020(C)	Run, chase, jump at moving vehicles	Altered dog: \$50
6.08.020(C)	Run, chase, jump at moving vehicles	Unaltered dog: \$150
6.08.020(D)	Snap, jump, injure another person	Altered dog: \$50
6.08.020(D)	Snap, jump, injure another person	Unaltered dog: \$150
6.08.020(E)	Chase, harass deer or moose	Altered dog: \$50
6.08.020(E)	Chase, harass deer or moose	Unaltered dog: \$150
6.08.020(G)	Female dog in season confined	Unaltered dog: \$150
8.08.020(A)	Littering in any place other than in an appropriate refuse container	50
8.08.020(B)	Littering upon a public place	50
8.08.020(C)	Sweeping or depositing litter into a public place from private property	50
8.08.020(D)	Littering from vehicle	100
8.08.020(E)	Depositing any litter on private property	50
8.08.020(F)	Failure to maintain private property in a litter-free condition	50
8.08.020(G)	Posting any handbill without permit under HBC Title 18	50

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8.08.020(H)	Littering in a body of water	50
8.08.020(I)	Depositing litter generated in a refuse container belonging to another	100
8.08.020(J)	Burning without a permit and police department notification or in violation of conditions	100
8.08.020(K)	Depositing offensive, noxious, or otherwise dangerous litter	100
8.08.040(A)(1)	Refuse container: strong, watertight, not easily corrodible, and rodent proof	100
8.08.040(A)(2)	Refuse container standards: fitted with a tight cover	100
8.08.040(A)(3)	Refuse container standards: kept tightly covered at all times	100
8.08.040(B)	Refuse containers: emptied and properly disposed of on a regular basis	100
8.12.020(A)	Burying a person outside an established cemetery	300
8.12.020(B)	Annoy, injure or endanger the public	300
8.12.020(C)	Offending public decency	300
8.12.020(D)	Interfere with a street, highway, lake or stream	100
8.12.020(E)	Making loud or unreasonable noise	100
8.12.020(F)	Operating device that causes preventable electric interference	100
8.12.020(G)	Allowing animal access to an unoccupied building	300
8.12.020(H)	Unsafe condition due to disrepair of building	300
8.12.020(I)	Reducing surrounding value of properties by maintaining building in state of disrepair	300
8.12.020(J)	Accumulation of stagnant water or discharge of	300

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	wastewater	
8.12.020(K)	Failure to take reasonable and precautionary measures to restrict access to hazards	300
8.12.020(L)	Causing emission of noxious fumes	300
8.12.020(M)	Exposure or distribution of materials offending the public decency	300
8.12.020(N)	Obstruction of traffic	300
8.12.020(O)	Public exposure of a person having a contagious disease	300
8.12.020(P)	Noxious cellar, pool, sewer, water closet, or private drain	300
8.12.030	Hazardous building or public nuisance	300
8.16.015	Use of fireworks prohibited	100
8.16.020	Sale prohibited of fireworks	300
8.16.025	Use of fireworks near port facilities prohibited	300
8.16.030	Conducting fireworks display without permission of chief of police	300
8.18.020(A)	Smoking in an enclosed public area	100
8.18.020(B)	Smoking in an enclosed public area	100
8.18.020(C)	Smoking inside an enclosed area within a place of employment	100
8.18.020(D)	Smoking inside an enclosed area within a private club licensed to sell alcoholic beverages	100
8.18.030	Smoking within unreasonable distance outside an enclosed area where smoking is prohibited	100
8.18.040(A)	Smoking within 50 feet of entrance to hospital or medical clinic	100

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8.18.040(B)	Smoking within 20 feet of entrance to enclosed school area	100
8.18.040(C)	Smoking within 5 feet of licensed premises	100
8.18.040(D)	Smoking in an outdoor arena	100
8.18.070(A)	Failure to post signs prohibiting smoking	200
8.18.070(B)	Failure to remove ashtrays	200
8.18.070(C)	Failure to provide smoke-free workplace	200
8.18.070(D)	Failure to prevent smoking at a smoke-free establishment	200
8.18.080(B)	Smoking where prohibited	100
8.18.080(C)	Permitting smoking in public place where prohibited	200
8.20.020	Creating or permitting a bear attraction nuisance	100
9.04.010(A)	Open container of alcoholic beverages within vehicle	100
9.04.010(B)(1)	Consuming alcoholic beverage upon street or highway	100
9.04.010(B)(2)	Consuming alcoholic beverage in public	100
9.04.010(B)(3)	Consuming alcoholic beverage on school property	200
9.04.010(B)(4)	Consuming alcoholic beverage at school function	200
9.08.010	Curfew For Minors	250
9.08.020	Parental responsibility for curfew violation	250
9.24.010(A)	Discharging pistol or firearm	300
9.24.010(C)	Hunting in prohibited area	300
9.24.020(A)	Obstructing highways and other public passages	100
9.24.020(B)(1)	Failure to obey order to move to prevent obstruction	100
9.24.020(B)(2)	Failure to obey order to move to maintain public	100

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	safety	
9.24.030	Disrupting meetings and processions	100
12.08.160(B)	Utility permit required	300
12.10.010	Construction work on driveway in a right of way without a permit	300
12.12.040(A)	Failure to install street numbers in compliance with code	100
12.16.010	Street and sidewalk obstructions prohibited	50
12.16.030(A)	Use of streets for private purposes	50
12.40.030	Prohibited activity or construction in Picture Park restricted area	100
12.50.020	Motorized vehicle use in Chilkat River beaches recreational zone	100
13.04.310(A)	Unlawful opening of fire hydrant	300
13.08.100(A)	Failure to connect to sewer system after notice	300
14.34.030(A)(1)	Cutting timber that is not already dead or downed	300
14.34.030(A)(2)	Cutting firewood for other than personal use	300
14.34.030(A)(3)	Using unlawful mechanical means to cut firewood	300
15.08.040	Following fire apparatus or otherwise interfering with fire control operations	100
15.08.060	Smoking where prohibited for safety reasons	100
15.12.020(B)	Failure to file required report by a person handling hazardous substances	300
15.12.020(D)	Failure to file required report by a person handling consumer quantities of hazardous material or chemical	300

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15.12.070(A)	Failure to file required transshipment facility report	300
15.12.070(C)	Failure to display marking or warnings with respect to transshipment facility	100
15.12.070(D)(3)	Failure to notify fire department of time and quantity of a shipment of extremely hazardous substance	300
15.12.090(A)	Failure to obtain certificate of compliance	300
15.16.020	Crash post does not meet specifications	100
16.12.020	Obstruction of dock area by vehicle, cart, conveyance, or other transportation system	50
16.12.030	Vessel in excess of 65 feet using gridiron	50
16.16.135	Launching or recovering vessel without paying fee or obtaining annual ramp launch sticker	100
16.16.150	Unapproved vessel mooring in harbor	100
16.16.170	Non-compliant electrical connection	100
16.16.190	Mooring without payment	100
16.16.200(A)	Dead storage prohibited	100
16.16.210	Use of harbor crane without permit of paying fee	100
16.20.040	Snow must be removed from dock, float, or finger	50
16.28.005(D)	Wood fires not permitted in port and harbor facilities	100
16.28.005(E)	Unlawful electrical system or connection	100
16.28.010(A)	Operating vessel in excess of three MPH within borough port and harbor facilities	50
16.28.010(B)	Operating vessel in a negligent manner	300

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16.28.010(C)	Operating vessel in a negligent manner likely to endanger the safety of person or property	500
16.28.010(D)	Unlawful depositing of refuse or prohibited materials	100
16.28.010(E)	To fail to register with the harbormaster	100
16.28.010(F)	Leaving vessel or floating structure moored unattended while fire is burning	100
16.28.010(G)	Starting or allowing any fire on a float or dock	500
16.28.010(I)	Conducting unlawful business within the port and harbor facilities	100
16.28.010(J)	Living aboard a vessel moored in the harbor while prohibited or allowing animal to run at large	100
16.28.010(K)	Leaving cargo or other material on docks or other public place	50
16.28.010(L)	To fail to clean up after an animal	50
16.28.010(M)	Tapping, disconnecting, interfering with, or tampering with any water or electrical connection	100
16.28.010(N)	Interfering with any wharf or any other harbor facility	100
16.28.010(O)	Writing or posting printed matter upon any bulletin board without permission of the harbormaster	50
16.28.010(P)	Erecting or maintaining any advertising or other printed matter without approval from the harbormaster	50
16.28.010(Q)	To disregard or tamper with any notice relating to the use of mooring areas or other uses of port and	100

	harbor facilities	
16.28.010(R)	To moor or connect to Letnikof Cove facility without paying fees	100
16.32.040(B)	Use of small boat harbor without paying required fees	100
16.32.045	Long-term parking outside designated area at Letnikof Cove Harbor	50

1.24.060 Ordinances Affecting Minor Offenses Sent to Borough Attorney

Immediately after the Assembly enacts a code ordinance affecting, creating, or eliminating a minor offense, the Borough Clerk shall transmit the ordinance to the Borough Attorney. The Borough Attorney shall submit any necessary updates to the Alaska Court System for inclusion in the Uniform Table of Minor Offenses.

Section 6. Amendment of Section 2.06.035(C). Section 2.06.035(C) of the Haines Borough Code is hereby amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
~~STRIKETHROUGH~~ ITEMS ARE DELETED

2.06.035 Public financial disclosure.

C. The disclosure must be true, correct and complete and shall be signed under oath or affirmation, or certified to be true under penalty of perjury. A person required to file a financial disclosure statement under this section who refuses or knowingly fails to disclose required information within the time required in this chapter, or who provides false or misleading information, knowing it to be false or misleading, **commits a minor offense** ~~is guilty of a violation and upon conviction is punishable by a fine of not less than \$100.00 nor more than \$500. \$1,000 notwithstanding Chapter 1.24 HBC.~~ A municipal officer or candidate for an office who refuses or fails to file a financial disclosure statement required under this section when due shall not hold office, and the person's name shall not be submitted to the assembly for appointment or reappointment, until the person complies. The person may not be confirmed, hired, or appointed, and the person forfeits and may not be paid any salary, per diem, or travel expenses, until the person complies. If, after installation in office or beginning employment in the position, the person refuses or fails to file the required financial disclosure statement when due, the person **commits a minor offense** ~~is guilty of a violation and upon conviction is punishable by a fine of not less than \$100.00 nor more than \$500. \$1,000 notwithstanding Chapter 1.24 HBC.~~ Any citizen eligible to vote in Alaska may bring a civil action to enforce any of the provisions of this section.

Section 7. Amendment of Section 2.96.010. Section 2.96.010 of the Haines Borough Code is hereby repealed and reenacted as Sections 2.96.010 and 2.96.020, as follows:

2.96.010 Unlawful activity and conduct.

A. It shall be unlawful for:

1. Any person to give, render, pay, offer, solicit, or accept any money, service, or other valuable thing in attempting to secure any appointment, promotion, or advantage in a position in the borough service.
2. Any person to require personnel to subscribe, contribute, or provide a service to any political party.
3. Any person to seek or attempt to use any political party endorsement to secure any appointment or promotion in the borough service.
4. Any elected official or employee to solicit, negotiate for, or promise to accept anything of substantial value from any person, firm or company which is engaged in the transaction of business with the borough.
5. Any elected official or employee to use information which is obtained in the person's official capacity as an employee of the borough and which concerns the property, government or affairs of the borough to advance the financial or other private interests of the person or others.
6. Any elected official or employee to accept any loan, gift, gratuity, remuneration or compensation from any person, business or organization other than the borough when the same is offered in exchange for performing or discharging any official duty or responsibility.

B. A violation of this section is a minor offense and subject to a maximum fine of up to \$500 for each offense.

2.96.020 Prohibited conduct

A. It shall be prohibited for:

1. Any person, except a school district employee, to continue as an employee of the borough after being elected to the borough assembly.
2. Any person to take any action which affects the employment status of any other person when the reason for such action is predicated on race, color, religion, sex, or national origin.
3. Any person to make any false statement on any application, report or other document relating to employment status or to commit any other fraud which would prevent the fair and impartial execution of this code.
4. Any person to be employed in any position in any department whose immediate family member is the elected official, borough officer or department head under whom such person is employed.
5. Any elected official or employee to demand or request an applicant for employment to provide information relating to the applicant's religion, ancestry, race, or political convictions.
6. Any elected official or employee to invest, either directly or indirectly, in any business or participate in any private business transaction which conflicts with his official duties.
7. Any elected official or employee to be a party to the purchase of or influence the purchase of goods or services for the use of the borough from any business in which the person has a substantial financial interest unless the purchase is approved in advance by the assembly.

B. Any employee or official who violates this section shall be subject to discipline or those penalties provided in Chapter 2.06.

Section 8. Amendment of Section 3.80.260. Section 3.80.260 of the Haines Borough Code is hereby amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
~~STRIKETHROUGH~~ ITEMS ARE DELETED

3.80.260 Violations a minor offense ~~misdemeanor~~.

A seller, including a person, firm, co-partnership or corporation, or an officer, director or agent of a corporation acting on behalf of the seller, including a person with signatory authority over any corporate savings or checking accounts, who violates a provision of this chapter or who fails or refuses to comply with a request or demand of the clerk authorized or made under this chapter commits a minor offense, ~~is guilty of a misdemeanor.~~ **Prosecution under this chapter shall not limit the Borough's right to collect in a civil action all unpaid taxes, penalty and interest which may be owed.**

Section 9. Amendment of Section 5.02.020. Section 5.02.020 of the Haines Borough Code is hereby amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
~~STRIKETHROUGH~~ ITEMS ARE DELETED

5.02.020 Violation a minor offense ~~misdemeanor~~.

An individual or entity subject to this chapter, or a responsible officer, director, or agent of an entity subject to this chapter, who violates the requirements of this chapter commits a minor offense ~~is guilty of a misdemeanor~~, which is punishable by ~~not more than 30 days in jail and/or a \$1,000~~ **a fine in the amount of \$100 for each month or part thereof a business operates without a license, up to a maximum total fine of \$1,000. Each month or part thereof of operation in violation of this chapter shall constitute a separate offense.**

Section 10. Amendment of Section 5.04.140. Section 5.04.140 of the Haines Borough Code is hereby amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
~~STRIKETHROUGH~~ ITEMS ARE DELETED

5.04.140 Penalties.

A. Operation of any commercial tour or business enterprise for which a permit is required under this title without a permit, or the failure to follow any permit condition, shall constitute ~~an~~ **a minor** offense punishable, ~~upon conviction,~~ by a fine ~~not exceeding \$1,000~~ **of \$500** for each offense, **unless a different amount is specified in HBC 1.24.040,** plus any surcharge required to be imposed by AS 12.55.039.

B. The securing of a permit through deceit, fraud, or intentional misrepresentation shall constitute an offense punishable, ~~upon conviction,~~ by a fine ~~not exceeding \$500~~ ~~1,000,~~ plus any surcharge required to be imposed by AS 12.55.039. **The permit may also be revoked through administrative proceedings.** ~~as well as revocation of the permit.~~

C. The commission by a permittee of an act of fraud, misrepresentation, or cheating that would constitute an unlawful act or practice under AS 45.50.471, either through the permittee's own act or through the acts of the permittee's employee, agent, or representative, in relation to an activity authorized under a permit, is, ~~upon conviction,~~ punishable by a fine **of \$500** ~~not exceeding \$300.00~~ for each violation plus any surcharge required to be imposed by AS 12.55.039.

D. The borough may institute a civil action against a person who violates this chapter. An action to enjoin a violation may be brought notwithstanding the availability of any other remedy. On application for injunctive relief and a finding of a violation or a threatened violation, the superior court shall grant the injunction.

Section 11. Amendment of Section 5.04.150. Section 5.04.150 of the Haines Borough Code is hereby amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
STRIKETHROUGH ITEMS ARE DELETED

5.04.150 Offenses separable.

Each ~~such~~ person **who violates a provision of this Title or a provision of any permit issued under this Title commits a** ~~is guilty of separate offense for each and every day during any portion of which any violation of any provision of any permit issued under this chapter is committed, continued or permitted by~~ **the** ~~any such~~ person. **A separate citation shall be issued for each day upon which a violation is alleged to have occurred.**

Section 12. Amendment of Section 5.08.020. Section 5.08.020 of the Haines Borough Code is hereby amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
STRIKETHROUGH ITEMS ARE DELETED

5.08.020 Solicitation on private property without invitation prohibited.

The practice of going in and upon private residences in the borough by transient solicitors, peddlers, hawkers, itinerant merchants, or transient vendors of merchandise not having been requested or invited to do so by the owner or occupant of the private residence for the purpose of soliciting orders for the sale of goods, wares, and merchandise and/or disposing of and/or peddling or hawking the same is **unlawful.** ~~declared to be a nuisance and punishable as such nuisance.~~

Section 13. Amendment of Section 6.08.060. Section 6.08.060 of the Haines Borough Code is hereby amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
STRIKETHROUGH ITEMS ARE DELETED

6.08.060 Impoundment and citations.

A. The manager shall appoint an animal control officer or firm whose duties shall be to enforce the provisions of this title. The borough shall provide an animal shelter where dogs may be impounded. In the absence of an animal control officer or firm contracted to enforce the animal control regulations, or if the assembly determines that additional personnel are necessary, the manager may appoint someone on a temporary basis to fulfill the animal control officer's duties.

B. The animal control officer shall have the authority to impound any dog found running at large or kept in violation of this title and any unlicensed dog found, other than a seeing-eye dog. Whether the dog is impounded or not, if the owner or keeper is known, the police department or animal control officer shall immediately give notice verbally or in writing to the owner or keeper that such dog has been impounded, is running at large or is otherwise in violation of this title. The police department **or animal control officer or firm** may cite the owner or keeper of the dog to appear in court to answer a charge of violation of this title. **Any**

citation issued for a violation of this title shall be processed by the court system in accordance with Chapter 1.24 HBC.

C. Any person may file a complaint with the animal control officer or police that a dog is running at large or is otherwise in violation of this title and it shall be the duty of the animal control officer or police department to give notice to the owner or keeper as provided in subsection (B) of this section.

D. When a dog has been impounded, and if the owner or keeper is known or can be ascertained from the dog tag or records of the borough, the police department shall notify the dog's owner or keeper of the impoundment as soon as possible and of the fact that the animal may be redeemed according to the provisions of this title. The police department shall keep a record of all dogs impounded including the dog's description and the disposition of the dog.

Section 14. Amendment of Section 6.08.130(A). Section 6.08.130(A) of the Haines Borough Code is hereby amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
STRIKETHROUGH ITEMS ARE DELETED

6.08.130 Penalties for violations.

A. Any person **accused** ~~convicted~~ of violating HBC 6.08.030 concerning dangerous dogs or HBC 6.08.040 or 6.08.050 concerning rabies, **shall appear in court and fined up to \$500 if the court determines the person committed the offense.** ~~control shall be guilty of a misdemeanor punishable by a fine of up to \$1,000 and/or imprisonment up to 30 days.~~

B. Any person violating the provisions of, or failing to comply with, any other section of this chapter **commits a minor offense** ~~is guilty of a violation and, unless otherwise specifically provided, shall be fined as follows:~~ **in the amount set forth in HBC 1.24.040, or if no fine is there established, a fine of not more than \$500.**

~~1. Spayed or Neutered Dog (Owner or keeper must provide veterinarian's proof of spay/neuter procedure):~~

First violation	_____	\$25.00
Second violation	_____	\$50.00
Third and subsequent violations	_____	\$100.00

~~2. Nonspayed or Nonneutered Dog:~~

First violation	_____	\$75.00
Second violation	_____	\$150.00
Third and subsequent violations	_____	\$300.00

~~C. A past violation taken into account in determining a fine payable under subsection (B) of this section will be deleted from an animal's record if such animal has had no violations for a period of three calendar years from the date of that prior violation. A fine imposed under subsection (B)(2) of this section shall be vacated and a lesser fine imposed under subsection (B)(1) of this section, if, within 30 days of the date of the violation, proof from a licensed veterinarian showing that the offending dog has been spayed or neutered is presented to the police department.~~

Section 15. Amendment of Section 8.08.050. Section 8.08.050 of the Haines Borough Code is hereby amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED

STRIKETHROUGH ITEMS ARE DELETED

8.08.050 Compliance – Enforcement.

A person violating a provision of this chapter shall be subject to punishment according to the provisions of HBC **Chapter** 1.24.040.

Section 16. Repeal and reenactment Section 8.12.140. Section 8.12.140 of the Haines Borough Code is hereby repealed and reenacted as follows:

8.12.140 Enforcement.

A. The abatement official or any police officer may cite an offender or property owner for a violation of any provision of this chapter, whether or not abatement proceedings are instituted. Such a violation shall be considered a minor offense and is punishable by a fine set forth in HBC 1.24.040, or if no fine is there established, a fine of not more than \$500. Any proceeding instituted for such a violation is separate from, and shall not affect, the abatement process provided for in this chapter.

B. Each act of violation and every day upon which the violation occurs shall constitute a separate offense. A separate citation shall be issued for each day upon which a violation is alleged to have occurred.

C. In addition to prosecuting a violation of this section, the borough may initiate the nuisance abatement procedures set forth in HBC 8.12.040 - .130 against any person maintaining a nuisance or against any property upon which a nuisance is deemed to exist, whether or not the person is cited for a violation of this chapter.

D. In addition to other remedies or procedures provided in this chapter, any public nuisance may be restrained, enjoined or otherwise abated by the borough in a civil action.

Section 17. Amendment of Section 8.16.025. Section 8.16.025 of the Haines Borough Code is hereby amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
STRIKETHROUGH ITEMS ARE DELETED

8.16.025 Use of fireworks near port facilities prohibited.

A. It is unlawful for any person other than a licensed pyrotechnician who has a contract with the borough and their agents and employees to discharge fireworks in, on, under, or within 250 feet of any of the borough's port facilities, including, but not limited to, Letnikof Cove, Port Chilkoot Dock, Lutak Dock, and the boat harbor.

~~B. A person violating the provisions of, or failing to comply with the prohibitions of, this chapter is guilty of a violation, and unless otherwise specifically provided, shall be punished by a fine of not more than \$300.00.~~

Section 18. Amendment of Chapter 8.16. Chapter 8.16 of the Haines Borough Code is hereby amended to include a new Section 8.16.040 to read as follows:

8.16.040 Violations a minor offense

A person violating the provisions of, or failing to comply with the prohibitions of, this chapter **commits** a minor offense, and unless otherwise specifically provided, shall be punished by a fine of not more than \$300.00.

Section 19. Amendment of Section 8.18.080. Section 8.18.080 of the Haines Borough Code is hereby amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
~~STRIKETHROUGH~~ ITEMS ARE DELETED

8.18.080 Violations and penalties.

A. It is unlawful for any person to smoke in any area where smoking is prohibited or for any person who owns, manages, operates, or otherwise controls the use of premises subject to this chapter to fail to comply with the provisions of this chapter.

B. A person who smokes in an area where smoking is prohibited by the provisions of this chapter is subject to a fine of \$100.00.

C. A person, owner, manager, employer, or operator who controls a public place, a business, an enclosed area, place of employment or place of child care or other premises in violation of this chapter is subject to HBC 8.18.090(B) and **a penalty in the amount of \$200 for every violation of this chapter.** ~~the following penalties:~~

- ~~1. A fine of \$100.00 for a first violation;~~
- ~~2. A fine of \$200.00 for a second violation within a 24-month period; and~~
- ~~3. A fine of \$300.00 for a third or additional violation within a 24-month period.~~

~~D. Each and every day that a violation occurs is a separate violation.~~

Section 20. Amendment of Section 8.18.090. Section 8.18.090 of the Haines Borough Code is hereby amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
~~STRIKETHROUGH~~ ITEMS ARE DELETED

8.18.090 Enforcement.

A. The borough manager ~~or designee~~ **police department shall enforce** must administer this chapter. A person who desires to register a complaint hereunder may initiate enforcement consideration with the borough manager **or borough police department.** ~~or designee.~~ **A person or entity believed to have violated any provision of this chapter may be cited pursuant to Chapter HBC 1.24. Any violation of this chapter is a minor offense.**

B. Before citing an operator for violation of this chapter, the borough manager **or police department** must provide the operator with a written warning for the violation. Thereafter, the operator is subject to the penalties set out in HBC 8.18.080.

C. In addition to the remedies provided in this chapter, a person aggrieved by the failure of the owner, operator, manager or other person in control of a public place or place of employment to comply with the provisions of this chapter may apply for injunctive relief to enforce those provisions in a court of competent jurisdiction.

Section 21. Amendment of Section 8.20.040. Section 8.20.040 of the Haines Borough Code is hereby amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
~~STRIKETHROUGH~~ ITEMS ARE DELETED

8.20.040 Fines.

A. Each person who owns and/or is in control of property that creates, maintains, or permits a bear attraction nuisance on the property shall be charged with **a minor offense** ~~an infraction~~ and subject to a fine as set forth in HBC 1.24.0440.

B. Each and every day **after notice** during any portion of which a violation or failure to comply is committed, permitted, or continued, shall be treated as a separate offense, and subject the offender to separate charges and a fine as provided in subsection (A) of this section.

Section 22. Repeal of Chapter 9.01. Chapter 9.01 of the Haines Borough Code is hereby repealed in its entirety.

Section 23. Amendment of Section 9.04.010. Section 9.04.010 of the Haines Borough Code is hereby amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
~~STRIKETHROUGH~~ ITEMS ARE DELETED

9.04.010 Consumption of alcoholic beverages in public places.

A. It is unlawful to possess an open bottle, can, or other receptacle containing an alcoholic beverage within the passenger compartment of a vehicle.

B. It is unlawful ~~or~~ to consume alcoholic beverages
(1) upon the public streets or highways; ~~or~~
(2) in any public place other than a premises covered by a liquor control license; ~~or~~
(3) on any public school property; ~~or~~
(4) at any public or private school-related function.

Section 24. Amendment of Section 9.08.030. Section 9.08.030 of the Haines Borough Code is hereby amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
~~STRIKETHROUGH~~ ITEMS ARE DELETED

9.08.030 Penalty for violation of curfew ordinance.

A person who fails to abide by the provisions of this chapter **commits a minor offense punishable by** ~~shall be guilty of a violation and subject to a fine of not more than \$250.00.~~

Section 25. Repeal and reenactment Chapter 10.06. Chapter 10.06 of the Haines Borough Code is hereby repealed and reenacted as follows:

10.06.010 State traffic laws and regulations adopted by reference.

A. The borough adopts all vehicle and traffic statutes and regulations of the state of Alaska, as they presently exist and as they may be revised in the future, including those which apply to motorcycles.

B. Notwithstanding subsection A of this section, the borough does not adopt those state traffic laws that establish misdemeanor and felony offenses which are not listed on Alaska Supreme Court bail forfeiture schedules, including AS 28.35.030.

C. All citations issued under this chapter shall use the appropriate "AS" or "AAC" or CFR statute or regulation numbers, include a description of the offense, indicate that the offense was adopted by reference as a borough ordinance, and that the charging entity or plaintiff is the Haines Borough.

D. Additional traffic ordinances of the borough that are necessary to meet specific local requirements shall be incorporated in other chapters of this title.

E. When the context requires, the term "Alaska State trooper" or "peace officer" when used in a provision incorporated by reference under subsection (A) of this section shall be deemed to mean and construed as identical with chief of police, police officer, or such other local police officer sworn to undertake the duties prescribed in HBC 10.02.020. When the context requires, the term "department" appearing in the Alaska Statutes and Alaska Administrative Code provisions adopted by reference shall be construed to mean the Haines police department.

10.06.020 Fine Schedule for State Traffic Offenses Adopted by Reference.

A. The borough adopts as its traffic fine schedule for state traffic offenses adopted by reference 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 borough adopts all amendments of those schedules that become effective after the effective date of the ordinance codified in this chapter. Citations for offenses listed on those schedules may be disposed of as provided in AS 12.25.195 through 12.25.230, without a court appearance, upon payment of the amounts listed plus the state surcharge required by AS 12.55.039 and 29.25.074. If a person charged with one of these offenses appears in court and is found to have committed the offense, 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.

B. For violation of a provision of this title that does not adopt an Alaska Statute ("AS") or state regulation ("AAC") by reference and that may be satisfied by the payment of bail, the applicable fine for such violation is listed in HBC 1.24.040.

10.06.030 Fine Schedule for Local Traffic Offenses

In accordance with AS 28.05.151(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 to have committed the offense, the penalty imposed for the offense may not exceed the fine amount for that offense listed below. These fines may not be judicially reduced. If an offense is not listed on the fine schedule, or if the citation indicates a court appearance is required, 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.

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Code Section	Offense Description	Fine Amount
10.09.010	Starting parked vehicle - excessive acceleration	15
10.09.020(A)	Driving on sidewalks - vehicle	20
10.09.020(B)	Driving on sidewalk in CBD - bicycle	20
10.09.020(C)	Failure to yield - bicycle	20
10.09.030	U-turn where prohibited	30
10.09.040	Projections on wheels or tracks prohibited	20
10.09.050	Dragging objects prohibited	150
10.09.060	Projecting load on passenger vehicles	20
10.09.070	Carrying animals on outside of vehicles	125
10.09.080(A)	Use of coaster, roller skates, or sleds on roadway	25
10.09.080(B)	Use of skateboard or human powered device in prohibited area	25
10.09.080(C)	Negligent operation of device	25
10.34.005(B)	Operating a snow machine or ATV in unauthorized location or after hours.	30
10.34.005(C)	Operating a snow machine or ATV under 16 years of age.	30
10.34.005(D)	Driver's license required to operate snow machine or ATV	30
10.34.005(E)	Registration of snow machine or ATV required	30
10.34.005(F)	Proof of insurance	30
10.34.005(G)	Excess passengers - 13 AAC 02.445	30
10.34.005(H)	Speed in excess of 25 mph or other violation of traffic regulations	30
10.34.005(I)	Failure to signal turn	30
10.34.005(J)	ATV or snow machine on sidewalk or pedestrian way	30
10.34.005(K)	Failure to stop snow machine or ATV when directed to do so by a police officer	30
10.34.005(M)	Owner responsibility for violation	30
10.34.009(A)	Snow machine or ATV not equipped with functional headlight, tallight, and brake light	30
10.34.009(B)	Failure to maintain equipment in good working order	30
10.34.010(A)	Parental responsibility for violation	30
10.42.010	Bicycle violations: operator to obey rules of the road	30
10.42.020	Bicycle violations: parents responsible for	30

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	actions/violations	
10.42.030	Bicycle violations: obey signs/dismount and act as pedestrian	30
10.42.040	Bicycle violations: two or more on bike made for one	30
10.42.050	Bicycle violations: attaching to other vehicle/hooky-bobbing	30
10.42.060	Bicycle violations: minimum of one hand on handle bars	30
10.42.070	Bicycle violations: unicycle/coaster/roller skates on roadway prohibited	30
10.42.080	Bicycle violations: ride on right side of roadway	30
10.42.090	Bicycle violations: yield to vehicle upon audible signal	30
10.42.100	Bicycle violations: no more than two bikes abreast in one lane	30
10.42.110	Bicycle violations: must use shoulder when available	30
10.42.120	Failure to give auditable signal passing pedestrian	30
10.42.130	Bicycle violations: turn and signal requirements	30
10.42.140	Bicycle violations: ride in business district where prohibited	30
10.42.160	Bicycle violations: Bike Parking Requirements	30
10.42.170	Bicycle violations: bike not to enter limited use areas	30
10.42.180	Bicycle violations: yield to traffic	30
10.42.190	Bicycle violations: headlight requirements	30
10.42.200	Bicycle violations: taillight requirements	30
10.42.210	Bicycle violations: reflector requirements	30
10.42.220	Bicycle violations: brake requirements	30
10.44.010	Parking during snow removal	25
10.44.020	Prohibited 24-hour parking – impounding vehicles	25
10.44.030	Time limit parking	25

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10.44.050	Standing or parking close to curb	25
10.44.060(A)	Signs or markings indicating angle parking	25
10.44.070	Obedience to angle-parking signs or markings	25
10.44.080(B)	Violating permit for loading or unloading at an angle to the curb	25
10.44.090(A)	Stopping, standing, or parking prohibited – no signs required	25
10.44.090(B)	Moving the vehicle of another into unlawful parking area	25
10.44.100	Parking not to obstruct traffic	25
10.44.110	Parking in alleys	25
10.44.120(A)	Parking for certain purposes prohibited: displaying such vehicle for sale	25
10.44.120(B)	Parking for certain purposes prohibited: washing, greasing, or repairing	25
10.44.130(B)	Parking adjacent to schools	25
10.44.140(B)	Parking prohibited on narrow streets	25
10.44.150	Standing or parking on one-way streets	25
10.44.160(B)	No stopping, standing, or parking near hazardous or congested places	25
10.44.210(A)	Abandonment of vehicle	25
10.44.210(B)	Exceeding time limit for parking in designated areas	25
10.44.220	Unauthorized parking on private property	25
10.48.010	Pedestrians must obey regulations	25
10.48.020	Pedestrians not to enter limited use areas	25
10.48.030	No pedestrian may walk into path of vehicle	25
10.48.040	Pedestrian must cross at crosswalk	25
10.48.050	Pedestrian must yield to vehicles	25
10.48.060	Crossing roadway where prohibited	25
10.48.070	Diagonally cross intersection must use sidewalks	25

10.48.080	Must walk on left side/shoulder of roadway	25
10.48.090	Pedestrian creates hazard/interferes with traffic	25
10.48.100	Sleep/loiter/obstruct highway	25
10.48.110	Solicit ride/distracts driver	25
10.48.120	Nonblind pedestrian not to use cane/dog	25
10.48.130	Pedestrian must yield to emergency vehicle	25
10.48.140	Pedestrian not to cross against "don't Walk" signal	25

10.06.040 Mandatory appearance and surcharges.

A person who violates a provision of this title that is not on the Fine Schedule for State offenses adopted by reference or on the borough's Fine Schedule for local traffic offenses is subject to a mandatory court appearance and shall pay the fine imposed pursuant to this code plus the state surcharge required by AS 12.55.039 and AS 29.25.074.

Section 26. Repeal of Chapters 10.08, 10.10, 10.12, 10.14, 10.16, 10.18, 10.20, 10.24, 10.26, 10.28, 10.30, 10.32, 10.34, 10.36, 10.38, 10.40. Chapters 10.08, 10.10, 10.12, 10.14, 10.16, 10.18, 10.20, 10.24, 10.26, 10.28, 10.30, 10.32, 10.34, 10.36, 10.38, 10.40 of the Haines Borough Code are hereby repealed in their entirety.

Section 27. Addition of new Chapter 10.09. There is enacted a new Chapter 10.09 of the Haines Borough Code to read, as follows:

Chapter 10.09 Miscellaneous offenses

10.09.010 Starting parked vehicle – Excessive acceleration.

A person may not accelerate a vehicle which is stopped, standing, or parked on or along a highway, or which is entering a highway, so rapidly as to unnecessarily cause the tires to squeal or spin on the highway or on the surface on which the vehicle is standing immediately before it enters the highway or which causes the driver to lose control of the vehicle or causes the vehicle to fishtail.

10.09.020 Driving on sidewalks

A. The driver of any vehicle, except a bicycle, shall not drive within any sidewalk area except at a permanent or temporary driveway.

B. No person shall ride a bicycle upon a sidewalk within the central business traffic district or any business district excepting police and emergency response personnel operating a bicycle during the discharge of their duties.

C. Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian.

10.09.030 U-turns prohibited where posted.

Where posted, a driver of a vehicle shall not turn within a street or intersection such vehicle so as to proceed in the opposite direction.

10.09.040 Projections on wheels or tracks prohibited.

No person shall drive or propel any vehicle or object upon any street or highway in the townsite service area which shall have any wheel, tire, or track made or equipped with spikes, cleats, lugs or other attachments or projections, except tire chains. Studded tires which fall within the exclusion of 13 AAC 04.230(b)(3) are not prohibited.

10.09.050 Projecting loads on passenger vehicles.

No passenger-type vehicle shall be operated on any street or highway with any load carried thereon extending beyond the line of the hub caps on its left side or more than eight feet in total width.

10.09.060 Carrying animals on outside of vehicles.

It is unlawful for any person to transport any living animal on the running board, fenders, hood, or other outside part of any vehicle, unless suitable harness, cage, or enclosure be provided and so attached as to protect such animal from falling or being thrown therefrom.

10.09.080 Use of coaster, roller skates, and sleds.

A. No person upon roller skates, or riding in or by means of any coaster, sleds, toy vehicles, or similar device, shall go upon any townsite service area roadway except while crossing a street on a crosswalk and, when so crossing, such person shall be granted all of the rights and shall be subject to all the duties applicable to pedestrians. For the purposes of this section, the term "roadway" means that portion of a highway, street, or road designed or ordinarily used for vehicular travel, exclusive of the sidewalk, berm, shoulder, or right-of-way. The berm or shoulder of the right-of-way may be used by persons riding bicycles or other similar human-powered vehicles. Skateboards, coasters, sleds, toy vehicles, or similar devices are prohibited on sidewalks in business districts, or where otherwise regulated by signage.

B. Prohibited Sidewalks and Areas. No person shall ride a skateboard or other similar human-powered vehicle as defined in subsection (A) of this section:

1. On the sidewalks on Main Street between Third Avenue and Front Street;
2. On the sidewalks on Second Avenue between Main Street and Dalton Street;
3. On the sidewalks on Third Avenue between Main Street and Haines Highway;
4. At Lookout Park;
5. On the sidewalks on Main Street between Third Avenue and Fifth Avenue during school hours and one-half hour before and one-half hour after.

C. Negligent Operation. No person shall operate one of the devices described in subsection (A) of this section in a negligent manner. "To operate in a negligent manner" means the operation of a device in such a manner as to endanger or be likely to endanger any person or property. Examples of operating in a negligent manner include, but are not limited to, failure to obey all traffic control devices, failure to yield right-of-way to pedestrians and/or vehicular traffic.

Section 28. Repeal of Section 10.34.050. Section 10.34.050 of the Haines Borough Code is hereby repealed.

Section 29. Repeal of Sections 10.44.040, 10.44.230, 10.44.240, and 10.44.250. Sections 10.44.040, 10.44.230, 10.44.240, and 10.44.250 of the Haines Borough Code are hereby repealed in their entirety.

Section 30. Repeal and reenactment of Chapter 10.50. Chapter 10.50 of the Haines Borough Code is hereby repealed and re-enacted as follows:

10.50.010 Citations for violations and disposition of fines.

A. When a person is stopped or contacted by a borough peace officer for the commission of a motor vehicle or traffic offense that is a violation of this title, the officer shall, except when otherwise required by law or the immediate circumstances, issue a citation to the person in charge of, or operating, the motor vehicle involved. A citation issued pursuant to this subsection must meet the requirements of AS 12.25.200 and the Alaska Rules of Minor Offense Procedures. The borough shall use the Alaska Uniform Citation form, or the electronic version, if authorized.

B. A citation for a violation of a state motor vehicle law that has been incorporated by reference in this Title shall reference the Alaska Statute or Alaska Administrative Code section that has been violated and indicate that the law or regulation has been incorporated in the borough Code by reference. All such citations shall list the Haines Borough as the prosecuting entity and shall be submitted to and processed by the Alaska court system. Fines paid to the court for that violation shall be remitted to the borough.

C. A citation for a violation of a provision of this title that does not adopt by reference a provision of the state motor vehicle laws shall reference only the appropriate borough code section. Fines paid to the court for that violation shall be remitted to the borough.

D. If the offender refuses to accept the citation the citing peace officer shall arrest the offender in the manner otherwise provided by law.

10.50.020 Lesser penalty controlling.

In the event conflicting maximum penalties are prescribed by adopted statute or regulation, or by Alaska Supreme Court bail forfeiture schedules or by separate code section, the lesser penalty shall be the controlling maximum.

Section 31. Amendment of Section 11.44.030. Section 11.44.030 of the Haines Borough Code is hereby amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
~~STRIKETHROUGH~~ ITEMS ARE DELETED

11.44.030 Penalty.

~~Any person convicted of a **A** violation of any of the sections of this chapter shall be subject to punishment as provided in this code.~~ is a minor offense.

Section 32. Amendment of Section 12.12.040. Section 12.12.040 of the Haines Borough Code is hereby amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
~~STRIKETHROUGH~~ ITEMS ARE DELETED

12.12.040 Installation of numbers.

~~A.~~ Numbers at least four inches high, of a color which contrasts with the background on which they are mounted, or with a reflective surface, must be installed on each and every building as designated in the official building numbering index kept in the planning office. The developer shall place the numbers assigned by the planner on the developer's building at a location specified by the fire department for maximum visibility for police, fire, and rescue crews.

~~B. Any person violating a provision of this chapter shall be punished by a fine not exceeding \$300.00.~~

Section 33. Amendment of Section 12.40.060. Section 12.40.060 of the Haines Borough Code is hereby amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
~~STRIKETHROUGH~~ ITEMS ARE DELETED

12.40.060 Enforcement and penalties.

A. Enforcement.

1. The Haines Borough manager shall have the right to issue administrative regulations pertaining to use of the property subject to approval of the assembly.

2. The Haines Borough police department, other licensed peace officers, and designated Haines Borough employees shall have the authority to enforce this chapter and any borough manager regulations and may eject from the park any persons acting in violation of this chapter or any temporary use permit issued for use of the property.

3. Nothing in this chapter shall prevent Haines Borough employees from performing their assigned duties.

4. **A violation of this chapter or a permit issued under it shall be a minor offense.** Enforcement of this chapter shall be in the same manner set forth in Chapter **1.24** ~~9.01~~ HBC.

B. Penalties. Violations of this chapter are subject to the ~~same penalties as provided in~~ **HBC** Chapters **1.24** and ~~9.01~~ HBC.

Section 34. Amendment of Section 13.04.350. Section 13.04.350 of the Haines Borough Code is hereby amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
~~STRIKETHROUGH~~ ITEMS ARE DELETED

13.04.350 Penalties.

Any person violating a provision of this chapter shall, ~~upon conviction thereof,~~ be punished by a fine ~~not exceeding~~ **in the amount set forth in HBC 1.24.040, or if no fine is there established, a fine of not more than** \$300.00.

Section 35. Amendment of Section 13.08.100. Section 13.08.100 of the Haines Borough Code is hereby amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
~~STRIKETHROUGH~~ ITEMS ARE DELETED

13.08.100 Required connections.

A. Wherever there is now, or may hereafter be constructed within the borough limits, an interceptor for the purpose of transmitting sewage to the sewage treatment plant, the owner or owners of the property abutting on any street, alley, or right-of-way along which the interceptor is constructed must connect all improvements on such property in which sewage or liquid waste is produced with a customer service line and an interceptor. Whenever the borough shall notify in writing any owner or owners of property to connect such improvements to such line and interceptor, it shall be the duty of such owner or owners to make application, pay the prescribed

fees, and complete the connection with the interceptor within 30 days from the date of said notice. The department may, for good and sufficient reason, extend the time for completion of the connection.

B. Failure to connect any property that is required to be connected to the sewer system is a minor offense subject to penalty as set forth in HBC Chapter 1.24 for each offense. Each week a property that is required to be connected to the sewer system is not connected constitutes a separate offense.

Section 36. Amendment of Section 13.08.270. Section 13.08.270 of the Haines Borough Code is hereby amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
~~STRIKETHROUGH~~ ITEMS ARE DELETED

13.08.270 Connection made without permit.

A. It shall be unlawful ~~and a misdemeanor~~ for any customer or other person to connect a customer service line to an interceptor without first making application, paying the connection fee, and securing a permit therefor from the clerk.

B. Any person who connects or attempts to connect a service line in violation of this section commits a minor offense subject to penalty as set forth in HBC Chapter 1.24 for each offense. Each week a property is connected in violation of this section constitutes a separate offense. ~~A person who violates subsection (A) of this section is subject to a penalty not to exceed a fine of \$1,000 and imprisonment for 90 days.~~

Section 37. Amendment of Section 13.08.310. Section 13.08.310 of the Haines Borough Code is hereby amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
~~STRIKETHROUGH~~ ITEMS ARE DELETED

13.08.310 Penalties.

Unless otherwise specifically provided, any person violating a provision of this chapter shall, ~~upon conviction thereof,~~ be punished by a fine ~~not exceeding~~ **in the amount set forth in HBC 1.24.040, or if no fine is there established, a fine of not more than** \$300.00.

Section 38. Amendment of Section 14.16.170. Section 14.16.170 of the Haines Borough Code is hereby amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
~~STRIKETHROUGH~~ ITEMS ARE DELETED

14.16.170 Responsibility to properly locate on leased premises.

A. It shall be the responsibility of the lessee to properly locate improvements on the leased land.

B. It is unlawful for a lessee to encroach on other lands of the borough or on lands owned or leased by another.

~~C. A violation of subsection (B) of this section is a misdemeanor, punishable by a fine of up to \$1,000 and up to 90 days imprisonment.~~

Section 39. Repeal of Section 14.34.020. Section 14.34.020 of the Haines Borough Code is hereby repealed.

Section 40. Amendment of Section 14.34.030. Section 14.34.030 of the Haines Borough Code is hereby amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
~~STRIKETHROUGH~~ ITEMS ARE DELETED

14.34.030 Violations.

A. The following acts are minor offenses under this chapter:

- 1. Cutting for firewood any timber that is not already dead or downed.**
- 2. Cutting firewood for other than personal use.**
- 3. Using mechanical means other than chainsaws and vehicles to cut firewood.**

B. The taking of any wood that is green and standing, no matter what it is used for, is considered a trespass. The penalty for taking green standing timber is \$1,000 plus triple stumpage, **which may be collected in a civil action whether or not the violator is cited for a violation of this chapter.**

Section 41. Amendment of Section 15.04.020. Section 15.04.020 of the Haines Borough Code is hereby amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
~~STRIKETHROUGH~~ ITEMS ARE DELETED

15.04.020 Enforcement.

The fire department and its members shall enforce the provisions of the fire code and all provisions of this title. **The police department may cite an offender for a violation of any provision of this title.** ~~and may be assisted therein by the chief of police.~~

Section 42. Amendment of Section 15.08.060. Section 15.08.060 of the Haines Borough Code is hereby amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
~~STRIKETHROUGH~~ ITEMS ARE DELETED

15.08.060 Smoking restricted.

In addition to the prohibitions set forth in Chapter 8.18, ~~There shall be no~~ smoking in beds of hotels, motels, apartments or rooming houses, in dry-cleaning plants, or in areas where combustible materials are stored or handled **is prohibited.**

Section 43. Amendment of Section 15.20.020. Section 15.20.020 of the Haines Borough Code is hereby amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
~~STRIKETHROUGH~~ ITEMS ARE DELETED

15.20.020 Violation – Penalty.

~~A. Violation of any of the provisions of this title shall, upon conviction, be punishable as a~~ **minor offense** violation as provided in **HBC Chapter 1.24 and fined in the amount set forth in section 1.24.040, or if no fine is there established, in an amount to be determined by the court not to exceed \$500 for each offense.** ~~HBC 1.24-010.~~ In addition, a person who violates a provision of this title **may** shall be subject to injunctive relief.

~~B. Each day of violation shall constitute a separate offense for the purposes of this title.~~

Section 44. Amendment of Section 16.08.030. Section 16.08.030(A) of the Haines Borough Code is hereby amended by the addition of a new subsection 16.08.030(H) to read as follows:

H. Harbormaster will develop and document and with approval by manager implement a training and certification process for harbor personnel that will enforce harbor regulations. Policy will include training in conflict resolution and constitutional rights and responsibilities and visible identification. All harbor staff with enforcement authority shall be administered an oath of office.

Section 45. Amendment of Section 16.28.030(A). Section 16.28.030(A) of the Haines Borough Code is hereby amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
~~STRIKETHROUGH~~ ITEMS ARE DELETED

16.28.030 Penalties for violations.

A. Any person violating any of the provisions of this title will be fined **in the amount set forth in HBC section 1.24.040, or if no fine is there established, in an amount to be determined by the court not to exceed \$500 for each offense.** ~~according to the fees set out in the most current assembly approved fee schedule.~~

Section 46. Amendment of Section 16.28.040. Section 16.28.040 of the Haines Borough Code is hereby amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
~~STRIKETHROUGH~~ ITEMS ARE DELETED

16.28.040 Citation.

A person who commits a violation of this title shall **be cited in the manner set forth in HBC Chapter 1.24.** ~~receive a citation unless otherwise required by law or the circumstances.~~

Section 47. Repeal of Sections 16.28.050 and 16.28.060. Sections 16.28.050 and 16.28.060 of the Haines Borough Code are hereby repealed in their entirety.

Section 48. Amendment of Section 16.32.045. Section 16.32.045 of the Haines Borough Code is hereby amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
~~STRIKETHROUGH~~ ITEMS ARE DELETED

16.32.045 Parking.

Long-term parking of vehicles, vessels, or trailers is prohibited outside of the designated long-term parking area at the Letnikof Cove Small Boat Harbor. "Long-term" is defined as 24 or more

Haines Borough
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continuous hours. Areas shall be posted or otherwise marked by an appropriate sign or by combinations of placed and painted signs indicating prohibited and authorized parking areas. ~~Enforcement of this section shall be in the same manner as set forth in Chapter 16.28 HBC.~~

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS ____ DAY OF _____, 2016.

ATTEST:

Janice Hill, Mayor

Julie Cozzi, Borough Clerk

Date Introduced: 06/09/15
Date First Public Hearing: 08/25/15
Date Second Public Hearing: 09/08/15 – Adoption postponed
Adopted with Conditions: 09/22/15
Adoption Reconsidered: 10/13/15 – Amended, referred to ad hoc committee, and adoption postponed to 4/26/16
Date Committee Draft Presented: 05/10/16
Date First Hearing, New Draft: 05/24/16
Date Second Hearing, New Draft: 06/14/16

From: [Brad Ryan](#)
To: [Julie Cozzi](#); [Margaret Friedenauer](#); [Ron Jackson](#)
Subject: FW: For Patrick RE: minor offenses
Date: Monday, May 16, 2016 12:47:50 PM

Brad A. Ryan
(907) 314-0648
bryan@haines.ak.us
Haines Borough Interim Manager

From: Patrick Munson [<mailto:PMunson@bcfaklaw.com>]
Sent: Monday, May 16, 2016 9:23 AM
To: Brad Ryan
Subject: RE: For Patrick RE: minor offenses

Good morning Brad –

The effective date can be any time after the ordinance is adopted. I'm sure Julie is familiar with the standard language used for that section and should be able to update the draft ordinance accordingly. Good catch on her part.

Typically we use "effective immediately upon passage", but in the minor offense case I might recommend a 30 day delay to allow the paperwork to be filed with the court system. We have to provide the ordinance and a spreadsheet of minor offenses to the court system so they can enter the ordinances into their computer system, which allows enforcement. That takes a little time, so as a practical matter, the ordinance will not be enforceable through the court system for a few weeks anyway. So the Assembly would actually be *more* correct to acknowledge that by giving it a slightly delayed effective date such as 30 days, but I don't view this as a critical issue so either is ultimately fine.

In a brief response to the comment about training the harbor staff, I agree it probably makes sense to start thinking about what this training and certification program will consist of and to develop a plan for same (probably in consultation with the police department). It may not make sense to commit any resources to the training until the ordinance passes because the Assembly could decide not to give harbor staff enforcement power, but it would certainly be better to certify them ASAP since peak harbor season is rapidly approaching. This is a judgment call for you though.

Patrick Munson
Boyd, Chandler & Falconer LLP
(907) 272-8401

From: Brad Ryan [<mailto:bryan@haines.ak.us>]
Sent: Monday, May 16, 2016 8:22 AM
To: Patrick Munson
Subject: FW: For Patrick RE: minor offenses

Brad A. Ryan

(907) 314-0648

bryan@haines.ak.us

Haines Borough Interim Manager

From: Margaret Friedenauer
Sent: Wednesday, May 11, 2016 8:17 PM
To: Brad Ryan
Cc: Ron Jackson
Subject: For Patrick RE: minor offenses

Brad,

As discussed, can you please forward to Patrick our question below? Also (as discussed) please note that if this draft ordinance passes as is, it states in 15.20.020, Section 44, H. *"Harbormaster will develop and document and with approval by manager implement a training and certification process for harbor personnel that will enforce harbor regulations. Policy will include training in conflict resolution and constitutional rights and responsibilities and visible identification. All harbor staff with enforcement authority shall be administered an oath of office."*

The minor offenses committee included this section with the intent that no matter when the final ordinance is adopted, BEFORE the harbormaster and assistant harbormaster would be authorized to enforce minor offenses under Title 16, that the training and certification process must be implemented and completed. So, technically, unless you want to wait to see if that provision remains in the final ordinance that is adopted, the training and certification process could be implemented now, or soon, so that Shawn and Gabe could begin enforcing harbor minor offenses as soon as the ordinance is adopted. But the way the committee intended this, and the way we interpret it to read, they cannot enforce harbor minor offenses even once the ordinance is adopted, until they develop and complete the training and certification process.

Thanks Brad,
M

FOR PATRICK:

Our borough clerk, Julie Cozzi, pointed out today that the "Effective Date" of our draft minor offenses ordinance is awkward and may need changing. It currently reads *"Section 3 Effective Date. This ordinance shall become effective _____ provided the borough manager develops a policy addressing the issuance of Citations. Such policy must....."* and it continues.

Patrick, do you have a recommendation of any rewording we need for that section?

The new, draft ordinance is being discussed at the assembly, with a first public hearing scheduled for 5/24/16 and a second hearing (where it can also be adopted) at the 6/14/16 assembly meeting. Can we make this effective on 6/15/16 provided it is adopted then? Do we need to change any other wording in that section?

Thank you,
Margaret

Transmittal

To: Members of the Haines Borough Assembly

From: Minor Offenses Ad Hoc Committee

Re: Submission of Final Recommendations

Date: May 2, 2016

The Minor Offenses Ad Hoc Committee would like to submit its final recommendations for Assembly consideration (see attached.) The Committee has spent significant time over the past few months reviewing the information. Along with the actual substance of the Ordinance, the Committee considered administration concerns, the concerns from other committees, and the concerns of the public. Consideration was also given to the concerns of various department heads that may be affected, including the police and fire departments. Finally, the Committee was provided legal guidance by the borough attorney, along with committee member Deb Vogt. The help by all who have given their time to this project is deeply appreciated.

As such, the Committee feels it important to provide the Assembly and Mayor with some of the highlights of the recommendations. These highlights are outlined below.

1. Need for Minor Offenses Ordinance

The Committee believes there is a need for the Minor Offenses Ordinance. First, using the State court process assists the community with providing equitable enforcement of our local laws. Second, it can assist the community with protecting individual rights. Finally, the Ordinance can protect those who serve our community to enforce our laws, and protect the Borough from unnecessary lawsuits. The Committee feels these reasons provide justification for incorporating the Minor Offenses Ordinance into our local law.

2. Purpose and Intent

The Committee incorporated a Purpose and Intent into the General Provisions of the Ordinance. The Purpose and Intent reads as follows:

“The purpose and intent of this Title is to enhance and protect the lives, health and safety of the public and government employees; to protect public and private property; and to protect the rights guaranteed in the U.S. Constitution, the Alaska Constitution, and the Haines Borough Charter Preamble and Bill of Rights. Under no circumstances shall revenue generation be used as a motive to enforce the provisions of this Title.”

The inclusion of the Purpose and Intent is structured to provide clear guidance to protect the public, government employees, and the borough. It is also structured to ensure that fundamental rights are protected. Finally, it is structured to provide clear guidance to those who administer enforcement of the provisions that revenue generation shall not be used as a motive to enforce the provisions of the Ordinance. The Committee feels this statement is crucial to the overall tone of the Ordinance itself.

3. Emphasis on Compliance, not Enforcement

The Committee recommends that emphasis be placed on compliance, and not just strict enforcement. As such, enforcement discretion is provided within the bounds of the Purpose and Intent. This discretion grants authorization for issuing warnings instead of citations for first offenses. This discretion emphasizes compliance with the law, and not just strict enforcement.

4. Alignment with the Recommendations of Other Committees

As stated, the Committee considered the recommendations of various Borough committees. These committees included the Port and Harbor Advisory Committee, the Public Safety Commission, the Planning Commission, and the Tourism Advisory Board. As these committees spent considerable time and effort reviewing the details of the Ordinance in public meetings, the Minor Offenses Ad Hoc Committee has aligned its recommendations with most of the recommendations from these various

committees. The assistance and work of these committees has been greatly appreciated.

5. Authority to Issue Citations

The Committee also recommends that the authority to issue citations be granted only to police officers, and to the Harbormaster and Assistant Harbormaster after proper training and certification. This change is designed to protect the public's rights, and to protect those issuing citations. It is also designed to assist with protecting the Borough from unnecessary lawsuits from untrained and uncertified Borough personnel issuing citations. The Committee feels this is an important aspect of ensuring the provisions within the Purpose and Intent are honored.

6. Transparency and Oversight

The Committee has also recommended language within the Ordinance that requires recordkeeping of all fines imposed, along with the dollar amounts collected. This information is to be provided to the Public Safety Commission and the Borough Assembly upon request. This recommended provision is key to providing transparency and oversight of the overall enforcement of the Ordinance, and aligns with the Purpose and Intent.

7. “Softened” Language within the Ordinance

The Committee is recommending that language within the Ordinance be softened. As such, the Borough attorney was requested to remove references to “guilty”, “conviction” and “punishable” from the text and replaced with softened language such as “commits a minor offense”. The Committee feels these changes create a tone of compliance, and not just strict enforcement.

8. Wording, Grammar, and Numbering within the Ordinance

With the assistance of the Borough attorney and committee member Deb Vogt, many technical details of the Ordinance were reviewed. Recommended changes to some wording and grammar have been incorporated following this review. Additionally, some numbering of

sections and chapters has been changed following edits to the wording of the provisions. These recommended changes clean up the technical aspects of the Ordinance. Additionally, the interpretational implications of these changes were also considered when developing these recommendations.



The Committee would also like to make two recommendations that fall outside of the actual substance of the Ordinance. These recommendations are as follows:

9. Two Public Hearings to Consider Recommended Changes to the Ordinance

During one of the final meetings of the Committee, the following statements was made by a member of the public:

“The Minor Offenses Ordinance is not minor; it’s major!”

This statement sums up some of the public sentiment surrounding the Ordinance. Because of this, it is recommended that the Assembly hold two public hearings on the Ordinance. The Committee feels this would be appropriate to give the community and assembly ample time to consider the recommended changes.

10. Creation of a Code Review Commission

The Committee received many comments from members of the public regarding why individual violations were not specifically addressed in the recommendations. Because of these comments, the Committee recommends the Assembly create an Ad Hoc Code Review Commission. This would allow for the community the time to focus on individual violations for their appropriateness to our community.



Thank you for your consideration to our recommendations.

Recommendations of Minor Offenses Committee

Recommend to the assembly that Haines Borough police officers enforce minor offenses as listed in borough code. The Haines Harbormaster and assistant harbormaster may enforce violation of minor offenses in Chapter 16.

Passed unanimously.

Recommend take Title 18 out of the minor offenses schedule have appeals dealt with by the planning commission.

Passed unanimously.

Recommend keeping violations in Chapter 10.

Passed unanimously.

Recommend borough use the magistrate for resolution of all minor offenses citations with exception of Title 18.

Passed unanimously.

Recommend creating 1.24.050 “Purpose and Intent” to read:

“The purpose and intent of this Title is to enhance and protect the lives, health and safety of the public and government employees; to protect public and private property; and to protect the rights guaranteed in the U.S. Constitution, the Alaska Constitution, and the Haines Borough Charter Preamble and Bill of Rights. Under no circumstances shall revenue generation be used as a motive to enforce the provisions of this Title.”

Passed unanimously.

Recommend adding to 1.24.010 (D) “... and shall be cited accordingly” to end of sentence.

Passed unanimously.

Recommend assembly adopt provision in 10.42 dealing with bicycle violations along with fine structure as proposed in most recent attorney memo.

Vote passes 4-1.

Recommend changing “shall” to “may” in last sentence of 1.24.010 (D)

Passed unanimously.

Recommend Title 16 include wording:

“Harbormaster will develop and document and with approval by manager implement a training and certification process for harbor personnel that will enforce harbor regulations. Policy will include training in conflict resolution and constitutional rights and responsibilities and visible identification. All Harbor staff with enforcement authority shall be administered an oath of office.”

Passed unanimously.

Recommend removing section (d) from 1.24.010 that says....” And be cited according.
Passed unanimously.

Recommend adding an additional chapter 05 to Chapter 8 titled “General Provisions.”
Passed unanimously.

Recommend adding ‘any enforcement officer granted enforcement discretion in this title – shall exercise that discretion according to the principals of the purpose and intent in this section.’
Passed unanimously.

Other items not recommended as changes to ordinance but to highlight for assembly:

Under Title 8 – correctable offense – “any offense under this chapter taking place on private property is correctable.”
Intent should be compliance, not enforcement. Property owners should be given opportunity to correct offense on private property before citation is issued.

Recommend borough/police department/public safety committee distribute educational information for compliance about bicycle laws.
Intent is compliance through education. Police report getting many complaints about bicyclists in the summer; bicyclists and motorists need to be educated about road laws.

Under Chapter 12 there is issues with enforcing violation for not having proper house number visible. ***This violation shouldn’t be enforced until proper house numbering system is developed by borough.***

Recommendations on specific chapters of offenses

Chapter 3

No recommended changes

Chapter 5

Adopt TAB recommendations on Chapter 5

Chapter 6

Adopt HARK recommendations

Chapter 10 – Supports Public Safety Commission recommendations with following additions/notes:

- Remove skis from 10.26.300 and treat as 13 AAC 02.175 Pedestrian on highways.
 - ATVs ordinance adopted in 2014 – adopted recently enough that no changes needed – should stay as is.
 - Bicycles – 10.42 – all cited is state law. Remain as same.
 - 10.44 Parking – keep as is – was passed in 2013
-

Chapter 12 – House numbers ordinance – see “*other recommendations*” at end of memo

Chapter 13 – No recommended changes

Chapter 14 – No recommended changes

Chapter 15 – No recommended changes

Chapter 16 – No recommended changes (based on Ports and Harbors Committee recommendation)

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bcf@bcfaklaw.com

MEMORANDUM

TO: Haines Borough Assembly

FROM: Patrick W. Munson
Boyd, Chandler & Falconer 

RE: Ad Hoc Committee Recommendations Regarding the Proposed Minor Offense Ordinance

DATE: May 2, 2016

Our office has worked closely with the Ad Hoc Committee to prepare the proposed draft Minor Offense Ordinance. Our office recommends the Assembly adopt the ordinance or an amended version of it. The ordinance codifies existing laws of the Borough in a way that is consistent with the State of Alaska Court Uniform Rules of Minor Offense Procedure. It would provide consistency in enforcement by allowing the court system to adjudicate minor violations of Borough law. Major violations of law will remain designated and treated as state misdemeanors and felonies. The ordinance would also eliminate most of the “administrative proceedings” that require Borough staff and the Assembly to adjudicate violations. This would benefit both citizens and the Borough because it is much more efficient and appropriate under our system of government to allow courts to adjudicate most alleged violations rather than staff members or legislative bodies.

In short, we perceive substantial benefits from this ordinance and no negative impacts. The ordinance is fully consistent with due process requirements and is very similar to the law enforcement systems used in the vast majority of communities in Alaska and the United States. We believe the Committee’s extensive review and revisions have generated an ordinance that also addresses the local concerns that have become apparent during this process.

Our office has provided extensive analysis and commentary on every draft of the ordinance generated by the Committee. We have attended multiple of the Committee’s meetings by teleconference to answer detailed questions and provide feedback on proposed changes. The Assembly and the public should feel free to review any of the memoranda and comments we have provided. We can also be available to discuss the ordinance with the Assembly at any time.

We also provide the following information in an effort to summarize some of the concerns that have been apparent throughout this process and to summarize our understanding of

the Committee's response/recommendations regarding same. This is not intended to be a definitive or exhaustive list of issues addressed by the Committee.

1. *The "Daily Violation Provision"*

Proposed Section 1.24.010(C) clarifies that violations occurring multiple times, on different days, or extending for multiple days in a row, can be treated as separate offenses. An illegally parked car commits two violations if it remains parked illegally for two days. A person who violates curfew on Friday and again on Saturday commits two separate violations. A person who operates a business without obtaining a permit can receive a citation for a separate offense every day he or she operates the business without getting the permit. After much deliberation, the Committee recommended this provision be included in the MOO because it concluded that it is important for the Borough to have the legal authority to issue multiple or separate citations for ongoing or repeated violations.

Our office agrees and strongly recommends this provision be adopted. It would be extremely unusual for a provision like this *not* to be included in a local ordinance enforcement system. Without it, any offender has at least a plausible argument that he or she can only be cited once for committing any offense because the code would not specify any way to distinguish one offense from another one. The constitutional prohibition against double jeopardy gives any violator in that scenario an argument that, for example, after a driver is cited for parking in an illegal location, the car can stay there indefinitely because the owner has already been cited for the violation once and cannot be cited again. In sum, not including a "daily fine provision" potentially would allow all violators of code to pay a one-time fine for the privilege of continuing to violate the law. The Committee did not believe that would be a good policy. For example, why would anyone bother to obtain a business permit (or clean a nuisance, get his or her dog licensed, pay daily mooring fees, move an illegally parked car, not violate curfew a second, third, or fourth time, *etc.*), if they can only be fined once for not getting the permit?

The Committee debated whether it should include an "umbrella" provision like this one (HBCO 1.24.010(C)) that applies to all ordinances unless otherwise noted, or whether it should specifically identify each ordinance where daily violations were authorized. It concluded that there are very few ordinances that might not be appropriate for daily enforcement, so it included the daily provision as the default with exceptions provided where warranted. One such exception is failing to connect to the sewer system, an offense which the Committee believed could not reasonably be corrected in a single day. See Section 36 of the Proposed MOO, amending HBCO 13.08.270(B), establishing weekly violations for this offense. The Committee recommends that similar offenses be addressed later as needed.

The Committee significantly clarified the original version of the Minor Offense Ordinance by including a requirement that separate violations be cited individually. This eliminates any confusion as to how enforcement will and must occur under the authority provided by subsection HBCO 2.24.010(C). A person operating a business without a permit, for example, would have to receive a separate citation for every day of unlawful operation, not one ticket purporting to include multiple days. Each of those citations could be challenged individually in court, so the citizen's rights are not diminished at all and the Borough retains authority to enforce its ordinances meaningfully. Our office recommends the Assembly include this provision if it chooses to adopt the daily violation provision.

2. *Borough Staff Enforcement Authority*

The Committee recommends that only police officers, the harbormaster, and assistant harbormaster have authority to issue citations for violations of Borough law. Neither the manager nor other staff would have such authority. Instead, borough staff would have to report suspected violations to police who could investigate the allegation and issue a citation if warranted. This system makes sense because police are trained to carry out such activities and do so every day.

The Committee concluded that the harbormaster and assistant need citing authority because he or she is in a position of enforcement and it could be impracticable to call the police for many violations, such as failure to pay registration fees, dumping garbage, *etc.* The harbormaster's authority is limited to enforcement of Title 16 (HBCO 16.08.030(A)). The Committee recommended that the harbormaster undergo training in order to exercise his or her enforcement authority (proposed HBCO 16.08.030(H)).

Our office recommends these provisions be adopted as well because they are entirely logical and consistent with the law enforcement systems nationwide and address what was once a contentious issue with the MOO. We would recommend discussions with the police to determine an appropriate training system for the harbormaster and assistant. Those individuals should also be encouraged to consult with our office on enforcement matters if they have any questions.

3. *Title 18 - Land Use Ordinances*

The Committee removed all Title 18 offenses from the Minor Offenses Ordinance. The Committee concluded that the land use provisions of Title 18 require a more detailed analysis before being considered for inclusion in the Minor Offenses Ordinance.

The Committee wanted the Assembly to understand that it was not concluding that violations of Title 18 should not be minor offenses; but rather, the Committee was not prepared to make any recommendations as to whether such violations should be minor offenses or not. Some members of the Committee opposed making such violations minor offenses, while others appeared to support enforcing violations as minor offenses. It was noted that the Planning Commission has extensive experience with Title 18 and has either not been adequately consulted or has not recommended any changes. In light of the lack of consensus, the Committee decided to essentially table the question as to Title 18 so that the rest of the Ordinance could proceed.

This appears to be a reasonable approach for the short term given the lack of any clear consensus among the Committee with regard to Title 18, but we recommend Title 18 be considered for updating in the near future. By tabling the decision, the existing enforcement system (as described in Chapter 18.30, most specifically HBCO 18.30.070-.090) will remain in place unless amended. Under the existing system, the Borough and Planning Commission do have enforcement authority over Title 18, so those ordinances are enforceable at this time. However, the existing enforcement system for Title 18 includes many of the issues and concerns that the Committee has endeavored to eliminate in other sections of Code, such as borough manager enforcement authority (HBCO 18.30.030 and .080(B)), criminal sanctions (HBCO 18.30.090(D)), vagueness as to daily violations (HBCO 18.30.090(A)), and an extremely cumbersome administrative enforcement process. That said, these mechanisms are not the only enforcement avenues under existing code and are not often used, so the effect may be minimal if the Assembly takes up this question relatively soon.

4. Number of Code Violations

The Minor Offense Ordinance has led some people to question whether Haines has “too many” ordinances. The Committee therefore recommended that a separate committee be established to allow the public and Assembly members to purge the Code of “unnecessary” ordinances. We understand this may be occurring or likely to occur in the near future, but we have no opinion on this matter. Our general perception is that Haines does not have a particularly excessive number of ordinances or minor offenses compared to other sophisticated, medium sized communities in Alaska, but if a majority of the Assembly believes certain offenses are no longer necessary then there is no harm in deleting them (using the normal ordinance amendment process). If the Assembly decides this would be a worthwhile project, we will be glad to assist in whatever way we can.

Recommendations from:

- Government Affairs & Services Committee
- Public Safety Commission
- Port & Harbor Advisory Committee
- Planning Commission
- Tourism Advisory Board
- Haines Animal Rescue Kennel

Gas Committee Meeting 8/31/2015, 6:30PM

Committee members: Chair Dave Berry, Ron Jackson, George Campbell, Diana Lapham

Report: Diana Lapham

Attendance: Ex Officio Mayor Jan Hill, Margaret Friedenaur, Mike Case, Paul Nelson, Brenda Josephson, Bill Kurz, Jillian Rogers (News Director KHNS)

Topic: Minor Offenses

Recommendations to the Assembly:

12.12.040 (A)-Failure to install street numbers in compliance with code

Ron/George Motion: make sure appropriate dept from the Borough sends a
Second Letter before citation issued. With a 30 provisionor.

Vote 4-0

George/Dave Amend: letter must include house numbers
Vote 4-0

12.16.010-Street and sidewalk obstructions prohibited

George/Ron motion, second: strike alley from 1st sentence
Vote: 4-0

12.16.030 (A)-Use of streets for private purposes

George/Diana motion, second to strike this paragraph in its entirety
Vote: 4-0

12.40.030- Prohibited activity or construction in Picture Park restricted area

This is incorrectly identified in code. It is referenced as 12.40.020. We respectfully request staff to identify the correct number.

12.50.020-Motorized vehicle use in Chilkat River beaches recreational zone

Dave/George motion, second to request staff to obtain legal opinion of Borough fining on State land. State vs. Municipality Code.
Vote4-0

George/Dave motion, second to delay minor offenses until all committees have brought back all comments and recommendations and public has a chance to weigh in.
Vote 3-1 Diana opposed

Dave/George motion,second, delete subsection 1.24.010 (C), everyday is a new offense and move it back to Title 9
Vote 3-1 Ron opposed

Meeting Adjourned at 8:40pm

Public Safety Commission Recommendations re. Minor Offenses Ordinance

Below

Code Section	Offense Description	Fine Amount	Comments
5.22.040(H)	Unauthorized use of parking area	100	OK
6.08.010(A)	Dog license required	Altered dog: \$50	Remove Altered / Unaltered
6.08.010(A)	Dog license required	Unaltered dog: \$150	Remove Altered / Unaltered Remove Altered / Unaltered
6.08.010(D)	Failure to display tag	Altered dog: \$50	Remove Altered / Unaltered
6.08.010(D)	Failure to display tag	Unaltered dog: \$150	Remove Altered / Unaltered
6.08.010(F)	Failure to obtain kennel permit	Altered dog: \$50	Remove Altered / Unaltered
6.08.010(F)	Failure to obtain kennel permit	Unaltered dog: \$150	Get rid of this
6.08.010(H)	Using dog license receipt or license tag issued for another dog	Altered dog: \$50	Remove Altered / Unaltered
6.08.010(H)	Using dog license receipt or license tag issued for another dog	Unaltered dog: \$150	Get rid of this
6.08.020(A)	At-large dog	Altered dog: \$50	
6.08.020(A)	At-large dog	Unaltered dog: \$150	
6.08.020(B)	Barking, howling, or other noises	Altered dog: \$50	Remove Altered / Unaltered
6.08.020(B)	Barking, howling, or other noises	Unaltered dog: \$150	Get rid of this
6.08.020(C)	Run, chase, jump at moving vehicles	Altered dog: \$50	Remove Altered / Unaltered
6.08.020(C)	Run, chase, jump at moving vehicles	Unaltered dog: \$150	Get rid of this
6.08.020(D)	Snap, jump, injure another person	Altered dog: \$50	Remove Altered / Unaltered
6.08.020(D)	Snap, jump, injure another person	Unaltered dog: \$150	Get rid of this
6.08.020(E)	Chase, harass deer or moose	Altered dog: \$50	Remove Altered / Unaltered
6.08.020(E)	Chase, harass deer or moose	Unaltered dog: \$150	Get rid of this
6.08.020(G)	Female dog in season not confined	Unaltered dog:	Remove Altered / Unaltered

8.08.020(G)	Female dog in season not confined	\$150
8.08.020(A)	Littering in any place other than in an appropriate refuse container	50
8.08.020(B)	Littering upon a public place	50
8.08.020(C)	Sweeping or depositing litter into a public place from private property	50
8.08.020(D)	Littering from vehicle	100
8.08.020(E)	Depositing any litter on private property	50
8.08.020(F)	Failure to maintain private property in a litter-free condition	50
8.08.020(G)	Posting any handbill without permit under HBC Title 18	50
8.08.020(H)	Littering in a body of water	50
8.08.020(I)	Depositing litter generated in a refuse container belonging to another	100
8.08.020(J)	Burning without a permit and police department notification or in violation of conditions	100
8.08.020(K)	Depositing offensive, noxious, or otherwise dangerous litter	100
8.08.040(A)(1)	Refuse container: strong, watertight, not easily corrodible, and rodent proof	100
8.08.040(A)(2)	Refuse container standards: fitted with a tight cover	100
8.08.040(A)(3)	Refuse container standards: kept tightly covered at all times	100
8.08.040(B)	Refuse containers: emptied and properly disposed of on a regular basis	100
8.12.020(A)	Burying a person outside an established cemetery	300
8.12.020(B)	Annoy, injure or endanger the public	300
8.12.020(C)	Offending public decency	300
8.12.020(D)	Interfere with a street, highway, lake or stream	100
8.12.020(E)	Making loud or unreasonable noise	100
8.12.020(F)	Operating device that causes preventable electric interference	100
8.12.020(G)	Allowing animal access to an unoccupied building	300
8.12.020(H)	Unsafe condition due to disrepair of building	300
8.12.020(I)	Reducing surrounding value of properties by maintaining building in state of disrepair	300
8.12.020(J)	Accumulation of stagnant water or discharge of wastewater	300
8.12.020(K)	Failure to take reasonable and precautionary measures to restrict access to hazards	300
8.12.020(L)	Causing emission of noxious fumes	300
8.12.020(M)	Exposure or distribution of materials offending the public decency	300
8.12.020(N)	Obstruction of traffic	300
8.12.020(O)	Public exposure of a person having a contagious disease	300
8.12.020(P)	Noxious cellar, pool, sewer, water closet, or private drain	300

Conduct

Offending needs clarification

offending

any contagious disease??

8.12.030	Hazardous building or public nuisance	300	
8.16.015	Use of fireworks prohibited	100	
8.16.020	Sale prohibited of fireworks	300	
8.16.025	Use of fireworks near port facilities prohibited	300	
8.16.030	Conducting fireworks display without permission of chief of police	300	
8.18.020(A)	Smoking in an enclosed public area	100	State Law? One code, not two.
8.18.020(B)	Smoking in an enclosed public area	100	State Law?
8.18.020(C)	Smoking inside an enclosed area within a place of employment	100	State Law?
8.18.020(D)	Smoking inside an enclosed area within a private club licensed to sell alcoholic beverages	100	State Law?
8.18.030	Smoking within unreasonable distance outside an enclosed area where smoking is prohibited	100	State Law?
8.18.040(A)	Smoking within 50 feet of entrance to hospital or medical clinic	100	State Law?
8.18.040(B)	Smoking within 20 feet of entrance to enclosed school area	100	State Law?
8.18.040(C)	Smoking within 5 feet of licensed premises	100	State Law?
8.18.040(D)	Smoking in an outdoor arena	100	State Law?
8.18.070(A)	Failure to post signs prohibiting smoking	200	State Law?
8.18.070(B)	Failure to remove ashtrays	200	State Law?
8.18.070(C)	Failure to provide smoke- free workplace	200	State Law?
8.18.070(D)	Failure to prevent smoking at a smoke-free establishment	200	State Law?
8.18.080(B)	Smoking where prohibited	100	State Law?
8.18.080(C)	Permitting smoking in public place where prohibited	200	State Law?
8.20.020	Creating or permitting a bear attraction nuisance	100	
9.04.010(A)	Open container of alcoholic beverages within vehicle	100	
9.04.010(B)(1)	Consuming alcoholic beverage upon street or highway	100	
9.04.010(B)(2)	Consuming alcoholic beverage in public	100	
9.04.010(B)(3)	Consuming alcoholic beverage on school property	200	
9.04.010(B)(4)	Consuming alcoholic beverage at school function	200	
9.08.010	Curfew For Minors	250	
9.08.020	Parental responsibility for curfew violation	250	
9.24.010(A)	Discharging pistol or firearm	300	
9.24.010(C)	Hunting in prohibited area	300	
9.24.020(A)	Obstructing highways and other public passages	100	
9.24.020(B)(1)	Failure to obey order to move to prevent obstruction	100	

9.24.020(B)(2)	Failure to obey order to move to maintain public safety	100	
9.24.030	Disrupting meetings and processions	100	
15.08.040	Following fire apparatus or otherwise interfering with fire control operations	100	
15.08.060	Smoking where prohibited for safety reasons	100	
15.12.020(B)	Failure to file required report by a person handling hazardous substances	300	
15.12.020(D)	Failure to file required report by a person handling consumer quantities of hazardous material or chemical	300	
15.12.070(A)	Failure to file required transshipment facility report	300	
15.12.070(C)	Failure to display marking or warnings with respect to transshipment facility	100	
15.12.070(D)(3)	Failure to notify fire department of time and quantity of a shipment of extremely hazardous substance	300	
15.12.090(A)	Failure to obtain certificate of compliance	300	
15.16.020	Crash post does not meet specifications	100	
10.08.010	Starting parked vehicle - excessive acceleration	15	
10.08.020(A)	Driving on sidewalks - vehicle	20	
10.08.020(B)	Driving on sidewalk in CBD - bicycle	20	
10.08.020(C)	Failure to yield - bicycle	20	
10.08.030	U-turn where prohibited	30	
10.08.040	Projections on wheels or tracks prohibited	20	
10.08.050	Dragging objects prohibited	150	
10.08.060	Projecting load on passenger vehicles	20	? 10.08.050
10.08.070	Carrying animals on outside of vehicles	125	10.08.060
10.08.080(A)	Use Of coaster, roller skates, sleds or skis on roadway	25	pedestrian rules
10.08.080(B)	Use of skateboard or human powered device in prohibited area	25	
10.08.080(C)	Negligent operation of device	25	
10.34.005(B)	Operating a snow machine or ATV in unauthorized location or after hours.	30	
10.34.005(C)	Operating a snow machine or ATV under 16 years of age.	30	
10.34.005(D)	Driver's license required to operate snow machine or ATV	30	
10.34.005(E)	Registration of snow machine or ATV required	30	
10.34.005(F)	Proof of insurance	30	? Where (on a public roadway)
10.34.005(G)	Excess passengers - 13 AAC 02.445	30	
10.34.005(H)	Speed in excess of 25 mph or other violation of traffic regulations	30	
10.34.005(I)	Failure to signal turn	30	
10.34.005(J)	ATV or snow machine on sidewalk or pedestrian way	30	

10.34.005(K)	Failure to stop snow machine or ATV when directed to do so by a police officer	30
10.34.005(M)	Owner responsibility for violation	30
10.34.009(A)	Snow machine or ATV not equipped with functional headlight, taillight, and brake light	30
10.34.009(B)	Failure to maintain equipment in good working order	30
10.34.010(A)	Parental responsibility for violation	30
10.42.010	Bicycle violations: operator to obey rules of the road	30
10.42.020	Bicycle violations: parents responsible for actions/violations	30
10.42.030	Bicycle violations: obey signs/dismount and act as pedestrian	30
10.42.040	Bicycle violations: two or more on bike made for one	30
10.42.050	Bicycle violations: attaching to other vehicle/hooky-bobbing	30
10.42.060	Bicycle violations: minimum of one hand on handle bars	30
10.42.070	Bicycle violations: unicycle/coaster/roller skates on roadway prohibited	30
10.42.080	Bicycle violations: ride on right side of roadway	30
10.42.090	Bicycle violations: yield to vehicle upon audible signal	30
10.42.100	Bicycle violations: no more than two bikes abreast in one lane	30
10.42.110	Bicycle violations: must use shoulder when available	30
10.42.120	Failure to give audible signal passing pedestrian	30
10.42.130	Bicycle violations: turn and signal requirements	30
10.42.140	Bicycle violations: ride in business district where prohibited	30
10.42.160	Bicycle Violations: Bike Parking Requirements	30
10.42.170	Bicycle violations: bike not to enter limited use areas	30
10.42.180	Bicycle violations: yield to traffic	30
10.42.190	Bicycle violations: headlight requirements	30
10.42.200	Bicycle violations: taillight requirements	30
10.42.210	Bicycle violations: reflector requirements	30
10.42.220	Bicycle violations: brake requirements	30
10.44.010	Parking during snow removal	25
10.44.020	Prohibited 24-hour parking – impounding vehicles	25
10.44.030	Time limit parking	25
10.44.050	Standing or parking close to curb	25
10.44.060(A)	Signs or markings indicating angle parking	25
10.44.070	Obedience to angle-parking signs or markings	25

Should say improper parking?

10.44.080(B)	Violating permit for loading or unloading at an angle to the curb	25
10.44.090(A)	Stopping, standing, or parking prohibited – no signs required	25
10.44.090(B)	Moving the vehicle of another into unlawful parking area	25
10.44.100	Parking not to obstruct traffic	25
10.44.110	Parking in alleys	25
10.44.120(A)	Parking for certain purposes prohibited: displaying such vehicle for sale	25
10.44.120(B)	Parking for certain purposes prohibited: washing, greasing, or repairing	25
10.44.130(B)	Parking adjacent to schools	25
10.44.140(B)	Parking prohibited on narrow streets	25
10.44.150	Standing or parking on one-way streets	25
10.44.160(B)	No stopping, standing, or parking near hazardous or congested places	25
10.44.210(A)	Abandonment of vehicle	25
10.44.210(B)	Exceeding time limit for parking in designated areas	25
10.44.220	Unauthorized parking on private property	25
10.48.010	Pedestrians must obey regulations	25
10.48.020	Pedestrians not to enter limited use areas	25
10.48.030	No pedestrian may walk into path of vehicle	25
10.48.040	Pedestrian must cross at crosswalk	25
10.48.050	Pedestrian must yield to vehicles	25
10.48.060	Crossing roadway where prohibited	25
10.48.070	Diagonally cross intersection must use sidewalks	25
10.48.080	Must walk on left side/shoulder of roadway	25
10.48.090	Pedestrian creates hazard/interferes with traffic	25
10.48.100	Sleep/loiter/obstruct highway	25
10.48.110	Solicit ride/distracts driver	25
10.48.120	Nonblind pedestrian not to use cane/dog	25
10.48.130	Pedestrian must yield to emergency vehicle	25
10.48.140	Pedestrian not to cross against "don't Walk" signal	25

Above are PSC meeting recommended changes (in

Below are individual PSC members recommended

8.12.020(F)	Operating device that causes preventable electric interference	100	Needs better definition
10.42.190	Bicycle violations: headlight requirements	30	Should be if riding at night only
10.42.200	Bicycle violations: taillight requirements	30	Should be only if riding at night

6.08.010(A)	Dog license required	Altered dog: \$50	Remove Altered / Unaltered	keep	
6.08.010(A)		0	Remove Altered / Unaltered	incentive	
		\$0	Remove Altered / Unaltered	to license	
6.08.020(D)	Snap, jump, injure another person	Altered dog: \$50	Remove Altered / Unaltered	\$100	
6.08.020(E)	Chase, harass deer or moose	Altered dog: \$50	Remove Altered / Unaltered	\$100	
8.08.040(A)(1)	Refuse container: strong, watertight, not easily corrodible, and rodent proof	100	Refuse containers are part of bear nuisance prevention and a public safety issue	\$100	
8.08.040(A)(2)	Refuse container standards: fitted with a tight cover	100		\$100	
8.08.040(A)(3)	Refuse container standards: kept tightly covered at all times	100		\$50.00	\$100
8.08.040(B)	Refuse containers: emptied and properly disposed of on a regular basis	100		\$100	
8.16.015	Use of fireworks prohibited	100	Make the same as selling fireworks?	\$300	
8.20.020	Creating or permitting a bear attraction nuisance	100	Public Safety issue	\$300	
9.08.010	Curfew For Minors	250	Why is this so high ? More than 8.20.020 bears	\$100	
9.08.020	Parental responsibility for curfew violation	250		\$100	
9.24.010(A)	Discharging pistol or firearm	300	Serious consequences possible current code 12.12.040(B) says \$300.	\$150.00	
12.12.040(A)	Failure to install street numbers in compliance with code	100			
12.40.030	Prohibited activity or construction in Picture Park restricted area	100		"Picture Park"?? Picture Point Park.	
10.08.010	Starting parked vehicle - excessive acceleration	15	Losing control, dangerous action	\$25	
10.08.020(A)	Driving on sidewalks - vehicle	20		\$150	
10.48.140	Pedestrian not to cross against "don't Walk" signal	25	Not applicable to Haines-no signals.		

6.08.010(D)	Failure to display tag	Unaltered dog: \$150	Remove Altered / Unaltered	50
6.08.020(A)	At-large dog	Unaltered dog: \$150		\$50.00
6.08.020(G)	Female dog in season not confined	Unaltered dog: \$150	Remove Altered / Unaltered	\$50.00

8.08.040(A)(3)	Refuse container standards: kept tightly covered at all times	100		\$50.00
8.12.020(E)	Making loud or unreasonable noise	100		\$50
8.12.020(G)	Allowing animal access to an unoccupied building	300		\$150
8.12.020(H)	Unsafe condition due to disrepair of building	300		\$100
8.12.020(I)	Reducing surrounding value of properties by maintaining building in state of disrepair	300	has never been enforced in Haines	\$100.00
8.12.020(K)	Failure to take reasonable and precautionary measures to restrict access to hazards	300		\$200
8.12.020(O)	Public exposure of a person having a contagious disease	300	any contagious disease??	\$100
9.24.010(A)	Discharging pistol or firearm	300		\$150.00
10.08.010	Starting parked vehicle - excessive acceleration	15		\$25
10.08.050	Dragging objects prohibited	150	conditional on circumstances	\$50
10.34.005(K)	Failure to stop snow machine or ATV when directed to do so by a police officer	30		\$100
10.42.050	Bicycle violations: attaching to other vehicle/hooky-bobbing	30		\$50
10.44.010	Parking during snow removal	25		\$100
10.44.210(A)	Abandonment of vehicle	25	may be uncollectable	\$200



Haines Borough
Ports and Harbors Advisory Committee
RECORD OF DECISION

DATE: 8-27-15

TO: Borough Assembly

FROM: Haines Borough Ports and Harbor Advisory Committee

BOARD DECISION: Motion Fred, 2nd Brad. Passed 7-0
HBPHAC says let stand as is. Ord 15-06-413 to Borough Assembly

RATIONALE: After review of the fines of the Prohibited act Ord. committee is going along with the Assembly to pass Ord 15-06-413 and fix corresponding code later

SUBMITTED BY Norman Hughes Chair HBPHAC 9-24-15

Minutes hbphac 8-27-15

10:30am

Attendance: Fred Gray, Bill Rostad, Don Turner Jr., Terry Pardee, Glen Jacobson, Brad Badger and
10:40am Norman Hughes via phone

Minor offenses stopped

PND 95% questions

Motion Fred, 2nd Brad passes 7-0

Hbphac says let stand as is. Ord 15-06-413 to Borough assembly.

Set meeting dates 9-10-15 for PND review of wave study

Set meeting date 9-24-15 regular hbphac meeting

Motion Norman, 2nd Fred passes 7-0

Hbphac endorses 95% as proposed.

Meeting adjourned.

----- Forwarded Message -----

From: Rob Goldberg <artstudioalaska@yahoo.com>

To: Julie Cozzi <jcozzi@haines.ak.us>; Jan Hill <jhill@haines.ak.us>; David Sosa <dsosa@haines.ak.us>

Sent: Saturday, September 12, 2015 10:28 AM

Subject: Minor Offenses Ordinance

To Mayor Hill, Borough Staff and the Assembly:

At the September 10th meeting of the Planning Commission concern was expressed about proposed changes to fines in Title 18. Last year the Commission recommended, and the Assembly approved, a fine structure for Title 18:

18.30.070 Fees and penalties.

A. The fees for various permits are as follows:

Animal husbandry, not including conditional use permits for these uses

\$25.00

Sign permit

\$25.00

Land use permit

\$50.00

Lot line vacation/adjustment

\$50.00

Short plat

\$75.00

Special conditions permit

\$150.00

Conditional use/variance permit

\$150.00

Rezoning/subdivision permit

\$200.00

B. Penalties.

1. After-the-fact fee in addition to the normal associated permit fee for beginning work without a permit or construction declaration

\$250.00 or 3% of the project value to a maximum of \$2,500

2. Penalty for violation of any section of this title (except beginning work without a permit – see after-the-fact fee above)

\$100.00

3. The procedure for assessing penalties shall be as follows: After-the-fact fees for beginning work without a permit or construction declaration shall be assessed upon discovery of the violation. In all other violations of this title, borough staff shall notify the violator by certified letter. The letter shall state the nature of the violation

and inform the violator that they will have 10 business days to conform to the code. If the violation is not corrected within 10 business days, a penalty of \$100.00 shall be assessed.

4. If a penalty is not paid within 30 days, interest of one and one-half percent per month (18 percent annually) will accrue. If the penalty is not paid within one year, the sum will be added to the violator's property tax.

The Planning Commission worked very hard on this section, and we would like to see it remain as is. We think the fines and the letter of warning are fair and promote compliance and good relations between the community and the government that serves it.

Thank you.

Sincerely,

Rob Goldberg

Planning Commission Chairman

Code Section	Offense Description	Fine	Current Penalty	
5.04.030(C)	Failure to obtain required permit (general)	500	HBC 5.04.140(A) - Not exceeding \$300 each day plus required state surcharge (AS 12.55.039)	TAB Recommends keeping this as is not exceeding \$300/day, to prevent multiple day offenses.
5.04.080(E)(2)	Sign violation	100	HBC 1.24 & 5.04.150 - Up to \$300 each day plus state surcharge when applicable (AS 12.55.039)	TAB agrees to change to \$100 flat fee. However, if this can fall under normal sign ordinance, this offense could be dropped. Is there an allowance for portable signs to be used at PC Dock, Ferry Terminal, Boat Harbor?
5.04.140(A)	commercial tour/ enterprise operating w/o permit or failure to follow permit condition	500	HBC 1.24 - Not exceeding \$300 each day plus required state surcharge (AS 12.55.039)	TAB: Proposes to leave as is – including wording from 5.04.040 C Need to address: Repeat offenders – complete disregard for laws. Link to language from 5.04.040 to make aware that tour operators will fined twice.
5.08.010(A)	Permit required for solicitation on public property	300	HBC 1.24 - Not exceeding \$300 plus required state surcharge (AS 12.55.039)	TAB voted to accept the minor offense change to not to exceed (up to) \$300/day. (instead of \$1000) plus state surcharges
5.08.020	Solicitation on private property without invitation prohibited	300	HBC 1.24 - Not exceeding \$300 plus required state surcharge (AS 12.55.039)	TAB voted to accept the minor offense change to not to exceed (up to) \$300/day. (instead of \$1000) plus state surcharges
5.08.030(A)	Permit required for transient/ itinerant merchants/ vendors	300	HBC 5.04.140(A) - Not exceeding \$300 plus required state surcharge (AS 12.55.039)	Leave as is. TAB voted to accept the minor offense change to not to exceed (up to) \$300/day. (instead of \$1000) plus state surcharges
5.08.040	Permit required for circus, carnival, fair/other concessions	300	HBC 5.04.140(A) - Not exceeding \$300 plus required state surcharge (AS 12.55.039)	Leave as is. TAB voted to accept the minor offense change to not to exceed (up to) \$300/day. Note: NO borough permit actually exists. It is currently only a letter of

				approval from the manager that is required
5.08.050(A)	Sale/solicitation of commercial magazines on public sidewalks/streets prohibited	300	HBC 1.24 - Up to \$300 plus state surcharge when applicable (AS 12.55.039)	Leave as is. TAB voted to accept the minor offense change to not to exceed \$300/day. (instead of \$1000) Add "Per Day" to MO suggested.
5.12.010(A)	License required to manufacture/sell any alcoholic beverage	500	Class A Misdemeanor – AS 4.16.200 - Up to \$10,000 fine and one year in jail	N/A to TAB
5.12.020	Closing hours for licensed alcoholic beverage premises between 5:00 a.m. and 8 a.m.	500	HBC 1.24 - Up to \$300 plus state surcharge when applicable (AS 12.55.039)	N/.A
5.12.040	Accessibility for inspection of licensed premises within the townsite service area	300	HBC 1.24 - Up to \$300 plus state surcharge when applicable (AS 12.55.039)	N/A
5.16.010(A)	All operators of gaming activities prohibited from conducting gaming activities	300	HBC 1.24 - Up to \$300 plus state surcharge when applicable (AS 12.55.039)	n/A Needs wording to be changed from conducting to participation???
5.18.015	Commercial tour permit required	500	HBC 5.04.140(A) - Not exceeding \$300 plus required state surcharge (AS 12.55.039)	This section is redundant – fines are already covered in 5.04.140A. Changes only should be changed to per/day – not flat
5.20.030	Failure to display commercial passenger vehicle / tour vehicle permit	100	HBC 1.24 - Up to \$300 plus state surcharge when applicable (AS 12.55.039)	Change fine to one time \$50 – all the way through 5.20.050
5.20.040(A)(1)	Failure to display license	100	HBC 1.24 - Up to \$300 plus state surcharge when applicable (AS 12.55.039)	""
5.20.040(A)(2)	Failure to display rates	100	HBC 1.24 - Up to \$300 plus state surcharge when applicable (AS 12.55.039)	""
5.20.040(A)(3)	Failure to display contact information of City Borough Clerk	100	HBC 1.24 - Up to \$300 plus state surcharge when applicable (AS 12.55.039)	""
5.20.040(B)	Taxicab soliciting passenger or otherwise blocking traffic	100	HBC 1.24 - Up to \$300 plus state surcharge when applicable (AS 12.55.039)	""

5.20.050	Soliciting persons along the roadway	100	HBC 1.24 - Up to \$300 plus state surcharge when applicable (AS 12.55.039)	""
5.22.010(C)	Use of commercial parking vehicle areas when not engaged in commercial tour activity	100	HBC 1.24 - Up to \$300 plus state surcharge when applicable (AS 12.55.039)	Leave as is at \$100.
5.22.040(C)	Failure to display parking permit	100	HBC 1.24 - Up to \$300 plus state surcharge when applicable (AS 12.55.039)	Change this to \$50/ fine 5.22.040 C - J
5.22.040(D)	Unreasonable interference with efficient operations	100	HBC 1.24 - Up to \$300 plus state surcharge when applicable (AS 12.55.039)	See above
5.22.040(E)	Leaving commercial vehicle unattended	100	HBC 1.24 - Up to \$300 plus state surcharge when applicable (AS 12.55.039)	See above
5.22.040(F)	Improper signage	100	HBC 1.24 - Up to \$300 plus state surcharge when applicable (AS 12.55.039)	See above
5.22.040(H)	Unauthorized use of parking area	100	HBC 1.24 - Up to \$300 plus state surcharge when applicable (AS 12.55.039)	See above
5.22.040(J)	Unauthorized display of sales material	100	HBC 1.24 - Up to \$300 plus state surcharge when applicable (AS 12.55.039)	See above

Recommendations from HARK

From: HARK Director [director@harkalaska.org]

Sent: Wednesday, February 03, 2016 3:53 PM

To: Margaret Friedenauer

Subject: RE: Minor offenses committee

Hi Margaret,

It's interesting to me that ALL of the dog related offenses and corresponding fines are divided into altered/un-altered categories. I was, obviously, aware of the difference in fines (altered vs. intact) for "At-large dog" and the "fees" that HARK has charged for impounds, in previous contracts, were based on the same structure/amounts. It was a tool for us in encouraging spaying/neutering when owner's retrieved their dog. In the time that I've been at HARK we've never focused on "fees" - as that doesn't seem to ever fix the problem. Instead we've tried to identify the root of the problem and do what we can to help remedy the situation (often times spaying/neutering). So, even though HARK doesn't assess impound "fees" with our current contract and HARK also does not assess "fines", I think that there is some benefit to having the altered/unaltered difference for "At-large dog". I'm not sure that I see as much benefit using it for the other offenses (kennel license, barking, license display, chasing vehicles, etc.), but maybe it's simpler if it's that way right across the board? I feel that the tiered amounts in regards to 1st, 2nd, 3rd violations are appropriate for offenses 6.08.020 A,B,C,D,E, and G. I'm not sure that it makes as much sense for offenses 6.08.010 A,D,F, and H.

I'm happy to talk about it if you want to call (or I can attempt to explain more in writing too).

Tracy

Haines Animal Rescue Kennel

Box 1533, Haines, AK 99827

(907) 766-3334

www.harkalaska.org



Report

from the
Borough Manager

Date: 5/19/16
 To: Mayor and Borough Assembly
 From: Brad Ryan, Interim Borough Manager
 Re: **Manager's Report**

POOL

- The pool is set to close for upgrades on the women's showers the 22nd of May. We've had many compliments regarding the men's showers and patrons are looking forward to having improved showers in the women's room.
- The Backtalk system is running well with the exception of the pool temp/heating unit which is still controlled manually. We've been keeping a close eye on it. Pool temp is currently at 81 degrees.
- Kindergarten and first grade classes are attending swims this week.
- Preliminary scheduling for Skagway summer swim lessons.
- Instructor and lifeguarding updates and re-certifications will be happening this week as well as during the May closure.
- Alaska Mountain Guides held their annual kayaking sessions during the first two weeks of May.
- We are carefully monitoring the water level to prevent the continued leaking from the old surge tank and gutter systems but all other systems are running without incident.

FACILITIES/PUBLIC WORKS

- Paint crosswalks
- Put calcium mix down for dust control (half complete)
- Grade roads
- Mow parks
- Adjust manholes on Tower Road
- Finishing up skate park
- Ordering materials for water plant siding and doors
- Preparing for women's pool locker room upgrades

TOURISM

- First ship in port. 1,400 guests on a fully booked Holland America on May 18th. Success!
- Negotiating with Parks to create an MOU and support for the Chilkoot staff.
- The owner and marketing director of UnCruise Alaska visited Haines for a site visit - planning on docking in Haines 2017-18. UnCruise is an adventure-based alternative cruise line with small ships. Haines will be one of the only town ports for their Alaska fleet.
- Hosted visiting media from Thrillist magazine, American Brewers Magazine and Thompson PR focusing on Alaska distilleries and breweries. We also hosted a professional photographer featuring Southeast.
- Preparing for the Brew Fest. Most of the accommodations in Haines are fully booked. We will be hosting media from Good Morning Toronto – featuring the Brew Fest and Haines in a TV segment on unique summer festivals.
- Tourism Director will be attending Cruise 360, a tradeshow and conference the first week of June, put on by Cruise Line International Association. Focusing on tours, travel agents, and sailings. Haines will have a booth and will be attending meetings with various cruise executives and tour companies. Promoting Haines.
- Awaiting final Online Audit report next week!

HARBOR

- We just received some new “heavy duty” cleats that we ordered for the lightering float and will be installing them soon.
- We had gotten called out at 1 a.m. Sunday night for an overturned vessel North of Indian Rock. A man was on the hull of his vessel and was able to get a call out to 911. The Skagway emergency response vessel was also dispatched and recovered the man prior to us coming on scene. We returned to the harbor without incident.
- The entire harbor crew went to Skagway for a refresher in cruise ship security training this past Monday.
- Wednesday’s first cruise ship came and went without any problems on our end.
- We plan on turning the ice house on early next week.
- We are in the full swing of things at the harbor and very busy.

LIBRARY

- Thanks to a grant from the Chilkat Valley Community Foundation and the Friends of the Library, the entryway carpet was replaced this week along with a section in the children’s room that was beyond cleaning.
- The migration to the Alaska Joint Library Catalog has been smooth with no major disruptions. Haines library patrons have already begun to access the catalog online and take advantage of the 1.8 million titles available to them. Thanks to the library staff for their extra effort during this transition.
- Traditional Tlingit Regalia Fashion Show is scheduled for Thursday, May 26, at 7 p.m.
- The Summer Reading Program Kick-off Party is scheduled for Friday, May 27, at 11 a.m.
- The library had 673 visitors on the first cruise ship day.
- On Friday, the Alaska History Class from the high school will be joining library staff and guest Harriet Brouillette on a field trip to Yendistucky that will incorporate the online Tlingit place names game (Ikaduwaḱaa) developed by library staff. They will learn Tlingit history and the use of mobile devices to create content.

Haines Sheldon Museum

Director's Report: April 2016

April Visitor count: 179 people

April Volunteer hours: 128.5 hours (23 people)

Student Programs: Scammon School Group (10)

Adult Programs: 51 people – Brown Bag Lunch Series (19); First Friday (23); Volunteer Training (9)

Collections Cataloged: 106 # Collections Updated: 139

Research Requests: 6

April Deposits: \$554.66

Education, Public Programs, Events and Staff Training

- 2016 Brown Bag lunch series, every other Friday. Started Jan. 8. Ended April 29, 2016.
 - April 1, 2016, noon: Bob Adkins, "Hunting Elephants" – 7 attended
 - April 15, 2016, noon: Margaret Sebens, "The Role of an Aging and Disability Resource Center in Alaska" – 6 attended
 - April 29, 2016, noon: Byrne Powers, "Georgia" – 6 attended
- First Friday, April 1, 2016. 23 attended.
- April 30, 2016: Volunteer Training: new and old volunteers learned about new volunteer positions in the museum and how to use the new Square system at the front desk. – 9 attended

Marketing

- **Event Promotion:** Designed and distributed posters and other graphic material for Haines 50, Haines Student Art Show, the Fortnight of Learning, and Volunteer Training.
- **Three Museum Pass:** Designed, sent to printer and received completed pass. Showed to each museum.
- **\$1 Off Coupon:** Designed, sent to printer and received completed coupon.
- **Monthly e-newsletter** completed and sent for April events.
- **Totem Trot:** Received two registrations for the Totem Trot and one donation.

Education and Programs

- **Fortnight of Learning (first two weeks of May):** Finalized speakers and advertising.

Administration:

- **FY 2017 Budget:** Attended Budget COWs. Submitted documentation for an increase in staff salaries to meet the norm for small museums in Alaska.
- **Office move to downstairs:**
 - Painted accent wall in Director's office. Moved new file cabinet in. Still need to paint two walls and finish moving furniture.
- **990 Tax Report:** Gregg Richmond filed for an extension to May 15, 2016.
- **MRV Architects:** Paul Voelkers presented a phased option, where the first phase, for \$1 million, would install an elevator and make a larger entrance, but not provide increased storage and education space.
- Paid **Sales tax** of \$ 10.27 for month of March.

Fundraising:

- **Gaming Permit:** Helen must take and pass test before application can be completed.
- Submitted a **Museums Alaska Acquisitions Fund Grant** to fund purchase of a Wayne Price piece.
- Continued work on **National Historical Publications and Records Commission Grant** to fund an archivist for 6 months. This is a long shot. These grants are notoriously hard to get. Zack Jones from the State Archives wrote a report to support the grant and reviewed the grant text.
- **Museum Store:**
 - Saw first draft of new t-shirt design using a Mike Ward collection photograph. Received signed permission for use of the image.
 - Helen put postcard book on hold. Will continue to work on project.
 - Placed orders for store items including Haines Museum Calendars, new book on Tatshenshini River , and Debi Knight Kennedy jewellery.
 - Received new wallets, coin purses, and earrings from local artist Rebecca Brewer.
 - Have basket sale on jewelry. Some of this jewelry is not in the computer and was just in a box in the store room. Others have been here for years and need to be moved out.
 - 97% of inventory put into Square. Moved out computer and installed iPad with Square for front desk and museum store sales. Trained volunteers on how to use the iPad.

Exhibits:

- **Gil Smith: Legacy of Landscapes** continued to be popular in April.
- **Objects of Haines History:** Selected 50 objects, completed label design, started exhibit lay out, wrote 50 labels and completed most of their editing. Picked about ½ of the photographs required for the labels. Borrowed an object from Leanne Converse. Received basketball uniforms as a donation from Shannon Willard. Staff trained in mannequin making. Completed 4 mannequins and 1 head mount. Painted pedestals and support. Chose two images for window screens, cleaned them up and sent to Commercial Sign and Printing in Juneau to make vinyl window clings. Objects for exhibit transported to upper gallery and object location changed. Exhibit flow chart completed so staff could coordinate work.
- **Sixweek Spotlight:** Set up exhibit orientations/expectations meetings with artists for summer shows.

Collections and Archives

Collections:

- Investigated status of loans on Chilkat Blankets displayed in upper gallery. Investigated possible replacements when loans are returned.
- **Rasmuson Art Acquisition grant cycle:** Submitted an application for Wayne Price's Tlingit War Helmet.

- **Collections Committee Meeting:** Followed through on decisions made at March 30th Collections Committee meeting - deaccessioned 114 books, completing necessary paperwork. Drafted proposed deaccession process for Board review. 139 historic books (includes items that were donated but never accessioned) that do not meet our mission are to be sold by an historic book seller with proceeds to go towards acquisitions. Unfortunately, the owner of The Observatory in Juneau has been sick and difficult to reach. Searching for another vendor.
- Arranged with Bristol Environmental to acquire **gate valve** from tank farm, designated spot for it on the grounds outside.
- Completed Regalia loan and paperwork for **Sockeye clan**; outgoing and incoming paperwork.
- Prepared and facilitated **volunteer duties** with Leanne Converse for collections work (sorted and stored magazines, put objects into storage, assisted with research request, etc.)
- Ongoing corrections and updates to Past Perfect records.

Archives

- **Alaska Indian Arts Acquisition:**
 - Sorted books and accessioned 81 books, for a total of 99 from AIA.
 - Scanned pertinent parts of books we won't keep, such as Sotheby's catalogs, and added to our auction house binder.
 - Sorted AIA photographs into broad categories. Began processing the Artists doing Art category. Described each photo and identified recognizable people. Kept track of how image multiples and whether negative was with the prints. Started assigning catalog numbers to each photo.
 - Cataloged one object from AIA this month - a gas mask.
- **Archives Move Project:**
 - Painted final wall in archives.
 - Moved photographs and cabinets down to new archives space.
 - Removed microfilm readers and stored them on compacting shelving.
 - Ongoing compilation of Archival Move Report which records what has been done and what still needs doing.
 - Continued clearing out old archives of non-collection items: hardware, exhibit and mount making supplies, conservation supplies, office supplies, paperwork, old equipment, etc. Finding new homes for things, disposing of unnecessary things, etc. Still underway.
 - Moved education materials up to old archives space.

KHNS History Talks, 8:45-9 a.m. every other Tuesday morning: 4/12: Dalton Trail, 4/26: Chisel Building

Upcoming Activities

- May 1-14, 2016: Fortnight of Learning (lectures every evening)
- May 10, 2016, 8:45 am: History Talk on the Radio
- May 21, 2016: Volunteer Appreciation Luncheon
- May 24, 2016, 8:45 am: History Talk on the Radio
- May 13 – June 11, 2016: Student Art show

- May 13 – October 31, 2016: Objects of Haines History (working Title) – in the former museum store space
- May 21, 2016, Noon: Volunteer Appreciation Luncheon
- May 24, 2016, 8:45 am: History Talk on the Radio
- June 12, 2016, 7:30 p.m.: Tlingit Tattoos
- June 13-17, 2016: Summer Camp, grades K-2, H2Oh My!
- June 17, 2016, 5-7 p.m.: Six Week Spotlight: Mud Bay Artists Opening
- June 11-15, 2016: Summer Camp, grades 3-5, Night
- June 18-22, 2016: Summer Camp, preschool
- August 5, 2016, 5-7 pm: Lyn Fabio's Gutskin Art Opening
- August 12, 2016: Totem Trot Pasta Dinner
- August 13, 2016: Totem Trot Fundraiser

Unscheduled:

- Reprint "The Tlingit" by Wallace Olson (fall 2015?)
- Totem Pole book/brochure (2016?)

Future Funding Needs

- Server is in need of replacement. All technology needs to be rethought and upgraded.
- Public Bathrooms need to be upgraded and made to meet ADA requirements (CIP request)
- Elevator needed to meet ADA requirements (CIP request)
- Painting building needs to be completed. (Maintenance funds)
- Grounds improvements – plantings and water access to museum.
- More space needed – building expansion. (See MRV proposal)

April 2016 Haines Vol. Fire Dept. Monthly Report

The Haines Vol. Fire Dept. had two (26 responders /49hours) fire callouts in April. The first call was for a sauna fire adjacent to a residence. The sauna structure was completely destroyed, but the fire did not spread beyond the structure of origin. The second was for a garage fire that was mostly contained by the homeowner with responders assisting to confirm the fire was out. Fire callouts for 2016 total10. The Haines Vol. Fire Dept. responded to 24 (74 responders/ 92 hours) ambulance calls in April. Calls included a trauma victim from a bear mauling, a chest pain, an altered level of consciousness, one with muscle spasms, an abdominal pain, two back spasms, an extremity pain, one with shoulder pain, a seizure, a standby, a canceled enroute, 4 patient refusals, and 8 medivac/transport. Ambulance callouts for 2016 total 96. There were no SAR callouts in April.

The first joint meeting (17 Fire & 10 EMS, 3 hrs) was a business meeting followed with our Drivers Training course that included driving forward and backward through a narrow 200 foot lane then backing into a simulated driveway, that followed by an offset turn and concluding with a diminishing clearance lane. This is a challenging course with such large apparatus. The EMS training meeting (9 volunteers, 2 hrs) was a medical assessment training presented by Assist. Chief Darwin Feakes as a high percentage of our calls are medical. The fire training (17 volunteers, 2hrs) was a basic SCBA rescue drill with a focus on accountability, communication and teamwork. Some members completed their drivers training course and a review on filling SCBA bottles was conducted by Engine Capt. Larry Jurgeleit. Thanks to all that help with our training presentations.

Penny Fossman, Kyle Fossman, Tim Holm and Julie Anderson attended the SEREMS symposium in Sitka. Many great training topics were covered and presentations will be made to the whole crew in our May meeting. Another potential event that is highly likely to occur is that Haines is the proposed site for the 2018 SEREMS symposium that has around 100 participants, more about that later.

There are many staffing changes occurring with the HVFD. We welcome back Jenn Walsh to one of the paid staff positions. Another staffing change occurring is that Kyle Fossman has submitted a letter of resignation from the paid staff position effective May 31. We all need to do what we do during this transition period. Thanks for all your efforts, fellow members.

Kyle Fossman & Tim Holm are attending an EMT 1 class this month, thanks guys for upgrading your skills.

Volunteer Hours for April 2016

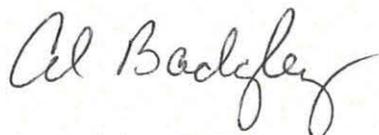
HVFD Fire 175 HVFD Ambulance 308 SAR

Volunteer Hours HVFD for 2016

HVFD Fire 687 HVFD Ambulance 1117 SAR

Total Volunteer Hours HVFD for 2016 1804 Hours

Respectfully Submitted,



AL Badgley, EMS Company Captain



REGULAR MEETING
 SPECIAL MEETING

TAB PHAC LIBRARY PSC PRAC
 CCAB MUSEUM Other _____
Please Check Appropriate Box

Committee Meeting Summary

Date 5-5-16 Time of Meeting 10:30 Location MUNICIPAL CHAMBERS

Committee Members Present: _____ Chair Person: NORMAN HUGHES

FRED GRAY, BILL ROSTAD, GLEN JACOBSON, BRAD BADGER, DON TURNER JR

Person Filling out form: Norman Hughes

Topics of Discussion:

- 408 PERMIT, POSSIBLE HBPHAC COMMENTING ON 408.
- _____
- _____
- _____
- _____

Action Taken: (Include any motions made and the vote)

- Motion, Norman Hughes1st, Bill Rostad2nd. Passed 6-0
Haines Borough Ports and Harbor Advisory Committee agrees with the findings of the PND letter # 102029.12 and encourages the Army Corps to issue the 408 permit.

Next Mtg Date: _____ * NOTE: This Summary should NOT replace Minutes or Requests for Assembly Action



REGULAR MEETING
 SPECIAL MEETING

TAB PHAC LIBRARY PSC PRAC
 CCAB MUSEUM PLANNING COM.
 Other _____
Please Check Appropriate Box

Committee Meeting Summary

Date 5/12/16 Time of Meeting 6:30 pm Location Assembly Chambers

Committee Members Present: _____ Chair Person: Rob Goldberg

Larry Geise, Brenda Josephson, Heather Lende, Lee Heinmiller, Danny Turner, Rob Miller (phoned in)

Person Filling out form: Kathryn Fiedle

Topics of Discussion:

- Follow-up of 4/12/16 Preschool/Schnobel meeting.
- Temporary Residence at golf course
- 8A • Clay Good: Guest House CUP
- 10B1 • Bldg. Height Verbiage
- 10B2 • Review process of Capital Improvement Projects
- 10D1 • Modular Units in Spruce Grove Park

Action Taken: (Include any motions made and the vote)

- 10D2 Possible Rezoning for Parks
 - Preschool discussion to be furthered on June 9th Agenda
 - Ask Tracy to review changed "Temp. Residence" in code
- 8A • Motion to Approve Clay Good CUP for Guest House
- 10B1 • Remove words "manager" from current Verbiage
- 10B2 • Table: Rob Goldberg will work on concise language and will submit at June 9th PC meeting.

Next Meeting Date: 6/09/16 * NOTE: This Summary should NOT replace Minutes or Requests for Assembly Action

Over →

10 D1 Must be on a chasy & be able to move - must be mobile homes - not modular units in this zone.

10 D2 Rezoning not happening - need commercial zone for future Main St. ^{business} growth. Decision: do nothing now - believe it will continue to be a "park" for quite a while.

**Haines Sheldon Museum
Board of Trustees Meeting Minutes
April 19, 2016
3:45PM**

Approved

CALL TO ORDER - 3:49PM by President Jim Shook

ATTENDANCE:

Present - Diana Kelm, Tim Ackerman, Lorrie Dudzik, Michael Marks, Helen Alten, John Carlson, Kelleen Adams, Jim Shook, Diana Lapham (borough liaison)

Excused - Anastasia Wiley, Gregg Richmond

Additions to agenda - request an appropriation for a wheelbarrow, remove Kerry Cohen's pieces from Rasmuson discussion

Approval of agenda - Michael/Diana K M/S to approve the agenda as amended. Approved unanimously.

Approval of Minutes:

- March 9, 2016

Michael/John M/S to approve the minutes. Approved unanimously.

Public Comments - Diana L mentioned that the assembly has begun public meetings on the budget and that the borough is in the process of interviewing candidates for borough manager.

In future we will put Liaison Comments on the agenda.

Staff/Board Reports:

Museum Director

- Member Meeting Mar 24 - Helen said that meeting was poorly attended and very expensive. Perhaps we will not hold this reception in the future.

- MRV Architect's Plan - Revised plan has been drawn up which includes phases of building. Discussion took place regarding priorities in the building process.

President's Report - Jim may call for a special meeting before next meeting.

Treasurer's Report - Michael has resigned as Treasurer. John has volunteered to take the position at least until we find a new board member. Michael/ Kelleen M/S to appoint John to the position of treasurer. Approved unanimously.

Upcoming Events:

Volunteer Training: Saturday April 30

Fortnight of Learning, May 3-13 - speakers on history and natural history

- Boat Trip to Sea Lion Rock, May 7 - \$30 for members/\$60 for non-members

Exhibit Opening for 2 exhibits: May 13, 5-7

Volunteer Appreciation Luncheon: May 21, noon - location undetermined

Housekeeping:

- Committee Assignments - Helen will send us a list of committees for us to choose.
- Request an appropriation for a wheelbarrow - Diana K needs it for gardening. Helen will acquire one.

Business:

- Membership Meeting and Categories - Staff has drawn up a comprehensive plan for membership categories. Much discussion was held concerning levels and benefits. We will continue working of this and finalize it next meeting.
- Directors and Officers Liability Coverage - As borough appointees we are covered under the borough's policy.
- Rasmuson Acquisition Funds for 2016 - Helen has submitted a request for \$25,000 for Wayne Price's War Helmet.

Board Comments/Discussion:

A discussion was held concerning staff pay and the necessity to inform the assembly, detailing the needs of the museum and the work that is done here.

Kelleen will be ordering "Haines Socks" for sale in the gift shop.

Student Art will be displayed April 30 to May 6 at the school. Michael, Diana K and John will be judges.

Next Board meeting date: May 10, 2016 at 3:45PM.

Adjourn - 5:30PM

Respectfully submitted,

Lorrie Dudzik



**Haines Borough
Assembly Agenda Bill**

Agenda Bill No.: 16-658

Assembly Meeting Date: 5/24/16

Business Item Description:	Attachments:
Subject: Authorize Purchase Order with Polar Supply Company for Bjornstad Street Plastic Culvert Material	1. Resolution 16-05-677 2. Bid Solicitation 3. Plastic Culvert Quotes
Originator: Public Works Superintendent	
Originating Department: Public Facilities	
Date Submitted: 5/19/16	

Full Title/Motion:
Motion: Adopt Resolution 16-05-677.

Administrative Recommendation:
This resolution is recommended by the Interim Borough Manager.

Fiscal Impact:			
Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$ 41,000	\$ (see summary)	\$ 0	Reduced Maintenance Costs

Comprehensive Plan Consistency Review:	
Comp Plan Goals/Objectives: Objective 2B, page 56-57	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Summary Statement:
<p>The Bjornstad Street Culvert Replacement project consists of removal and replacement of approximately 375 feet of steel, 36-inch culvert. The Borough recently issued a request for sealed bids from qualified, licensed contractors for the project. The Borough's Instructions for Bidders specified for contractors to supply 36-inch steel, galvanized 16 gauge or equivalent plastic culvert. During a site visit for bidders, the Interim Borough Manager recommended an addendum be issued to specify plastic culvert material be used, not steel. The manager also recommends the Borough purchase the necessary plastic culvert material to reduce overall project costs. The Borough solicited three quotes for high-density polyethylene (HDPE) and associated material for the project. Polar Supply Company of Anchorage provided the best overall quote for purchase and delivery. The Haines Borough Assembly appropriated \$160,000 in the FY16 budget's Capital Improvement Projects (CIP) fund for Road Improvements, sufficient to cover this purchase order.</p>

Referral:	
Referred to:	Referral Date:
Recommendation:	Meeting Date:

Assembly Action:	
Meeting Date(s): 5/24/16	Public Hearing Date(s):
	Postponed to Date:

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a purchase order with Polar Supply Company of Anchorage to purchase high-density polyethylene (HDPE) and associated material for the Bjornstad Street Culvert Replacement project for an amount not-to-exceed \$41,000.

WHEREAS, the Bjornstad Street Culvert Replacement project consists of removal and replacement of approximately 375 feet of steel, 36-inch culvert; and

WHEREAS, the Borough recently issued a request for sealed bids from qualified, licensed contractors for the project; and

WHEREAS, the deadline for bids has been pushed back to June 8, 2016, without any anticipated delays to the project completion date of September 1, 2016; and

WHEREAS, the Borough's Instructions for Bidders specified for contractors to supply 36-inch steel, galvanized 16 gauge or equivalent plastic culvert; and

WHEREAS, during a site visit for bidders, the Interim Borough Manager recommended an addendum be issued to specify plastic culvert material be used, not steel; and

WHEREAS, the Interim Borough Manager also recommends the Borough purchase the necessary plastic culvert material to reduce overall project costs; and

WHEREAS, the Borough solicited three quotes for high-density polyethylene (HDPE) and associated material for the project; and

WHEREAS, Polar Supply Company of Anchorage provided the best overall quote for purchase and delivery; and

WHEREAS, the Haines Borough Assembly appropriated \$160,000 in the FY16 budget's Capital Improvement Projects (CIP) fund for Road Improvements, sufficient to cover this purchase order,

NOW, THEREFORE, BE IT RESOLVED that the Haines Borough Assembly authorizes the Borough Manager to execute a purchase order with Polar Supply Company of Anchorage to purchase high-density polyethylene (HDPE) and associated material for the Bjornstad Street Culvert Replacement project for an amount not-to-exceed \$41,000.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this ____ day of _____, 2016.

Janice Hill, Mayor

Attest:

Julie Cozzi, MMC, Borough Clerk

NOTICE INVITING BIDS

Bjornstad Street Culvert Replacement

The Haines Borough is soliciting sealed bids from qualified and licensed contractors to perform the work for the **Bjornstad Street Culvert Replacement** project. All contractors are required to have a current Alaska Contractor's License and Alaska Business License. A Haines Business License is required prior to contract award.

RECEIPT OF BIDS / BID DEADLINE: Bids will be accepted until 2:00 p.m., Local Time, Wednesday, June 8, 2016 (per Addendum #2), at the Office of the Borough Clerk in the Borough Administration Building in Haines, Alaska. Bids must be mailed or hand-delivered and will not be accepted by email or fax.

Submit Bids to:

<u>Physical Address:</u> Office of the Borough Clerk Borough Administration Building 103 Third Ave S. Haines, Alaska	<u>Mailing Address:</u> Haines Borough Attn: Borough Clerk PO Box 1209 Haines, AK 99827
--	---

BID OPENING: The bid opening will be shortly after 2:00 p.m. on the same date in the Borough Administration Building conference room.

BID DOCUMENTS: A Bid packet including instructions, forms, and description of work is available on the Haines Borough website: www.hainesalaska.gov/rfps for viewing and printing. If prospective bidders request that borough staff print the documents, the cost will be 20 cents per standard 8½x11 page and 50 cents per 11x17 page. (Each side of a page counts as one.)

QUESTIONS:

For technical questions:

Attn: Brad Ryan
Interim Borough Manager
103 Third Ave / P.O. Box 1209, Haines, AK 99827
Phone: 907-314-0648
Email: bryan@haines.ak.us

DESCRIPTION OF WORK: The work consists of removal and replacement of approximately 375 feet of steel, 36-inch culvert in the Bjornstad Street area of Haines, Alaska.

Prospective bidders are required to attend a Pre-Bid Conference to be held in Haines on April 21, 2016 beginning at 10:00 a.m. at the Borough Administration Building (103 Third Avenue), immediately followed by a mandatory site visit.

LOCAL BIDDER PREFERENCE: If a bid by a responsible and responsive bidder whose principal place of business is within the borough is higher than that of the lowest bid by a responsible and responsive bidder, preference may be given to the local bidder, as follows:

- a. \$1,000,000 or less - 7% local preference,
- b. \$1,000,001 to \$5,000,000 - 5% local preference, or
- c. Over \$5,000,000 - 2% local preference.

TYLER RENTAL

SALES PROPOSAL

RENTALS*SALES*SERVICE

Ketchikan
 5216 Borch St. North
 PO Box 8158
 Ketchikan, AK 99901
 (907) 225-6069 PH
 (907) 225-6118 FX

Craig
 400 Port Bagial Blvd
 Craig, AK 99921
 (907) 826-2924 PH
 (907) 826-2956 FX

Juneau
 5295 Glacier Hwy
 Juneau, AK 99801
 (907) 780-2210 PH
 (907) 780-2216 FX

Chehalis
 153 Hamilton Rd. N.
 Chehalis, WA 98532
 (360) 736-8800 PH
 (360) 736-8856 FX

PROJECT: Haines Bjornstad Street Culvert

ATTENTION: Project Manager

As per your request, we would be pleased to provide you the following equipment at the rates and terms listed below. If you have any questions or require additional information, please contact me directly.

QTY	DESCRIPTION	UNIT	PRICE/UNIT	TOTAL
420	36850020IB 36" N12 HWY STIB SOLID - 20'	LF	\$ 33.50	\$ 14,070.00
80	24850020IB 24" N12 HWY STIB SOLID - 20'	LF	\$ 18.10	\$ 1,448.00
100	18850020IB 18" N12 HWY STIB SOLID - 20'	LF	\$ 11.60	\$ 1,160.00
20	12850020IB 12" N12 HWY STIB SOLID - 20'	LF	\$ 5.45	\$ 109.00
20	08150020IB 8" N12 HWY STIB SOLID - 20'	LF	\$ 3.35	\$ 67.00
2	3692AN 36" 22.5 DEG BEND (1-MITER)	EA	\$ 433.00	\$ 866.00
2	3691AN 36" 11.25 DEG BEND (1-MITER)	EA	\$ 377.00	\$ 754.00
2	1292AN 12" 22.5 DEG BEND (1-MITER)	EA	\$ 43.80	\$ 87.60
2	1291AN 12" 11.25 DEG BEND (1-MITER)	EA	\$ 39.50	\$ 79.00
1	3642AN 36" X 8" SADDLE TEE	EA	\$ 161.00	\$ 161.00
4	3662AN 36" X 8" TEE	EA	\$ 146.00	\$ 584.00
4	1266AA 12" DWALL PREMIUM COUPLER	EA	\$ 16.00	\$ 64.00
1	6000AN - 60" STRUCTURE (2-36" STUBS AT 0 & 180 DEG, 18" STUB AT 90 DEG)	EA	\$ 5,510.00	\$ 5,510.00
11	60" END PLUG (TAYLOR) NON PED RATED	EA	\$ 885.00	\$ 9,735.00
F.O.B. SEATTLE DOCK ESTIMATED 5 FLATS			SUBTOTAL	\$ 34,694.60
			SHIPPING	F.O.B. Seattle Dock
			SALES TAX	
			TOTAL	\$ 34,694.60

TERMS & CONDITIONS:

All rates unless specified otherwise are F.O.B. Seattle Dock

All equipment shall be subject to availability at time of confirmation

NOTE: Detailed equipment specifications and additional information for all equipment can be provided upon request. Please feel free to contact us anytime to assist you with your equipment and supply needs anywhere in S.E. Alaska. We will be pleased to source anything you require.

Thank you for calling Tyler Rental, Inc. We appreciate your consideration and the opportunity to serve you.

Price Quote good for 30 Days.

Prepared by: Steve Kikendall
 Title: General Manager-JUNEAU
 Date: 5-19-2016

Accepted by: _____
 Title: _____
 Date: _____

*Shipping estimate
of \$17,000*

Brad Ryan

From: Brad Ryan
Sent: Wednesday, May 18, 2016 12:22 PM
To: 'Hayek, Dana'
Subject: RE: Steel to Plastic Connection Options
Attachments: adminsharp@haines.ak.us_20160518_082412.pdf

Dana

Could you provide me a quote on the following supply list? If you don't have an item just let me know or if you have an equivalent I would take a price on that. Please also note I need the quote to include the price to Haines.

Thank You

Brad A. Ryan
(907) 314-0648
bryan@haines.ak.us
Haines Borough Interim Manager

Non-Responsive

From: Hayek, Dana [<mailto:DHayek@conteches.com>]
Sent: Friday, May 13, 2016 8:37 AM
To: Brad Ryan
Subject: Steel to Plastic Connection Options

Hi Bryan –

Attached is a few examples of what other specifiers have used for metal pipe to plastic pipe connections.

I spoke with our team on the plastic side, they stated dis-similar Marmacs: <http://www.marmac.com/dissimilar-pipe-coupling.html>

Thanks,
Dana

Dana C. Hayek, EIT
Sales Engineer – Alaska

Contech Engineered Solutions LLC
111 W 100th Ave Anchorage AK 99515
Off: 907-223-7348 Fax: 907-344-1174
dhayek@conteches.com
www.ContechES.com

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**Haines Borough
Assembly Agenda Bill**

Agenda Bill No.: 16-652

Assembly Meeting Date: 5/24/16

Business Item Description:	Attachments:
Subject: Establish a Code Review Commission	1. Ordinance 16-05-435, drafted by staff 2. Memo from D.Vogt with proposed draft ordinance to establish a commission 3. Transmittal Memo from Minor Offenses Committee recommending Code Review Commission (page 4, #10)
Originator: Minor Offenses Ad Hoc Committee	
Originating Department:	
Date Submitted: 5/2/16 Committee (and 4/26/16 by Jackson motion)	

Full Title/Motion:
 Motion: Introduce Ordinance 16-05-435 and schedule a first public hearing for 6/14/16 and a second hearing for 6/28/16.

Administrative Recommendation:

Fiscal Impact:

Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$	\$	\$	

Comprehensive Plan Consistency Review:
 Comp Plan Goals/Objectives: _____
 Consistent: Yes No

Summary Statement:
 On 5/10/16, in response to a recommendation from the Minor Offenses Committee (MOC), the assembly passed a motion to introduce on 5/24/16 a draft ordinance creating a code review commission, The assembly agreed the commission should be an ongoing board as opposed to an ad hoc group. One member of the MOC (D.Vogt) provided the assembly with suggested ordinance language.
 Staff has prepared a draft ordinance for the assembly's consideration that is patterned after the Public Safety Commission ordinance. It incorporates most of the provisions found within the Vogt draft.
 It has been referred to the borough attorney for review.

Referral:
 Referred to: _____ Referral Date: _____
 Recommendation: Recommended by Minor Offenses Committee Meeting Date: _____

Assembly Action:
 Meeting Date(s): 4/26, 5/10, 5/24/16 Public Hearing Date(s): _____
 Postponed to Date: _____

An Ordinance of the Haines Borough amending Haines Borough Code Title 2 to add a new Chapter 2.51 establishing a Code Review Commission.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is of a general and permanent nature and the adopted amendment shall become a part of the Haines Borough Code.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance is effective upon adoption.

Section 4. Purpose. This ordinance adopts Chapter 2.51 creating a Code Review Commission for the purpose of reviewing and recommending changes to the Haines Borough Code to:

- Achieve common goals, to support individual rights, to form a more responsive government, and to secure maximum control of local affairs;
- Retain control over the affairs of government; and
- Enjoy life without unnecessarily restrictive or arbitrary laws or regulations.

Chapter 2.51
CODE REVIEW COMMISSION

Sections:

- 2.50.010 Composition.
- 2.50.020 Organization and meetings.
- 2.50.030 Vacancies – Filling vacancies.
- 2.50.040 Duties and responsibilities.

2.51.010 Composition.

The code review commission shall serve as advisory to the borough assembly and shall consist of seven members who shall serve staggered terms of three years. Commission members shall not receive compensation for services rendered.

2.50.020 Organization and meetings.

A. The commission shall elect a chairperson, a vice-chairperson, and a secretary who shall hold their offices for one year but may be re-elected to the same or other positions.

B. The commission shall initially operate under the provisions of Robert's Rules of Order but may develop bylaws to reflect unique characteristics of their purpose.

C. Commission meetings shall be held as often as necessary and if a quorum so desires. A quorum shall be determined as provided by HBC 2.60.100.

D. The commission may hold public hearings.

E. The commission may establish one or more subcommittees to assist it in the performance of its duties.

F. Meeting notifications and minutes shall be according to the provisions of HBC 2.60. Subject to availability, a borough employee will be assigned to attend commission meetings for the purpose of recording minutes.

G. Subject to appropriation for the purpose, the commission may request the assembly to contract with other persons for the performance of necessary services.

2.50.030 Vacancies – Filling vacancies.

A member's position on the commission shall be deemed vacated if the member fails to attend three consecutive meetings without being excused by the commission. All appointments to the commission shall be made according to the provisions of HBC 2.60.055.

2.50.040 Duties and responsibilities.

A. The code review commission shall:

1. Examine Haines Borough Code, Alaska Statutes and judicial decisions to discover defects, anachronisms, inconsistencies and redundancies in the code.

2. Review and consider proposed changes in the code recommended by the Alaska Municipal League, model municipal codes, the National League of Cities, and principal departments, agencies, boards, and commissions of the Haines Borough.

3. Receive and consider suggestions from local attorneys, the district court, public officials, organizations, and individuals as to areas of code needing review and possible remedy.

4. Recommend changes in code needed to eliminate antiquated, overly-complicated, unnecessary and inadequate provisions and to bring the code into harmony with current needs and conditions, consistent with principles outlined in the Haines Borough Charter.

5. Submit its reports and recommendations, and draft ordinances as to revision of code, to the assembly. Each draft submitted by the commission shall be accompanied by a sectional analysis. The commission shall prepare the sectional analysis using language that is understandable to a layman.

6. With borough manager approval, the commission may request from borough staff the information and documents the commission considers necessary to the accomplishment of its work.

B. If the commission considers it necessary to seek funds to meet expenses, the commission shall make a formal request to the assembly. Funds appropriated to the commission are to be disbursed and accounted for under procedures established by the Haines Borough.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS _____ DAY OF _____, 2016.

ATTEST:

Janice Hill, Mayor

Julie Cozzi, MMC, Borough Clerk

Date Introduced: 05/24/16
Date of First Public Hearing: ___/___/___
Date of Second Public Hearing: ___/___/___

May 2, 2016

Madam Mayor, Members of the Assembly

Attached is language for an ordinance that would establish a Code Revision Commission for the Haines Borough. I served on the ad hoc Minor Offenses Ordinance committee, and it was the unanimous recommendation of that committee that the Assembly create, and the Mayor appoint, such a committee.

The need for such a review became apparent in a number of ways during our work. First and most apparent was the staggering list of more than 250 offenses that a Haines citizen can commit under our code. Most of us believed that this list can and should be pared down. Next is the perplexing question of whether it is better to -- for example -- incorporate state traffic code into ours by reference; draft our own traffic code; or just let the state law be the only law. At other times we honestly could not agree what a particular provision meant. And in places, the code seems unnecessarily complex and poorly worded.

The goal of such a committee should be to make the Haines Borough Code serve the particular needs of our community. The Code should be accessible, clear, consistent and simple. There are many resources available to assist a committee in meeting those goals.

Thank you.

Deborah Vogt

Code Revision Commission

HAINES BOROUGH CODE REVISION COMMISSION.

- (a) The Haines Borough Code Revision Commission is established as a permanent commission of the Haines Borough Assembly.
- (b) The Code Revision Commission shall consist of seven members appointed by the mayor, with the approval of the assembly, to three-year staggered terms.
- (c) The commission shall:
- (1) examine the Haines Borough Code, Alaska Statutes and judicial decisions to discover defects, anachronisms, inconsistencies and redundancies in the code;
 - (2) review and consider proposed changes in the code recommended by the Alaska Municipal League, model municipal codes, the National League of Cities, and principal departments, agencies, boards, and commissions of the Haines Borough;
 - (3) receive and consider suggestions from local attorneys, the district court, public officials, organizations, and individuals as to areas of code needing review and remedy;
 - (4) recommend changes in code needed to eliminate antiquated, overly complicated, unnecessary and inadequate provisions and to bring the code into harmony with current needs and conditions, consistent with principles outlined in our charter to
 - i. achieve common goals, to support individual rights, to form a more responsive government, and to secure maximum control of our own local affairs;
 - ii. retain control over the affairs of our government;
 - iii. enjoy life without unnecessarily restrictive or arbitrary laws or regulations.
- (d) The commission may:
- (1) hold public hearings and other meetings as necessary and shall determine an appropriate quorum for conducting business;
 - (2) establish one or more subcommittees to assist it in the performance of its duties.
- (e) The Borough Clerk serves as staff for the commission. Subject to appropriation for the purpose, the commission may request the assembly to contract with other persons for the performance of necessary services.
- (f) The commission shall submit its reports and recommendations, and draft ordinances as to revision of code, to the assembly. Each draft submitted by the commission shall be accompanied by a sectional analysis. The commission shall prepare the sectional analysis using language that is understandable to a layman.
- (g) All branches of Haines Borough government shall provide information and documents requested by the commission necessary to the accomplishment of its work.
- (h) The commission shall make a formal request to the assembly for funds it considers necessary to meet the expenses of the commission. Funds appropriated to the commission are to be disbursed and accounted for under procedures required by the Haines Borough. The commission chairman shall approve all expenditure documents.

Transmittal

To: Members of the Haines Borough Assembly

From: Minor Offenses Ad Hoc Committee

Re: Submission of Final Recommendations

Date: May 2, 2016

The Minor Offenses Ad Hoc Committee would like to submit its final recommendations for Assembly consideration (see attached.) The Committee has spent significant time over the past few months reviewing the information. Along with the actual substance of the Ordinance, the Committee considered administration concerns, the concerns from other committees, and the concerns of the public. Consideration was also given to the concerns of various department heads that may be affected, including the police and fire departments. Finally, the Committee was provided legal guidance by the borough attorney, along with committee member Deb Vogt. The help by all who have given their time to this project is deeply appreciated.

As such, the Committee feels it important to provide the Assembly and Mayor with some of the highlights of the recommendations. These highlights are outlined below.

1. Need for Minor Offenses Ordinance

The Committee believes there is a need for the Minor Offenses Ordinance. First, using the State court process assists the community with providing equitable enforcement of our local laws. Second, it can assist the community with protecting individual rights. Finally, the Ordinance can protect those who serve our community to enforce our laws, and protect the Borough from unnecessary lawsuits. The Committee feels these reasons provide justification for incorporating the Minor Offenses Ordinance into our local law.

2. Purpose and Intent

The Committee incorporated a Purpose and Intent into the General Provisions of the Ordinance. The Purpose and Intent reads as follows:

“The purpose and intent of this Title is to enhance and protect the lives, health and safety of the public and government employees; to protect public and private property; and to protect the rights guaranteed in the U.S. Constitution, the Alaska Constitution, and the Haines Borough Charter Preamble and Bill of Rights. Under no circumstances shall revenue generation be used as a motive to enforce the provisions of this Title.”

The inclusion of the Purpose and Intent is structured to provide clear guidance to protect the public, government employees, and the borough. It is also structured to ensure that fundamental rights are protected. Finally, it is structured to provide clear guidance to those who administer enforcement of the provisions that revenue generation shall not be used as a motive to enforce the provisions of the Ordinance. The Committee feels this statement is crucial to the overall tone of the Ordinance itself.

3. Emphasis on Compliance, not Enforcement

The Committee recommends that emphasis be placed on compliance, and not just strict enforcement. As such, enforcement discretion is provided within the bounds of the Purpose and Intent. This discretion grants authorization for issuing warnings instead of citations for first offenses. This discretion emphasizes compliance with the law, and not just strict enforcement.

4. Alignment with the Recommendations of Other Committees

As stated, the Committee considered the recommendations of various Borough committees. These committees included the Government Affairs and Services Committee, the Port and Harbor Advisory Committee, the Parks and Recreations Committee, the Public Safety Commission, the Planning Commission, and the Tourism Advisory Board. As these committees spent considerable time and effort reviewing the details of the Ordinance in public meetings, the Minor Offenses Ad Hoc Committee has aligned its recommendations with most of the recommendations from these

various committees. The assistance and work of these committees has been greatly appreciated.

5. Authority to Issue Citations

The Committee also recommends that the authority to issue citations be granted only to police officers, and to the Harbormaster and Assistant Harbormaster after proper training and certification. This change is designed to protect the public's rights, and to protect those issuing citations. It is also designed to assist with protecting the Borough from unnecessary lawsuits from untrained and uncertified Borough personnel issuing citations. The Committee feels this is an important aspect of ensuring the provisions within the Purpose and Intent are honored.

6. Transparency and Oversight

The Committee has also recommended language within the Ordinance that requires recordkeeping of all fines imposed, along with the dollar amounts collected. This information is to be provided to the Public Safety Commission and the Borough Assembly upon request. This recommended provision is key to providing transparency and oversight of the overall enforcement of the Ordinance, and aligns with the Purpose and Intent.

7. “Softened” Language within the Ordinance

The Committee is recommending that language within the Ordinance be softened. As such, the Borough attorney was requested to remove references to “guilty”, “conviction” and “punishable” from the text and replaced with softened language such as “commits a minor offense”. The Committee feels these changes create a tone of compliance, and not just strict enforcement.

8. Wording, Grammar, and Numbering within the Ordinance

With the assistance of the Borough attorney and committee member Deb Vogt, many technical details of the Ordinance were reviewed. Recommended changes to some wording and grammar have been incorporated following this review. Additionally, some numbering of

sections and chapters has been changed following edits to the wording of the provisions. These recommended changes clean up the technical aspects of the Ordinance. Additionally, the interpretational implications of these changes were also considered when developing these recommendations.

The Committee would also like to make two recommendations that fall outside of the actual substance of the Ordinance. These recommendations are as follows:

9. Two Public Hearings to Consider Recommended Changes to the Ordinance

During one of the final meetings of the Committee, the following statements was made by a member of the public:

“The Minor Offenses Ordinance is not minor; it’s major!”

This statement sums up some of the public sentiment surrounding the Ordinance. Because of this, it is recommended that the Assembly hold two public hearings on the Ordinance. The Committee feels this would be appropriate to give the community and assembly ample time to consider the recommended changes.

10. Creation of a Code Review Commission

The Committee received many comments from members of the public regarding why individual violations were not specifically addressed in the recommendations. Because of these comments, the Committee recommends the Assembly create an Ad Hoc Code Review Commission. This would allow for the community the time to focus on individual violations for their appropriateness to our community.

Thank you for your consideration to our recommendations.



**Haines Borough
Assembly Agenda Bill**

Agenda Bill No.: 16-657

Assembly Meeting Date: 5/24/16

Business Item Description:	Attachments:
Subject: Harbor Fee Schedule Revision	1. Ordinance 16-05-436 2. Port & Harbor Advisory Committee Recommendation
Originator: Port & Harbor Advisory Committee	
Originating Department: Ports & Harbors	
Date Submitted: 4/7/16	

Full Title/Motion:
Motion: Introduce Ordinance 16-05-436 and schedule a first public hearing for 6/14/16 and a second public hearing for 6/28/16.

Administrative Recommendation:
The borough manager and harbormaster recommend this.

Fiscal Impact:

Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$ none	\$ n/a	\$ n/a	Small reduction to harbor revenue

Comprehensive Plan Consistency Review:
Comp Plan Goals/Objectives: _____
Consistent: Yes No

Summary Statement:
The current Harbor Fee Schedule was adopted via ordinance on 8/11/15. The Port & Harbor Advisory Committee recommends a revision of the boat launch ramp fees. This amendment would allow reduced fees for a person having multiple vessels (up to four).

Note: When the current ordinance was adopted last August, it included removal of the penalty/non-compliance sections, but the effective date for those parts was not to be until such time as the minor offenses ordinance was adopted to avoid a gap. Since that ordinance is still pending, the struck-through penalty sections are still reflected in this new harbor schedule ordinance, and there is still the same conditional effective date.

Referral:
Referred to: _____ Referral Date: _____
Recommendation: _____ Meeting Date: _____

Assembly Action:
Meeting Date(s): 5/24/16 Public Hearing Date(s): _____
Postponed to Date: _____

An ordinance of the Haines Borough adopting a revised fee schedule for harbor facility usage to revise the boat launch ramp use fees.

WHEREAS, the Haines Borough owns and operates the Portage Cove Harbor and the Letnikof Cove Harbor; and

WHEREAS, the Borough Assembly establishes rates, fees, and penalties for Haines Borough harbor facilities; and

WHEREAS, Haines Borough Code, section 2.12.020(B), requires fines and penalties be provided by ordinance,

NOW THEREFORE BE IT ENACTED, by the Haines Borough Assembly, that the following Harbor Fee Schedule is hereby adopted by ordinance.

Section 1. Classification. This ordinance is not of a general and permanent nature and shall not become a part of the Haines Borough Code of Ordinances.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 2. Effective Date. This ordinance shall become effective immediately upon adoption with the exception of the "Penalties" and the "Boat Launch Ramp Use" non-compliance fee which shall become effective immediately upon adoption of Ordinance 15-06-413 provided that ordinance includes penalties pertaining to harbor violations.

Section 3. Purpose. To adopt, via ordinance, the following revised Harbor Fee Schedule:

Haines Borough – Harbor Fee Schedule

(See HBC Title 16 for regulations and more information)

Transient Boat Moorage Fees

Short-term (less than two weeks)	\$.55 per lineal foot per day*
Long-term (two weeks and longer)	\$5.50 per lineal foot per month*

Winter Rates – From October 1 through March 31, transient moorage vessels qualify for winter rates: one-half the amount that the vessel would ordinarily be charged. To qualify vessel must be up-to-date on all Port and Harbor Fees and pay for the winter moorage rate in advance.

* Transient moorage which must be invoiced will be charged at twice the normal rate (HBC 16.16.050).

Boat Launch Ramp Use Fees

Annual Launch Ramp Sticker – Recreational Vessel	\$60.00 per first trailer per year <u>\$30.00 each for second, third, & fourth trailers per year (same owner) with proof of ownership</u> <u>\$60.00 each additional trailer per year</u>
Daily Launch Ramp Use Fee	\$15.00 per trailer per day
Non-Compliance Fee	\$60.00 per violation

Live-Aboard Fees

1 to 14 days	No charge other than the regular moorage rate
Over 14 days (prohibited October 15 th to April 1 st)	\$70.00 per month in addition to the regular moorage rate

Boat Houses, Floats, Scows, Barges, Pile Drivers, and Dredges

These vessels are allowed only on a temporary basis at the harbormaster's discretion and, when allowed, are assessed a fee twice the rate of other vessels. Note: Living aboard is not allowed on these vessels and watercraft.

Seaplane Moorage Fees

Open Moorage	Fee
Less than 3 hours	No charge
3 to 24 hours	\$15.00
Each additional 24-hour period or fraction thereof	\$15.00

Electrical Connection and Service Rates

Connection Costs (permanent stalls or open moorage) <i>Paid to the local utility</i>	Actual cost of connection (boat owner makes the arrangements with the local utility and pays them directly)
Service Fee (all vessels utilizing electrical service) <i>Paid to the borough</i>	\$10.00 per day
Service Fee (utilizing 240 service)	\$20.00 per day
Annual Service Maintenance fee (if Electrical service is activated)	\$15.00 annual

Harbor Crane Use

Annual Crane Use Permit (not available for transient vessels)	\$50.00 per year
Transient Vessels	\$20.00 per hour

Letnikof Cove Harbor Moorage

Special Joint-Use Permit Fees

(only for boat harbor stall renters who are paid current)

Length of Vessel	Annual Fee
Up to 40 feet	\$100.00
41 to 60 feet	\$125.00
61 to 80 feet	\$150.00
Over 80 feet	\$200.00

Regular Use Permit Fees

(for vessels without a boat harbor stall OR stall renters who are not paid current)

Short-term (less than two weeks)	\$.55 per lineal foot per day
Long-term (two weeks and longer)	\$5.50 per lineal foot per month

Miscellaneous Fees

Grid Use	\$15.00 min or \$.50 per ft per tide cycle
Harbor Staff Labor (8-5 Monday-Saturday)	\$40.00 per hour (one hour minimum)
Harbor Staff Labor (After regular hours)	\$80.00 per hour (one hour minimum)
Tie-up Fee	\$20.00 per time plus cost of line (Harbor staff time not included)
Fee to Move a Boat	\$50.00 per time
Waitlist Fee	\$25.00 (first year) and \$10.00 per year thereafter
Seniority Transfer list Fee	\$10.00 per year
Pump Fee	\$20.00 per hour
Portable Electric Generator Fee	\$20.00 per day
Upland Storage Fee	\$.20 per square foot per month
Boat Stand Fee	\$2.50 per month or portion of a month

Hazardous Waste Disposal

Motor Oil	Included in moorage fees
Hydraulic Oil	Included in moorage fees
Diesel	Included in moorage fees
Gasoline	Included in moorage fees
Antifreeze	Included in moorage fees
Oil filters and Oiled Rags	Included in moorage fees
Paint	Included in moorage fees
Hazardous Materials Not Listed From Vessel	Included in moorage fees

Penalties for Violations (see Section 2, Effective Date)

First Violation	\$50.00
Second Violation	\$100.00
Third Violation And Any there After	\$150.00

Permanent Open Moorage Vessels

Long-term vessels with no permanent stall that meet the conditions outlined in HBC 16.16.105(A) shall qualify for rates equal to the regular moorage rate for their size vessel (see #14 - *Annual Moorage Rates*). If the conditions are not met, transient rates apply (see #1 – *Transient Boat Moorage Fees*).

Permanent stall renters that have a second commercial vessel and meet the conditions outlined in HBC 16.16.105(A) shall qualify for rates equal to the regular moorage rate for their size vessel (see #14 - *Annual Moorage Rates*) provided the permanent stall fee is paid. If the conditions are not met, transient rates apply (see #1 – *Transient Boat Moorage Fees*), and from April 1st through September 30th these vessels shall be charged the long-term transient moorage rate.

Annual Moorage Rates

Length (feet)	10/1/15 to 9/30/16 (\$22/ft up to 40 ft; \$28/ft over 40 ft)	10/1/16 to 9/30/17 (\$23/ft up to 40 ft; \$29/ft over 40 ft)	10/1/17 to 9/30/18 (\$24/ft up to 40 ft; \$30/ft over 40 ft)	10/1/18 to 9/30/19 (\$25/ft up to 40 ft; \$31/ft over 40 ft)	10/1/19 to 9/30/20 (\$26/ft up to 40 ft; \$32/ft over 40 ft)
up to 25	\$550	\$575	\$600	\$625	\$650

Haines Borough
Ordinance No. 16-06-436
Page 4 of 6

Length (feet)	10/1/15 to 9/30/16 (\$22/ft up to 40 ft; \$28/ft over 40 ft)	10/1/16 to 9/30/17 (\$23/ft up to 40 ft; \$29/ft over 40 ft)	10/1/17 to 9/30/18 (\$24/ft up to 40 ft; \$30/ft over 40 ft)	10/1/18 to 9/30/19 (\$25/ft up to 40 ft; \$31/ft over 40 ft)	10/1/19 to 9/30/20 (\$26/ft up to 40 ft; \$32/ft over 40 ft)
26	\$572	\$598	\$624	\$650	\$676
27	\$594	\$621	\$648	\$675	\$702
28	\$616	\$644	\$672	\$700	\$728
29	\$638	\$667	\$696	\$725	\$754
30	\$660	\$690	\$720	\$750	\$780
31	\$682	\$713	\$744	\$775	\$806
32	\$704	\$736	\$768	\$800	\$832
33	\$726	\$759	\$792	\$825	\$858
34	\$748	\$782	\$816	\$850	\$884
35	\$770	\$805	\$840	\$875	\$910
36	\$792	\$825	\$864	\$900	\$936
37	\$814	\$851	\$888	\$925	\$962
38	\$836	\$874	\$912	\$950	\$988
39	\$858	\$897	\$936	\$975	\$1014
40	\$880	\$920	\$960	\$1000	\$1040
41	\$1148	\$1189	\$1230	\$1271	\$1312
42	\$1176	\$1218	\$1260	\$1302	\$1344
43	\$1204	\$1247	\$1290	\$1333	\$1376
44	\$1232	\$1276	\$1320	\$1364	\$1408
45	\$1260	\$1305	\$1350	\$1395	\$1440
46	\$1288	\$1334	\$1380	\$1426	\$1472
47	\$1316	\$1363	\$1410	\$1457	\$1504
48	\$1344	\$1392	\$1440	\$1488	\$1536
49	\$1372	\$1421	\$1470	\$1519	\$1568
50	\$1400	\$1450	\$1500	\$1550	\$1600
51	\$1428	\$1479	\$1530	\$1581	\$1632
52	\$1456	\$1508	\$1560	\$1612	\$1664
53	\$1484	\$1537	\$1590	\$1643	\$1696
54	\$1512	\$1566	\$1620	\$1674	\$1728
55	\$1540	\$1595	\$1650	\$1705	\$1760
56	\$1568	\$1624	\$1680	\$1736	\$1792
57	\$1696	\$1653	\$1710	\$1767	\$1825
58	\$1624	\$1682	\$1740	\$1798	\$1856
59	\$1652	\$1711	\$1770	\$1829	\$1888
60	\$1680	\$1740	\$1800	\$1860	\$1920
61	\$1708	\$1769	\$1830	\$1891	\$1952
62	\$1736	\$1798	\$1860	\$1922	\$1984
63	\$1764	\$1827	\$1890	\$1953	\$2016
64	\$1792	\$1856	\$1920	\$1984	\$2048

Haines Borough
Ordinance No. 16-06-436
Page 5 of 6

Length (feet)	10/1/15 to 9/30/16 (\$22/ft up to 40 ft; \$28/ft over 40 ft)	10/1/16 to 9/30/17 (\$23/ft up to 40 ft; \$29/ft over 40 ft)	10/1/17 to 9/30/18 (\$24/ft up to 40 ft; \$30/ft over 40 ft)	10/1/18 to 9/30/19 (\$25/ft up to 40 ft; \$31/ft over 40 ft)	10/1/19 to 9/30/20 (\$26/ft up to 40 ft; \$32/ft over 40 ft)
65	\$1820	\$1885	\$1950	\$2015	\$2080
66	\$1848	\$1914	\$1980	\$2046	\$2112
67	\$1876	\$1943	\$2010	\$2077	\$2144
68	\$1904	\$1972	\$2040	\$2108	\$2244
69	\$1932	\$2001	\$2070	\$2139	\$2208
70	\$1960	\$2030	\$2100	\$2170	\$2224
71	\$1988	\$2059	\$2130	\$2201	\$2272
72	\$2016	\$2088	\$2160	\$2232	\$2304
73	\$2044	\$2117	\$2190	\$2263	\$2336
74	\$2072	\$2146	\$2220	\$2294	\$2368
75	\$2100	\$2175	\$2250	\$2325	\$2400
76	\$2128	\$2204	\$2280	\$2356	\$2432
77	\$2156	\$2233	\$2310	\$2387	\$2464
78	\$2184	\$2262	\$2340	\$2418	\$2496
79	\$2212	\$2291	\$2370	\$2449	\$2528
80	\$2240	\$2320	\$2400	\$2480	\$2560
81	\$2268	\$2349	\$2430	\$2511	\$2592
82	\$2296	\$2378	\$2460	\$2542	\$2624
83	\$2324	\$2407	\$2490	\$2573	\$2656
84	\$2352	\$2436	\$2520	\$2604	\$2688
85	\$2380	\$2465	\$2550	\$2635	\$2720
86	\$2408	\$2494	\$2580	\$2666	\$2752
87	\$2436	\$2523	\$2610	\$2697	\$2784
88	\$2464	\$2552	\$2640	\$2728	\$2816
89	\$2492	\$2581	\$2670	\$2759	\$2848
90	\$2520	\$2610	\$2700	\$2790	\$2880
91	\$2548	\$2639	\$2730	\$2821	\$2912
92	\$2576	\$2668	\$2760	\$2852	\$2944
93	\$2604	\$2697	\$2790	\$2883	\$2976
94	\$2632	\$2726	\$2820	\$2914	\$3008
95	\$2660	\$2755	\$2850	\$2945	\$3040
96	\$2688	\$2784	\$2880	\$2976	\$3072
97	\$2716	\$2813	\$2910	\$3007	\$3104
98	\$2744	\$2842	\$2940	\$3038	\$3136
99	\$2772	\$2871	\$2970	\$3069	\$3168
100	\$2800	\$2900	\$3000	\$3100	\$3200

Haines Borough
Ordinance No. 16-06-436
Page 6 of 6

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS
____ DAY OF _____, 2016.

Janice Hill, Mayor

ATTEST:

Julie Cozzi, MMC, Borough Clerk

Date Introduced: 05/24/16
Date of First Public Hearing: ___/___/___
Date of Second Public Hearing: ___/___/___



Haines Borough
BOROUGH ASSEMBLY
ACTION REQUEST

DATE: 4-07-16

TO: Borough Assembly

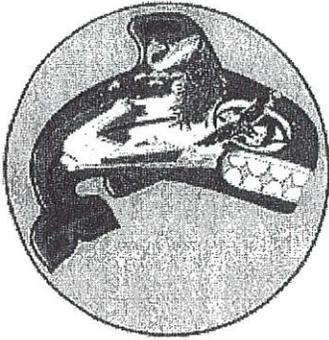
FROM: Haines Borough Ports and Harbor Advisory Committee

BOARD ACTION: MOTION...TO AMEND BOROUGH ASSEMBLY APPROVED FEE SCHEDULE. 2ND, 3RD, 4TH LAUNCH RAMP PERMITS TO BE CHARGED AT \$30.00 EACH. ANY ADDITIONAL PERMITS WILL BE CHARGED AT \$60.00. 1ST NORMAN HUGHES, 2ND TERRY PARDEE. PASSED 5-0

RATIONALE: A HARBOR USER ASKED FOR RELIEF FROM \$60 PER TRAILER ANNUAL FEE. THIS HARBOR USER HAS 2 TRAILERS. AFTER DISCUSSION, THE HARBORMASTER MADE A SUGGESTION, WHICH IS REFLECTED IN THE MOTION.

BOARD REQUEST: AMEND FEE SCHEDULE TO ALLOW REDUCED FEE FOR 2ND, 3RD, 4TH TRAILER PERMITS.

SUBMITTED B: Norman Hughes, Chair, HBPHAC



HAINES BOROUGH, ALASKA

P.O. BOX 1209

HAINES, AK 99827

(907) 766-2231 * FAX (907) 766-2716

**APPLICATION FOR SALES TAX EXEMPTION CERTIFICATE
HAINES BOROUGH**

THE FOLLOWING ORGANIZATION:

HAINES SKI & HIKE CLUB

a non-profit corporation, organized under the laws of the State of ALASKA, hereby applies for a Sales Tax Exemption Certificate in the Haines Borough. As a representative of the organization, I hereby certify that I am familiar with said corporation, that it is organized exclusively for religious, education or charitable purposes, and that the following information is true and correct.

Local Address of Organization: P.O. BOX 613

Date of Incorporation: 12.20.2013 Federal Employer I.D. #: 472486233

Briefly Describe the Organizations Current and/or Proposed Activity in the Borough:

To improve, maintain, & develop recreation trails for public use including skiing & hiking. Forge partnerships with government agencies, other organizations & landowners. Promote outdoor recreation.

Attach a copy of the Bylaws or Articles of Incorporation. Also attach a copy of your letter of 501(c) 3, 501(c) 4, 501(c) 8 or 501(c) 19 exemption from the Internal Revenue Service.

Organization Representative
Print Name: JANE PASCOE
Title: TREASURER
Phone: 907-303-3775
Email: janespa@hotmail.com

DECLINED BY THE ASSEMBLY ON _____

Reason: _____

APPROVED BY THE ASSEMBLY ON _____

Haines Borough Mayor
Date: _____

Assigned Sales Tax Exemption Number

RECEIVED
APR 19 2016
Haines Borough

State of Alaska
Department of Commerce, Community and Economic Development
Corporations, Business and Professional Licensing

Certificate of Incorporation

The undersigned, as Commissioner of Commerce, Community and Economic Development of the State of Alaska, hereby certifies that a duly signed and verified filing pursuant to the provisions of Alaska Statutes has been received in this office and has been found to conform to law.

ACCORDINGLY, the undersigned, as Commissioner of Commerce, Community and Economic Development, and by virtue of the authority vested in me by law, hereby issues this certificate to

HAINES SKI & HIKE CLUB



IN TESTIMONY WHEREOF, I execute the certificate
and affix the Great Seal of the State of Alaska
effective **December 20, 2013**.

A handwritten signature in cursive script that reads "Susan K. Bell".

Susan K. Bell
Commissioner

BY-LAWS
OF
HAINES SKI AND HIKE CLUB
(Adopted by the Board of Directors on November 27, 2015)

ARTICLE I
NAME AND PLACE OF BUSINESS

Section 1. NAME: Haines Ski and Hike Club (HSHC).

Section 2. PLACE OR PLACES OF BUSINESS: The principal office shall be located in Haines, Alaska, and such other offices within Southeast Alaska deemed appropriate by Board for carrying out the purpose and function of the corporation.

ARTICLE II
MEMBERSHIP

Section 1. MEMBERSHIP : The Corporation shall have members. Anyone who supports the objectives of the Haines Ski and Hike Club and pays the membership fee is a member. The annual membership fee for an individual is \$20, and for a family is \$25.

Section 2. ANNUAL MEETING. The annual meeting of members shall be held in the fourth quarter of the year and may be held in conjunction with a meeting of the Board of Directors at a place to be designated within Southeast Alaska by the Board of Directors.

Section 3. NOTICE. Notice of the annual meeting of members shall be delivered by electronic mail, where possible, but otherwise by post, to all members at least fifteen (15) days in advance of such meeting, and shall contain, where appropriate, an order of business. The notice shall be deemed delivered when sent electronically or deposited in the United State mail with postage prepaid.

ARTICLE III
BOARD OF DIRECTORS

Section 1. MANAGEMENT OF AFFAIRS. HSHC's business and legal affairs shall be managed by its Board of Directors ("Board") and the Board will exercise all of the corporate powers to do such lawful acts, which are not prohibited by either state law or the Articles of Incorporation.

Section 2. ELECTION, VACANCIES, AND TERMS. Directors are elected by a majority vote of the Board of Directors. Vacancies occurring prior to the expiration of a director's term will be filled by the board for the unexpired portion of the term. The Board of Directors shall consist of seven directors who each serve two-year terms.

Section 3. COMPENSATION. Directors will not receive any payment for their services as directors.

Section 4. COMMITTEES: The board may appoint from among its own members, standing, special, or other committees to further HSHC business with powers and duties as prescribed by the board.

Section 5. REMOVAL OF DIRECTORS: Any elected or ex officio director may be removed from the board by an affirmative vote of a majority of the directors.

**ARTICLE IV
BOARD MEETINGS**

Section 1. REGULAR BOARD MEETINGS. The Board shall hold two or more Board meetings each year.

Section 2. SPECIAL BOARD MEETING: A special meeting may be called by the president or any three directors with at least 48 hour written or e-mailed/electronic notice, unless an emergency occurs, which requires at least 24 hours notice as above. Email meetings may be called by any Board member and take place over social media. When a quorum is determined, email votes may be cast. Notice of the voting results will be sent to the Board and a record of the electronic meeting shall be kept by the Secretary.

Section 3. NOTICE. Notice of Board meetings shall be delivered by electronic mail, to all Directors at least seven (7) days in advance of such meeting, and shall contain, where appropriate, an order of business. The notice shall be deemed delivered when sent electronically.

**ARTICLE V
OFFICERS AND DUTIES OF OFFICERS**

Section 1. The officers of HSHC shall be a president, vice-president, secretary and treasurer. The same person may not hold more than one office except the same person may be secretary-treasurer

Section 2. PRESIDENT: The president is a member of the board, is an officer of HSHC and is elected by the board; has responsibility for running HSHC; prepares the budget and is an ex officio member of all committees. The president may perform other duties as the board requires.

Section 3. VICE-PRESIDENT: The vice-president is a member of the board, is an officer of HSHC and is elected by the board; acts as president in the absence or disability of the president.

Section 4. SECRETARY: The secretary, is a member of the board, is an officer of HSHC and is elected by the board; prepares written or recordings of all meetings and proceedings of the board and performs such other duties as the board may require.

Section 5. **TREASURER:** The treasurer is a member of the board, is an officer of HSHC and is elected by the board; is responsible for receiving and disbursing funds, keeping financial records, preparing annual financial statements, and such other reports as the board may require.

Section 6. **TERM OF OFFICE:** Except in the event of death, resignation, incapacity or removal, officers shall serve two year terms until the close of the HSHC annual meeting and until their successors are elected and qualified. A vacancy in any HSHC office will be filled by the board for the unexpired portion of the term.

Section 7. **RESIGNATION OR REMOVAL:** An officer may resign at any time in writing to the secretary. Any officer may be removed from office for cause by affirmative vote of a majority of the board at any regular meeting or special meeting called for that specific purpose.

**ARTICLE VI
INDEMNIFICATION AND INSURANCE**

Section 1. **INDEMNIFICATION.** Unless otherwise prohibited by law, the Corporation shall indemnify any director or officer or any former director or officer against any and all expenses and liabilities incurred by reason of being a director or officer. However, there shall be no indemnification in relation to matters to which he or she shall be adjudged to be guilty of a criminal offense or due to gross negligence or misconduct in the performance of a duty to the Corporation.

Section 2. **INSURANCE.** The Board of Directors may adopt a resolution authorizing the purchase of insurance on behalf of any agent of the Corporation against any liability asserted against or incurred by the agent in such capacity or arising out of the agent's status as such, and such insurance may provide for coverage against liabilities beyond this Corporation's power to indemnify the agent under law.

**ARTICLE VII
RULES OF PROCEDURE**

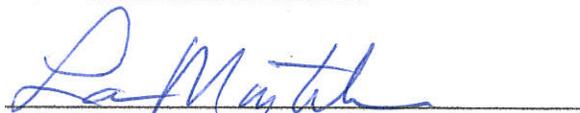
Section 1. **RULES OF PROCEDURE.** Robert's Rules of Order, as amended, are the rules of procedure for conducting Board meetings.

**ARTICLE VIII
AMENDMENTS**

Section 1. **AMENDMENTS.** These by-laws may be amended by the affirmative vote of at least four members of the board subject to thirty days prior written, e-mailed/electronic notice to all directors of any proposed amendment, unless unanimous consent to suspend the requirement for thirty days is given by the board by the same notice as above.

ADOPTION OF BY-LAWS

I hereby attest that the HSHC board of directors adopted the above by-laws on the 27th
day of November 2015.

A handwritten signature in blue ink, appearing to read "La Monte", written over a horizontal line.

Attest: Secretary, Haines Ski and Hike Club, Inc.

P.O. Box 2508
Cincinnati OH 45201

In reply refer to: 0248225078
Mar. 30, 2016 LTR 4168C 0
47-2486233 000000 00

00023863
BODC: TE

HAINES SKI AND HIKE CLUB
% HAINES SKI AND HIKE CLUB
PO BOX 613
HAINES AK 99827-0613

*From I.R.S.
indicating
our
501(c)(03)
status.*

Employer ID Number: 47-2486233
Form 990 required: YES

Dear Taxpayer:

This is in response to your request dated *03/30*, 2016, regarding your tax-exempt status.

We issued you a determination letter in December 2014, recognizing you as tax-exempt under Internal Revenue Code (IRC) Section 501(c)(03).

Our records also indicate you're not a private foundation as defined under IRC Section 509(a) because you're described in IRC Sections 509(a)(1) and 170(b)(1)(A)(vi).

Donors can deduct contributions they make to you as provided in IRC Section 170. You're also qualified to receive tax deductible bequests, legacies, devises, transfers, or gifts under IRC Sections 2055, 2106, and 2522.

In the heading of this letter, we indicated whether you must file an annual information return. If a return is required, you must file Form 990, 990-EZ, 990-N, or 990-PF by the 15th day of the fifth month after the end of your annual accounting period. IRC Section 6033(j) provides that, if you don't file a required annual information return or notice for three consecutive years, your exempt status will be automatically revoked on the filing due date of the third required return or notice.

For tax forms, instructions, and publications, visit www.irs.gov or call 1-800-TAX-FORM (1-800-829-3676).

If you have questions, call 1-877-829-5500 between 8 a.m. and 5 p.m., local time, Monday through Friday (Alaska and Hawaii follow Pacific Time).

0248225078
Mar. 30, 2016 LTR 4168C 0
47-2486233 000000 00
00023864

HAINES SKI AND HIKE CLUB
% HAINES SKI AND HIKE CLUB
PO BOX 613
HAINES AK 99827-0613

Sincerely yours,

Doris P. Kenwright

Doris Kenwright, Operation Mgr.
Accounts Management Operations 1

From: Laurie Mastrella [mailto:l_mastrella@yahoo.com]
Sent: Monday, May 16, 2016 4:20 PM
To: Julie Cozzi
Subject: Ski Club tax exempt status

Hi Julie,

Please add the following statement to the Haines Ski and Hike Club's request for tax exempt status. Thank you,
Laurie Mastrella

The Haines Ski and Hike Club is requesting tax exempt status from the Haines Borough.

The Ski Club's mission is to "Improve, maintain, and develop recreation trails for public use, including skiing and hiking. Forge partnerships with government agencies, other organizations, and landowners. Promote outdoor recreation by hosting community events."

The Ski Club has been setting beautiful groomed ski trails in the Chilkat Valley for many years. Two years ago the Ski Club became a 501c3 nonprofit and received a grant for a state-of-the-art Ginzu classic and skate ski grooming machine. This year we were able to greatly expand our trails and at one point had over 15 miles of set track available for public use. The Ski Club is working toward obtaining a trailer for the Ginzu and a snow machine to pull it, to grow beyond dependence on private and State Parks equipment. The Ski Club has a small budget, is completely dependent upon volunteer labor for all activities, and relies on memberships and local fundraising to cover operational expenses. Tax exempt status will help keep expenses lower and will allow us to generate a few more dollars from fundraising activities such as our annual 10K race, the Miles Klehini Classic at 25 mile.

The Ski Club believes Haines has the potential to attract skiers from neighboring communities to enjoy world class nordic skiing. Thank you for considering our request.

From: Julie Cozzi
Sent: Thursday, May 05, 2016 12:00 PM
To: 'Jane pascoe'
Subject: RE: ski and hike club

Hi, Jane...

You are on the agenda for the May 24 meeting. As mentioned, please get me your statement no later than May 17.

Thanks for responding.

Julie

From: Jane pascoe [mailto:janeap@hotmail.com]
Sent: Thursday, May 05, 2016 11:40 AM
To: Julie Cozzi
Subject: ski and hike club

Hi Julie

Sorry...I did get your message and thought about writing the statement this morning and then got sidetracked.

Can you wait until the next meeting before putting it before the assembly?

I will get a statement to you from the club expressing why we need sales tax exemption.

The club is run on a shoestring and our fundraising efforts require purchases of goods including food , raffle prizes etc. It will really help to cut down costs if we dont have to pay sales tax.

Thanks

Jane

updated 5-15-15
Numerical

SALES TAX EXEMPT NON-PROFIT ORGANIZATIONS

The following non-profit organizations are registered and approved to be exempt from paying sales tax in the Haines Borough. ANY NON-PROFIT ORGANIZATION THAT IS NOT LISTED SHALL BE CHARGED SALES TAX FOR THEIR PURCHASES. Please encourage those who insist they are exempt and not on this list, to stop by the Haines Borough office for further information. For questions and updates, please call 766-2231. Thank you.

<u>EXEMPT #</u>	<u>NAME OF ORGANIZATION</u>
101	Lynn Canal Community Players Box 118, Haines, AK
103	Sheldon Museum & Cultural Center Chilkat Valley Historical Society Box 269, Haines, AK 99827
104	Ak. Chilkat Bald Eagle Preserve Foundation, Box 213, Haines, AK 99827
105	S.E. Alaska State Fair Box 385, Haines, AK 99827
106	Ak. Community Develop. Corp. 6250 Tuttle Place #5, Anchorage, AK 99507
107	Haines Headstart Box 192, Haines, AK 99827
108	Haines Chamber of Commerce Box 1449, Haines, AK 99827
109	Echo Ranch Bible Camp Box 156, Haines, AK 99827
110	Chilkat Center for the Arts Box 1004, Haines, AK 99827
111	Lynn Canal Counseling Services Box 90, Haines, AK 99827
112	Lynn Canal Broadcasting Box 1109, Haines, AK 99827
113	Chilkat Valley Pre-School Box 1165, Haines, AK 99827
114	Salvation Army Box 550, Haines, AK 99827
115	Klukwan Assembly of God Church Box 422, Haines, AK 99827
116	Tlingit-Haida Regional Housing Box 32237, Juneau, AK 99803
119	S.E. Ak. Area Council, Boy Scouts 9220 Lee Smith Drive Juneau, Alaska 99801
120	Sacred Heart Catholic Church Box 673, Haines, AK 99827

<u>EXEMPT #</u>	<u>NAME OF ORGANIZATION</u>
121	Tongass Alaska Girl Scouts Troops #98, #99, #100, #101, #104
122	Covenant Life Center HC 60, Box 2665, Haines, AK 99827
123	Covenant Life College HC 60, Box 2665, Haines, AK 99827
125	Friends of Recycling Box 822, Haines, AK 99827
127	Port Chilkoot Bible Church Box 156, Haines, AK 99827
128	Haines Presbyterian Church Box 264, Haines, AK 99827
129	Haines Christian Center/Assembly of God Box 730, Haines, AK 99827
132	Alaska Indian Arts, Inc. Box 271, Haines, AK 99827
133	American Bald Eagle Foundation Box 49, Haines, AK 99827
134	Hospice of Haines Box 1034, Haines, AK 99827
136	Haines Senior Citizen Center Inc. Box 801, Haines, AK 99827
136.1	Haines Senior Village Box 835, Haines, AK 99827
138	Haines Animal Rescue Kennel Box 1533, Haines, AK 99827
139	Tlingit-Haida Central Council 320 W. Willoughby, Suite 300 Juneau, AK 99801
140	Duck's Unlimited Haines Chapter Box 628, Haines, AK 99827
141	Friends of the Library Box 1089, Haines, AK 99827
142	Haines Arts Council Box 505, Haines, AK 99827
143	Church of Jesus Christ LDS Box 916, Haines, AK 99827
144	Rural Ak. Comm. Action Program (RURAL CAP) P.O. Box 200908, Anchorage, AK 99510
146	Haines Sportmans Assoc. Inc.

<u>EXEMPT #</u>	<u>NAME OF ORGANIZATION</u>
	Box 677, Haines, AK 99827
147	American Legion Post #12 Box 452, Haines, AK 99827
148	Lynn Canal Conservation, Inc. Box 964, Haines, AK 99827
150	Northern S.E. Regional Aquaculture Assoc. (NSRAA) Box 1263, Haines, AK 99827
151	REACH, Inc. Box 1484, Haines, AK 99827
153	S.E. Ak. Regional Health Consortium (SEARHC), Box 1549, Haines, AK 99827
155	Rainbow Glacier Camp Box 432, Haines, AK 99827
160	AWARE, Inc. P.O. Box 20809, Juneau, AK 99802
161	Nenana Ice Classic Box 00272 , Nenana, AK 99760
162	Big Brother Big Sister Box 148, Haines, AK 99827
163	Haines Dolphins Swim Team Box 1367, Haines, AK 99827
164	Tlingit Haida Regional Electrical Authority P.O. Box 210149 Auke Bay, AK 99821
165	Chilkoot Indian Association Box 490, Haines, AK 99827
166	Alaska Native Brotherhood & Sisterhood Box 749, Haines, Alaska 99827
167	The Hammer Museum Box 702, Haines, Alaska 99827
169	Catholic Community Services Haines Senior Center Box 801, Haines, AK 99827
170	Haines Assisted Living, Inc. (HAL) c/o Box 916, Haines, AK 99827 (formerly St. Vincent de Paul, St. Lucy Conference)
171	Takshanuk Watershed Council Box 1029, Haines, Alaska 99827
172	Haines Baptist Church Box 1245, Haines, Alaska 99827
173	American Red Cross of Alaska 3200 Hospital Dr., Suite 203 Juneau, AK 99801

<u>EXEMPT #</u>	<u>NAME OF ORGANIZATION</u>
174	Alaska Arts Confluence Box 1664, Haines, AK 99827
175	Impact Counseling Services, Inc. Box 631, Haines, AK 99827
176	The Alaska Community Foundation 400 L Street, Ste 100, Anchorage, AK 99501
177	S.E. Alaska Independent Living (SAIL) Box 183, Haines, AK 99827
178	Alaska Chilkoot Bear Foundation, Inc. Box 1188, Haines, AK 99827
179	St. Lucy's Senior Living Box 916, Haines, AK 99827
180	Uglys of Haines Box 698, Haines, AK 99827
181	Great Alaska Council, BSA 3117 Patterson St., Anchorage, AK 99504
182	New Hope Fellowship HC60 Box 3161, Haines, AK 99827
183	Great Bear Foundation of Montana Box 1616, Haines, AK 99827
184	Foundation for the Chilkat Center for the Arts Box 464, Haines, AK 99827
185	Becky's Place Haven of Hope Box 1506, Haines, AK 99827
186	Breast Cancer Detection Center of Alaska 1905 Cowles Street Fairbanks, AK 99701
187	Haines Hot Shots Box 250, Haines, AK 99827
188	NRA and Friends of NRA Box 1519 Fritz Cove, AK 99603
189	St. Vincent de Paul Society Diocesan Council of Southeast Alaska, Inc. 8617 Teal St. Juneau, AK 99801

SALES, SERVICES AND RENTALS TO OR BY A FOREIGN GOVERNMENT, THE U.S. GOVERNMENT, THE STATE OF ALASKA AND ITS POLITICAL SUBDIVISIONS AND MUNICIPALITIES AND THEIR POLITICAL SUBDIVISIONS ARE EXEMPT FROM SALES TAX. PAYMENT MUST BE MADE BY PURCHASE ORDER, GOVERNMENT CHECK, GOVERNMENT CHARGE CARDS OR THE SALE MUST BE BILLED TO THE GOVERNMENTAL ENTITY. CASH, PERSONAL CHECKS OR PERSONAL CHARGE CARDS FROM GOVERNMENT EMPLOYEES AT THE TIME OF THE SALE ARE NOT TAX-EXEMPT SALES. IF A CUSTOMER IS PERSONALLY KNOWN BY THE MERCHANT AND THE MERCHANT IS ASSURED THAT A PARTICULAR CASH SALE WOULD BE EXEMPT (SUCH AS A SCHOOL TEACHER PURCHASING A FEW SUPPLIES FOR HIS/HER CLASS FROM PETTY CASH FUNDS), THAT TYPE OF CASH SALE COULD BE SALES TAX EXEMPT