

From: [Rob Goldberg](#)
To: [Rob Goldberg](#); [Xi Cui](#); [Mark Earnest](#); [Julie Cozzi](#); [Stephanie Scott](#)
Subject: Updated 18.30.070 Proposed Revision
Date: Tuesday, September 10, 2013 3:30:48 PM

In conversations with Mark and Tracy this morning I was told that there is a section of code that deals with unpaid property tax, but not fines. I will add a section (subsection 4) below to clarify this.

-Rob

Rob Goldberg and Donna Catotti
Catotti and Goldberg Art Studio
PO Box 1154 Haines, AK 99827 USA
907-766-2707
artstudioalaska.com

From: Rob Goldberg <artstudioalaska@yahoo.com>
To: Tracy Cui <xcui@haines.ak.us>; Mark Earnest <mearnest@haines.ak.us>; Julie Cozzi <jcozzi@haines.ak.us>; Stephanie Scott <sscott@aptalaska.net>
Sent: Sunday, September 8, 2013 9:35 PM
Subject: 18.30.070 Proposed Revision

Dear Tracy, Mark, Julie and Stephanie,

The following is my suggestion for revising the code section re: penalties. I have separated the fees and penalties into A and B. The after the fact fees remain the same, but all other violations of Title 18 drop from \$300 to \$100. Also, the procedure for notifying violators is described. I see two types of violations - those that cost the Borough money (i.e. failure to report a construction project that doesn't get on the tax rolls) and those that don't (i.e. having too many chickens or failure to get a permit for temporary use of an RV as a residence). I think that in light of the recent fines and subsequent appeals for minor offenses, a letter of warning is warranted. This seems to me to be common courtesy. Also, a fine of \$100 seems adequate for these types of violations. I have underlined the proposed changes. My "strike through" function isn't working, but I think if you compare this to the current code you will see the changes. I also added dollar signs where there were none. Please let me know what you think.

-Rob

18.30.070 Fees and penalties.

A. The fees for various permits are as follows:

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 \$1,000.00
2. Penalty for violation of any section of Title 18 (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 Title 18, 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 ten (10) days to conform to the code. If the violation is not corrected within ten days a penalty of \$100.00 shall be assessed.
4. If a penalty is not paid within thirty (30) days, interest of 1.5% per month (18% annually) will accrue. If the penalty is not paid within one year, the sum will be added to the violator's property tax.

C. An applicant having been processed under a permit listed above, who subsequently encounters the requirement of another permit type, shall be charged the permit fee which is the highest, including any permit fees paid with the original application (i.e., an applicant who pays \$50.00 for a land use permit who then is required to apply for a variance shall be charged only \$150.00 for the entire process.)

D. Multiple buildings or improvements and/or multiple variance requests as part of a single application for the same site will be considered as one permit respectively and not subject to successive permit fees.

E. The planning commission may recommend to the assembly that charges and fees be stayed. The assembly may stay the fees under subsection (A) of this section if it is in the best interest of the municipality to do so and special circumstances warrant. The action must be made in writing and made part of the borough assembly's public record. (Ord. 06-06-146)

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