

**An Ordinance of the Haines Borough amending minor typographical errors and omissions in the previously adopted Minor Offense Ordinance.**

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 immediately following adoption.

**Section 4.** Amendment of Section 1.24.040. The Fine Schedule set forth in Section 1.24.040 of the Haines Borough Code is hereby amended as follows:

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

| Code Section | Offense Description   | Fine Amount |
|--------------|---|-------------|
| 15.12.020(D) | Failure to file required report by a person handling consumer <b><u>commodities</u></b> <del>quantities</del> of hazardous material or chemical | 300         |

**Section 5.** 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 a minor offense punishable by a fine 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 by a fine **of** \$500, plus any surcharge required to be imposed by AS 12.55.039. The permit may also be revoked through administrative proceedings.

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 punishable by a fine of \$500 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 6.** 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 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 **be** fined up to \$500 if the court determines the person committed the offense.

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

**Section 7.** Amendment of Section 10.06.030. The Fine Schedule set forth in Section 10.060.030 of the Haines Borough Code is hereby amended as follows:

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

| Code Section         | Offense Description                     | Fine Amount    |
|----------------------|---|----------------|
| <del>10.09.050</del> | <del>Dragging objects prohibited</del>  | <del>150</del> |
| 10.09.0 <u>560</u>   | Projecting load on passenger vehicles   | 20             |
| 10.09.0 <u>670</u>   | Carrying animals on outside of vehicles | 125            |

**Section 8.** Re-adoption of Chapter 10.34. Chapter 10.34 of the Haines Borough Code as it existed on June 13, 2016 is hereby re-adopted in full. It is the intent of the Borough Assembly that this ordinance correct the inadvertent repeal of Chapter 10.34 that was included in Section 26 of Ordinance No. 15-06-413, adopted on June 14, 2016.

Haines Borough  
Ordinance No. 16-09-443  
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ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS  
\_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

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Janice Hill, Mayor

ATTEST:

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Julie Cozzi, MMC, Borough Clerk

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| Date Introduced:               | 09/13/16 |
| Date of First Public Hearing:  | 09/27/16 |
| Date of Second Public Hearing: | 10/11/16 |