


Haines Borough
Borough Assembly Meeting #299
AGENDA

September 8, 2015 - 6:30 p.m.

Location: Assembly Chambers, Public Safety Bldg

Jan Hill,
Mayor

Dave Berry Jr.,
Assembly Member

Diana Lapham,
Assembly Member

Mike Case
Assembly Member

Joanne Waterman,
Assembly Member

George Campbell,
Assembly Member

Ron Jackson,
Assembly Member

David Sosa, MPA
Borough 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 Library Director Report
 - 8C – Accept Police Chief Report
 - 9A – Accept Public Safety Commission Minutes
 - 9B – Accept Library Advisory Board Minutes
 - 11A1 – Adopt Resolution 15-09-641
 - 11B1 – Introduce Ordinance 15-09-419 & Schedule Public Hearings
 - 11B2 – Introduce Ordinance 15-09-420 & Schedule Public Hearings
- * 4. **APPROVAL OF MINUTES – 8/25/15 Regular**
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**
***Important Reminder!** - Sign-up prior to or at the beginning of the assembly meeting is required in order to give testimony during a public hearing. It’s as easy as contacting the Clerk’s Office ahead of time to have your name added to the list or you can sign up yourself before the meeting starts. Written testimony is also welcome.*
 - A. **Ordinance 15-06-413** – Second 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.
*This ordinance is recommended by the borough manager and was introduced on 6/9/15. At that time, it was referred for review by the Government Affairs & Services Committee and the Public Safety Commission and has since then also been referred to other groups such as the Port & Harbor Advisory Committee to look at pertinent sections. The first hearing was on 8/25/15. **Motion:** Adopt Ordinance 15-06-413.*
 - B. **Ordinance 15-08-418** – Second Hearing
An Ordinance of the Haines Borough amending Haines Borough Code Title 13, Section 13.08.260 to allow the discharge of cooling water into the municipal sewer system with specific approval from a designated borough official.
*This ordinance is recommended by the borough manager and was introduced on 8/11/15. The first hearing was on 8/25/15. **Motion:** Adopt Ordinance 15-08-418.*
8. **STAFF/FACILITY REPORTS**
 - A. Borough Manager – 9/8/15 Report
 - * B. Library Director – Report of July 2015
 - * C. Chief of Police – Report
9. **COMMITTEE/COMMISSION/BOARD REPORTS & MINUTES**
 - * A. Public Safety Commission – Minutes of 4/13/15
 - * B. Library Advisory Board – Minutes of 7/24/15
 - C. Assembly Board Liaison Reports
 - D. Assembly Standing Committee Reports

10. UNFINISHED BUSINESS

11. NEW BUSINESS

A. Resolutions

*** 1. Resolution 15-09-641**

A Resolution of the Haines Borough Assembly Appointing Election Officials for the Regular Election to be held October 6, 2015, and establishing the wages.

*This resolution is required by HBC 11.40.010. **Motion:** Adopt Resolution 15-09-641.*

2. Resolution 15-09-642

A Resolution of the Haines Borough Assembly adopting the Borough's 2016 federal priorities.

*This resolution is recommended by the borough manager and the Government Affairs and Services Committee. **Motion:** Adopt Resolution 15-09-642.*

3. Resolution 15-09-643

A Resolution of the Haines Borough Assembly adopting the Haines Borough Multi-Hazard Mitigation Plan.

*This resolution is recommended by the borough manager. **Motion:** Adopt Resolution 15-09-643.*

4. Resolution 15-09-644

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a purchase order with the U.S. Coast Guard in Sitka to purchase three biomass boilers and all associated equipment for an amount not to exceed \$60,000.

*This resolution is recommended by the borough manager. **Motion:** Adopt Resolution 15-09-644.*

B. Ordinances for Introduction

*** 1. Ordinance 15-09-419**

An Ordinance of the Haines Borough amending Title 11, Section 11.28.010 to change the ballot instructions to match the 2014 charter and code amendments that eliminated the requirement to get 40% of the vote in order to be elected.

*This is a housekeeping ordinance recommended by the borough clerk. **Motion:** Introduce Ordinance 15-09-419 and set a first public hearing for 9/22/15 and a second public hearing for 10/13/15.*

*** 2. Ordinance 15-09-420**

An Ordinance of the Haines Borough amending Haines Borough Code Title 18 Section 18.100.025 to allow a nonconforming lot when it is created as a result of the borough acquiring a portion of a lot to be used exclusively for public utility purposes in the best interest of the borough.

*This ordinance is recommended by staff. The planning commission will review it on 9/10/15 and make a recommendation prior to the first hearing. **Motion:** Introduce Ordinance 15-09-420 and set a first public hearing for 9/22/15 and a second public hearing for 10/13/15.*

C. Other New Business

1. Hire Confirmation – Director of Public Facilities

*This is a department head position hired by the borough manager but it must be confirmed by the assembly. **Motion:** Confirm the borough manager's decision to hire Brad Ryan as Director of Public Facilities.*

12. CORRESPONDENCE/REQUESTS

13. SET MEETING DATES

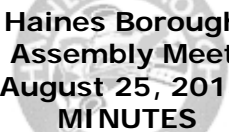
A. Election Canvass – Tuesday, October 13, 6:00 p.m.

B. Assembly Committee of the Whole – either Wednesday, September 23 or Thursday, September 24, 5:00 p.m. - Topic: Noise Study Presentation

14. PUBLIC COMMENTS

15. ANNOUNCEMENTS/ASSEMBLY COMMENTS

16. ADJOURNMENT


Haines Borough
Borough Assembly Meeting #298
August 25, 2015
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**, George **CAMPBELL**, Mike **CASE**, Dave **BERRY, Jr.**, Joanne **WATERMAN**, and Ron **JACKSON**.

Staff Present: David **SOSA**/Borough Manager, Julie **COZZI**/Borough Clerk, Robert **GRIFFITHS**/Chief of Police, Jila **STUART**/Chief Fiscal Officer, Dean **OLSEN**/Assessor, Tina **OLSEN**/Accountant, Helen **ALTEN**/Museum Director, and **Jennifer WALSH**/Firefighter-Training Officer.

Visitors Present: Karen **GARCIA**/CVN, Emily **FILES**/KHNS, Don **TURNER Jr.**, Kyle **PONSFORD**, David **Shuart**, Mike **WILSON**, Mike **DENKER**, Vince **HANSEN**, Valery **MCCANDLESS**, Margaret **FRIEDENAUER**, Bob and Sally **LIX**, Kathy **GRIFFITHS**, Bill **MCCORD**, Tim **HOLM**, Shane **HORTON**, and others.

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

The following Items were on the published consent agenda:

Consent Agenda:

- 4 – Approve Assembly Meeting Minutes
- 8B – Accept Library Report
- 9A – Accept Library Board Minutes
- 9B – Accept Parks & Rec Committee Minutes
- 9C – Accept Planning Commission Minutes
- 11A1 – Resolution 15-08-638
- 11A2 – Resolution 15-08-639

Motion: **BERRY** moved to “approve the agenda/consent agenda,” and the motion to approve the agenda/consent agenda carried unanimously.

* 4. **APPROVAL OF MINUTES** – 8/11/15 Regular

The motion adopted by approval of the consent agenda: “approve minutes of the 8/11/15 borough assembly regular meeting.”

5. **PUBLIC COMMENTS**

HANSEN and **MCCANDLESS** – Support the revised resolution to grant a Community Purpose Exemption for Level Two of the Veteran’s Center.

6. **MAYOR’S COMMENTS/REPORT**

Mayor **HILL** reported on the recent AML Summer Conference she recently attended in Ketchikan. Thirty mayors attended, and the Governor paid a visit. Those in attendance helped to develop the AML legislative priorities. The greatest attendance was the conference session with the ABC Board providing an update on the marijuana initiative. The 2017 AML Summer Conference will be in Haines. Regarding the tragic landslide in Sitka, she said Governor Walker was moved to tears over it. She extended to the Sitka manager condolences on behalf of Haines. Finally, the mayor sought volunteers for the Community Nonprofit Funding ad hoc committee. A meeting will be scheduled soon.

Motion to Reconsider: **WATERMAN** moved to “reconsider the vote to approve the agenda,” and the motion carried unanimously.

Motion: **CAMPBELL** moved to “amend the agenda to move item 11A3 ahead of the Public Hearings,” and the motion carried unanimously.

The motion to approve the agenda/consent agenda, as amended, carried unanimously.

11. A.3. **Resolution 15-08-640** (moved to this place during approval of the agenda).

A Resolution of the Haines Borough Assembly approving in response to an application from Haines Assisted Living, Inc., as recommended by the borough assessor, a partial community purpose exemption for the Level Two apartments of the Soboleff-McRae Veterans Village.

Mayor **HILL** asked for public comment.

MCCANDLESS - One small correction needed to include age in the parenthetical list of eligibility criteria, and Mayor **HILL** explained it will be corrected administratively.

S.LIX – Appreciates the resolution very much.

Motion: **CAMPBELL** moved to “adopt the revised version of Resolution 15-08-640 provided in the meeting folder,” and the motion carried unanimously in a roll call vote.

7. PUBLIC HEARINGS

A. 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.

Mayor **HILL** opened the public hearing at 6:53 p.m.

PONSFORD – Concerned about the constitutionality of the ordinance.

TURNER – Would like this ordinance to pass sooner than later but does have some concern with which employees will be able to issue citations.

HORTON – Wants the borough to completely clean up the existing code before doing anything else. Get rid of unnecessary or unenforceable laws.

HOLM – Clean up the code first and then consider this.

Hearing no further comments, the mayor closed the public hearing at 7:02 p.m.

Note: The assembly already scheduled the second hearing for 9/8/15. No motion was needed now unless the second hearing date needed to change or some other action was desired.

B. Ordinance 15-08-418 – First Hearing

An Ordinance of the Haines Borough amending Haines Borough Code Title 13, Section 13.08.260 to allow the discharge of cooling water into the municipal sewer system with specific approval from a designated borough official.

Mayor **HILL** opened and closed the public hearing at 7:21 p.m.; there were no public comments.

Note: The assembly already scheduled the second hearing for 9/8/15. No motion was needed now unless the second hearing date needed to change or some other action was desired.

8. STAFF/FACILITY REPORTS

A. Borough Manager – 8/25/15 Report

The manager summarized his written report. **CAMPBELL** and **JACKSON** had questions about the downgrading of the Klehini Valley Volunteer Fire Department's certification. **SOSA** said he needs to look at the issues and determine needed steps to help address them.

*** B. Public Library – Report of June 2015**

9. COMMITTEE/COMMISSION/BOARD REPORTS & MINUTES

*** A. Library Advisory Board – Minutes of 6/17/15**

*** B. Parks & Recreation Advisory Committee – Minutes of 7/17/15**

*** C. Planning Commission – Minutes of 7/9/15**

D. Public Safety Commission – FYI Citizen Comments re. FSA 3

Note: assembly comments were made under the Borough Manager's report (8A)

E. Assembly Board Liaison Reports

JACKSON – Public Safety Commission

CASE – Planning Commission

LAPHAM – Museum Board of Trustees and Library Board of Trustees

WATERMAN – Port and Harbor Advisory Committee

F. Assembly Standing Committee Reports

10. UNFINISHED BUSINESS - None

11. NEW BUSINESS

A. Resolutions

*** 1. Resolution 15-08-638**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to enter into a contract with Machineworks to provide 2015-2016 janitorial services for the Borough Administration Building and specified areas in the Public Safety Building for an amount not to exceed \$16,910.

The motion adopted by approval of the consent agenda: "adopt Resolution 15-08-638."

*** 2. Resolution 15-08-639**

A Resolution of the Assembly of Haines Borough, Alaska, authorizing the issuance of a general obligation bond of the Borough in a principal amount not to exceed \$1,375,000 to finance a portion of the cost of capital improvements to Haines High School, as authorized by Ordinance No. 14-07-388 and ratified by the Borough's voters at an election held on October 7, 2014; authorizing tax levies to pay the principal thereof and interest thereon; and authorizing the sale of the bond to the Alaska Municipal Bond Bank on the terms and conditions provided in this resolution.

The motion adopted by approval of the consent agenda: "adopt Resolution 15-08-639."

3. Resolution 15-08-640 - This item was moved ahead of Item 7 during approval of the agenda.

B. Ordinances for Introduction - None

C. Other New Business - None

12. CORRESPONDENCE/REQUESTS

13. SET MEETING DATES

A. Government Affairs & Services - Monday, 8/31, 6:30pm, Topic: Minor Offenses Ordinance

B. Government Affairs & Services - Tuesday, 9/1, 6:30pm, Topic(s): Federal, Legislative, and Local Priorities

14. PUBLIC COMMENTS

S.LIX – Asked for microphones on the dais so the audience can hear the assembly better.

MCCORD – 1) Wants a town hall meeting to discuss the hiring of a police chief, and 2) believes he has a right to see the draft report of the police audit.

15. ANNOUNCEMENTS/ASSEMBLY COMMENTS

CAMPBELL – Appreciates all of the hard work by the assembly, committees, and boards.

CASE – He has received universal praise for the job the interim police chief is doing.

16. ADJOURNMENT – 7:50 p.m.

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

ATTEST:

Janice Hill, Mayor

Julie Cozzi, MMC, Borough Clerk



Haines Borough
Assembly Agenda Bill

Agenda Bill No.: 15-576

Assembly Meeting Date: 9/8/15

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 2. Memo from the Clerk re. Cross Reference Amendment 3. PowerPoint Presentation 4. Proposed Fine Tables with Existing Penalties for Comparison 5. 6/30/15 Attorney Memo
Originator: Borough Attorney	
Originating Department:	
Date Submitted: 6/1/15	

Full Title/Motion:
Motion: Adopt Ordinance 15-06-413.

Administrative Recommendation:
The borough manager and borough attorney recommend this.

Fiscal Impact:

Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$ none	\$ n/a	\$ n/a	fines to borough rather than court

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

Summary Statement:
April 2013, a district court ruling came out requiring a comprehensive fine schedule. What this means is municipalities need to create official fine schedules with precise amounts for municipal violations. The borough attorneys worked for many months on a full review and revision of borough code to bring us into compliance. The draft was reviewed by the court system and is acceptable to them. On 6/9/15, the assembly introduced the ordinance and later referred it for review by the Government Affairs & Services Committee and the Public Safety Commission and scheduled the public hearings for 8/25/15 and 9/8/15.

Staff prepared a brief set of PowerPoint slides to provide some explanation. Additionally, a document was put together comparing the current penalties with the proposed fines. A memo from the clerk points out an incorrect cross reference that should be amended prior to adoption.

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

Assembly Action:
Meeting Date(s): 6/9, 7/14, 8/25, 9/8/15 Public Hearing Date(s): 8/25, 9/8/15
Postponed to Date:

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 is effective upon adoption.

Section 4. 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 convicted of an infraction or violation of any provision of this code, or any rule or regulation adopted or issued pursuant to this code, is guilty of a minor offense as that term is defined in the Alaska Rules of Minor Offense Procedure and shall be punished by a fine of not more than five hundred (\$500) dollars.

B. In addition to any other remedies or penalties which 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.

1.24.015 Surcharge required

In addition to any penalty prescribed by law, a defendant convicted of violating 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, the borough manager, or that borough official responsible for the administration and enforcement of the code provision which has been violated.

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 guilty, the penalty imposed for the offense may not exceed the fine schedule amount listed below for that offense. Citations charging these offenses must meet the requirements of the Rules of Minor Offense Procedure. The fines set forth below may not be judicially reduced.

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
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

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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 vehicle / tour vehicle permit	100
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

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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
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

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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
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

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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

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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
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

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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 safety	100
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	100

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	construction in Picture Park restricted area	
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
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	50

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	other transportation system	
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
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	100

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	harbor facilities	
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 animals	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 harbor facilities	100
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
18.40.010	Land use permit required	250
18.40.040(A)	Temporary use permit required	250
18.40.040(B)	Exceeding scope of temporary permit	100
18.50.020	Conditional use permit required	250

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18.70.030(A)	Violating restrictions in townsite planning/zoning district	100
18.70.030(B)	Violating restrictions in Mud Bay planning/zoning district	100
18.70.030(B)(3)(g)	Setback violation	100
18.70.030(B)(3)(h)	Maintaining a prohibited use in RRZ	100
18.70.030(B)(4)(f)	Maintaining a prohibited use in Cannery Zone	100
18.70.030(C)	Violating restrictions in Lutak Inlet planning/zoning district	100
18.70.030(C)(3)(f)	Maintaining a prohibited use in RRZ	100
18.70.030(C)(3)(h)	Setback violation	100
18.70.030(C)(3)(i)	Building height violation	100
18.70.030(C)(3)(j)	Sign violation	100
18.70.030(C)(3)(k)	Use of RV as permanent dwelling or excessive RV's on property	100
18.70.030(C)(3)(l)	Noise violation	100
18.70.030(C)(4)(f)	Maintaining a prohibited use in Riparian Zone	100
18.70.030(D)	Violating restrictions in general use planning/zoning district	100
18.80.030(A)	Setback violation	100
18.80.040	Unlawful parking provided	100
18.90.030(A)	Failure to obtain sign permit	250
18.90.040	Excessive number of signs	100
18.90.050(B)	Projecting sign violation	100
18.90.050(C)	Portable sign obscuring traffic or sight angles	100
18.90.070	Prohibited sign in use	100
18.90.080(C)	Prohibited sign in Significant structures area zone	100

18.90.100(B)	Prohibited sign in residential zoning districts	100
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1.24.060 Attempt to commit minor offense prohibited.

A. Every person who attempts to commit a minor offense but fails or is prevented or is intercepted in its perpetration is guilty of a minor offense and shall be punished in the manner prescribed for the infraction itself.

B. In a prosecution under this section, it is not a defense to the charge that it was factually or legally impossible to commit the offense allegedly attempted if the conduct engaged in by the defendant would be an offense had the circumstances been as defendant believed them to be.

1.24.070 Aiding or Abetting minor offense prohibited.

Every person who counsels, abets, or aids another in committing a minor offense is equally guilty of the minor offense and punishable in the same way.

1.24.080 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.

1.24.090 Definitions.

For purposes of this chapter, the following terms are defined as follows:

“Attempt” means engage in conduct that constitutes a substantial step toward commission of an offense.

“Solicit” means to ask, advise, authorize, command, incite, or urge.

Section 5. 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, 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 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 6. Amendment of Section 2.96.010. Section 2.96.010 of the Haines Borough Code is hereby repealed and reenacted as Section 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 7. 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 is guilty of a minor offense, ~~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 8. 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 is guilty of a minor offense ~~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 a business operates without a license or in violation of the license, each of which shall constitute a separate offense, up to a maximum total fine of \$1,000.**

Section 9. 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 offense punishable~~ **a minor offense which, upon conviction, shall be punishable** 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~~ **of \$500**, 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 10. 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 chapter or a provision of any permit issued under this chapter 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 any such person.

Section 11. 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 12. 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 13. 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, upon conviction, is guilty of a minor offense and punishable by a fine of up to \$500.** ~~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 is guilty of a minor offense ~~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 14. 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 15. 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.

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. In any such proceeding, the borough shall be entitled to collect a civil penalty in the same amount of the fine established by this Title and HBC 1.24.040 for the same violation for every day the violation exists.

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 16. 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 17. 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:

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

Section 18. 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

8.18.080 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 19. 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 **and the borough 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 1.24 HBC. Any person convicted of a violation of this chapter is guilty of 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 20. 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 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 21. Repeal of Chapter 9.01. Chapter 9.01 of the Haines Borough Code is hereby repealed in its entirety.

Section 22. Amendment of Section 9.08.030. 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 23. 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 shall be guilty of a violation and subject to a fine of ~~not more than~~ \$250.00.

Section 24. 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 the 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 guilty, the penalty imposed for the offense may not exceed the amount listed for that offense on the schedule. Citations charging these offenses must meet the requirements of Minor Offense Rule 3 of the Alaska Rules of Court. If an offense is not listed on the fine schedule, the defendant must appear in court to answer to the charges.

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 guilty, 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
10.08.010	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
10.08.070	Carrying animals on outside of vehicles	125
10.08.080(A)	Use Of coaster, roller skates, sleds or skis on roadway	25
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
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

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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 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, upon conviction payment of the fine imposed plus the state surcharge required by AS 12.55.039 and AS 29.25.074.

Section 25. 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 26. Addition of new Chapter 10.08. There is enacted a new Chapter 10.08 of the Haines Borough Code to read as follows:

Chapter 10.08 Miscellaneous offenses

10.08.010 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.

10.08.020 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.

10.08.030 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.

10.08.040 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.

10.08.050 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.

10.08.060 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.

10.08.080 Use of coaster, roller skates, sleds and skis.

A. No person upon roller skates, skis, 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, skis, 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 27. Repeal of Section 10.34.050. Section 10.34.050 of the Haines Borough Code is hereby repealed.

Section 28. 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 29. Repeal 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 30. 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 31. 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 32. 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** ~~9.04~~ HBC.

B. Penalties. Violations of this chapter are subject to the ~~same penalties as~~ provided in Chapters 1.24 ~~and 9.04~~ HBC.

Section 33. 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 34. 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 Chapter 1.24 HBC for each offense. Each day a property that is required to be connected to the sewer system is not connected constitutes a separate offense.

Section 35. 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 is guilty of a minor offense subject to penalty as set forth in Chapter 1.24 HBC for each offense. Each day 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 36. 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 37. 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 38. Amendment of Section 14.34.020. Section 14.34.020 of the Haines Borough Code is hereby repealed.

Section 39. 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 40. 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, borough manager, or his designee may cite an offender for a violation of any provision of this title.** ~~and may be assisted therein by the chief of police.~~

Section 41. 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 42. 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 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 43. 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 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 44. 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 Chapter 1.24 HBC.** ~~receive a citation unless otherwise required by law or the circumstances.~~

Section 45. 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 46. 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 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.~~

Section 47. Amendment of Section 18.30.070. Section 18.30.070 of the Haines Borough Code is hereby amended as follows:

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

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 Late fees

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. Penalties for violations of this title are as set forth in HBC 18.30.080, 18.30.090, and 1.24. ~~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~~ when the violator applies for the permit or submits the declaration. ~~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 fee or 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.

C. An applicant having been processed under a permit listed above, who is subsequently required to obtain ~~encounters the requirement of another~~ type of permit for the same action or project on the same property ~~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.

Section 48. Amendment of Section 18.30.080. Section 18.30.080 of the Haines Borough Code is hereby amended as follows:

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

18.30.080 Compliance.

Any use may be ordered to cease by the manager or his designee if in conflict with the provisions of this title, or if the terms and conditions of any rezoning, or commission approval, or manager approval are violated. The borough assembly may establish by resolution and enforcement priority for violations of this title.

A. Violation Complaint. Any person may bring to the attention of the manager suspected violations of this title. The complaint must be in writing and must include the full name of the person making the complaint.

B. **Administrative Enforcement Order.** After a violation has been discovered, investigated and verified, the manager **may begin administrative enforcement proceedings, and shall begin enforcement proceedings if a permit or other valuable license is to be revoked.**

1. Administrative enforcement order. To initiate an administrative enforcement action, the manager shall notify, by written finding, the person responsible for the violation and the property owner by personal notice, certified mail or notice posted on the site of the violation. The finding shall specify the violation(s) and order abatement and may also (but is not required to) specify the range of fines or penalties to be imposed, **and shall include notice indicating if a permit or variance can be revoked as a result of the violation pursuant to HBC 18.30.090(B).** The finding shall direct the person to cease the violation, or appeal the finding within two days after receipt or posting of the notice, as the case may be. All violation notices will be reported by the manager to the commission at its next regular meeting and the manager shall keep a copy of the violation notice in the permanent record.

2. Planning Commission Review. Upon application of the developer, the commission shall review the enforcement order at its next regular meeting. The review shall be limited to the presence of the violations stated in the enforcement order, and in such review, the burden of proof shall be upon the developer to prove that the violations do not exist. The commission, by majority motion, may modify or rescind the enforcement order, **and may impose any penalty authorized by this Title, including suspension or revocation or any permit, variance, or other authorization.**

C. Minor offense. In addition to any administrative enforcement proceedings, it is a minor offense for any person to fail to obtain a required permit, or to violate any conditions attached to a permit issued under this Title. The manager may at any time cause a citation to be issued to a person responsible for a violation of this title and the owner of the property upon which the violation occurs. All minor offenses are subject to the provisions of HBC Chapter 1.24.

Section 49. Amendment of Section 18.30.090. Section 18.30.090 of the Haines Borough Code is hereby amended as follows:

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

18.30.090 Violations, penalties and remedies.

A. Generally. All remedies hereunder are cumulative and are in addition to those existing at law or equity. Each act in violation of this title and every day a violation of this title exists may be considered to constitute a separate violation.

B. Suspension or Revocation.

1. The planning commission may suspend or revoke a permit **for any violation of this Title, or** whenever the approval **for a permit is** granted ~~is~~ in error or ~~is~~ on the basis of incorrect information supplied **by the applicant,** or ~~in~~ **if the applicant commits a** violation of any ordinance or regulation or any provision of this code. Before taking any action to revoke or suspend a permit or variance, the planning commission shall give the permit owner and/or the owner of the property ~~20~~ **not less than 10** days' written notice by certified U.S. mail in advance of the date of hearing, of the subject of the hearing, and of the date, time, and place of the hearing. This notice is complete upon mailing.

2. The planning commission shall thereafter hold the hearing at the time and place set forth in the notice. At the hearing, the permittee may present evidence on the permittee's behalf and may cross-examine witnesses. The burden of proof is on the planning commission. After the hearing, the planning commission shall make written findings of fact from the evidence supporting the conclusion that the permittee has failed to comply with the conditions of the permit or variance (in cases were the permit or variance is revoked or suspended), or the permittee has not failed to comply with the conditions of the permit or variance (in cases were the permit or variance is not revoked or suspended). The findings shall be embodied in **a** formal resolution that the planning commission shall retain permanently.

3. After the variance or permit has been revoked or suspended, the permittee shall thereafter immediately discontinue the use of the property for which the permit or variance had originally been granted. If, after ~~the~~ a permit or variance has been revoked or suspended, the permittee does not immediately discontinue the use of the property for which the permit or variance had originally been granted, a civil penalty not to exceed ~~\$500~~ ~~300.00~~ for each day of continuing violation may be imposed. The manager, on behalf of the borough, or the planning commission, may also apply to the superior court for an injunction to restrain the former permittee from using the land for the purposes previously authorized in the permit or variance.

C. Civil Remedies. Upon violation of any of the provisions of this title, or any of the conditions placed upon any permit issued pursuant hereto, the manager, on behalf of the borough or any aggrieved citizen, may institute or cause to be instituted any appropriate civil action to prevent, enjoin, abate, stop, remove or punish such violation and to obtain monetary damages suffered by such party. In addition to injunctive and compensatory relief, each violation shall be subject to a civil penalty not to exceed **\$500 for each violation or each day a violation exists.** ~~1,000.~~ An action to enjoin a violation of this title may be brought notwithstanding the availability of any other remedy. Upon application for injunctive relief and the finding of an existing or threatened violation, the court shall grant injunctive relief to restrain the violation. Each person violating the terms of this title shall be required to reimburse the municipality for **all reasonable** administrative and legal costs ~~commensurate with the activity relating~~ **incurred to enforce this Title or to correct** ~~to~~ the violation.

D. ~~Criminal~~ **Minor Offense** Remedies. Every act where **Failing to obtain a required permit or variance,** the maintenance of any condition prohibited by this title, ~~or by~~ **and a**

violation of any condition placed upon any permit issued pursuant hereto, is unlawful, ~~and the willful commission of such act or maintenance of such condition is a misdemeanor.~~ Every person convicted of a **who commits a** violation of any provision of this title or of any condition placed upon any permit issued pursuant hereto shall be punished by a fine **as set forth in HBC 1.24.040, or if no fine is there established,** of not more than \$~~500~~^{1,000} **for each offense.** Each unlawful act or condition, and every day upon which such shall occur after date of notification, shall constitute a separate violation of this section. **A minor offense cannot result in the loss of a valuable license or permit under this title, but shall be subject to the penalties and procedures set forth in Chapter 1.24 HBC.**

E. Parties. A proper party for any enforcement action under subsection (B) of this section shall include, but shall not be limited to, the owner of the site or any part thereof; any lessee or occupant of the site or any part thereof; the developer, the developer's agents, contractors and subcontractors, and employees who participate in, assist, commit, or maintain a violation.

F. Remedies Applicable to Subdivision Regulations. It is unlawful for any owner, lessee or agent to partition, sell, transfer, lease or offer or agree to partition, sell, lease or transfer any land which results in a subdivision as defined by this title before a final plat of the subdivision has been duly approved and recorded in accordance with the provisions of this chapter and state law. No person may file or record a subdivision plat in any public office unless the plat bears the signatures of the chair of the planning commission and the mayor. The borough may enjoin any partition, lease, transfer or sale of land that would result in an unlawful subdivision. Following an unlawful partition, transfer, lease or sale, the borough may enjoin any further transfer or sale of all unlawfully subdivided parcels until such time as the parcels are duly subdivided or returned to common ownership.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS ____ DAY OF _____, 2015.

ATTEST:

Janice Hill, Mayor

Julie Cozzi, Borough Clerk

Date Introduced: 06/09/15
Date of First Public Hearing: 08/25/15
Date of Second Public Hearing: 09/08/15



Memo from the Clerk

Date: September 9, 2015
To: Mayor and Assembly
Cc: Borough Manager
From: Julie Cozzi, MMC, Borough Clerk
Re: Ordinance 15-06-413 – Minor Offenses - Cross Reference Amendment

While working on another community's minor offense ordinance, the attorney noticed that the current draft of Haines Borough's Ordinance 15-06-413 contains an incorrect cross reference in the proposed HBC10.06.020(B) subsection. The cross reference of 1.24.040 should instead reference 10.06.030, which is the subsequent section in the ordinance and the one that actually contains the bail schedule for traffic offenses.

Suggested amendment motion offered by the Clerk:

I move to amend Ordinance 15-06-413, as follows:

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 guilty, the penalty imposed for the offense may not exceed the amount listed for that offense on the schedule. Citations charging these offenses must meet the requirements of Minor Offense Rule 3 of the Alaska Rules of Court. If an offense is not listed on the fine schedule, the defendant must appear in court to answer to the charges.

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



MINOR OFFENSES

HB Ordinance 15-06-413

Purpose of Minor Offense and Fine Schedule Ordinance

- Bring Haines into Compliance with New Court System Rules
 - 2013 Alaska Rules of Minor Offense Procedure (RMOP)
 - A uniform system for low level infractions
- Minor Offenses
 - Low level infractions
 - Don't rise to the level of a misdemeanor
 - E.g. Leash law violations, traffic tickets
- Can be contested just like traffic tickets by going to court. This ensures that individual rights are fully protected.

WHAT IS RECOMMENDED FOR CHANGE?

- Administrative enforcement issues become minor offenses
 - Example – Sign violations, nuisance violations such as excessive trash
- Minor Offenses are either:
 - Paid without being contested or
 - Heard by the magistrate
- All traffic violations are removed from Borough Code
 - They are incorporated by reference to state law
 - Citations still read that a Borough law has been violated

GOAL OF THE MINOR INFRACTIONS LAW

- Increase transparency and make it clear to everyone what items are listed as offenses within code
- “Facilitate enforcement through the court system of laws that are already on the books, not to outlaw activities that are currently legal. The ordinance is not intended to change the substance of borough code.” From Borough Attorney’s letter
- Eliminate ordinances that are redundant or unnecessary
- Align some penalties with state law
- Change some offenses that are currently misdemeanors to minor offenses
 - Example – Failure to obtain a business license is is currently a misdemeanor

EXAMPLE – Mooring in Harbor Without Payment

HBC Code 16.16.190

- Currently
 - 1st Violation \$ 50
 - 2nd Violation \$100
 - 3rd Violation \$150
 - Harbormaster advises owner
 - No compliance – Letter written with invoice.
 - Finance follows up with added penalties and interest
 - Possible Small Claims Court
- Proposed
 - Each Violation \$100
 - Harbormaster advises owner
 - No compliance – Ticket written
 - Ticket has court date owner can pay it or protest to the magistrate
 - Owner could protest magistrate's ruling to superior court, etc.

SOME CONCERNS THAT MAY NEED TO BE ADDRESSED

- Addressing additional redundant or “unnecessary” laws
 - Recommend identifying items of concerns and tasking the GASC to review each law, solicit public input, and make a recommendation to the Assembly
- Training or certification of those writing citations
 - Can be addressed within code or through policy

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 guilty, the penalty imposed for the offense may not exceed the fine schedule amount listed below for that offense. Citations charging these offenses must meet the requirements of the Rules of Minor Offense Procedure. The fines set forth below may not be judicially reduced.

Code Section	Offense Description	Fine Amount	Current Penalty
3.80.035(D)	Failure of operator to collect and/or remit sales tax for rental space	300	Unclassified Misdemeanor HBC 3.80.260 Up to \$10,000 fine and one year in jail
3.80.080	Failure to identify and add amount of sales tax to taxable transaction (except as exempted by 3.80.040)	300	Unclassified Misdemeanor HBC 3.80.260 Up to \$10,000 fine and one year in jail
3.80.090(A)	Failure to timely file sales tax returns	300	Unclassified Misdemeanor HBC 3.80.260 Up to \$10,000 fine and one year in jail
3.80.090(B)	Failure to remit taxes with returns	300	Unclassified Misdemeanor HBC 3.80.260 Up to \$10,000 fine and one year in jail
3.80.170 and 5.02.010	Failure to obtain business license	300	Classified Misdemeanor HBC 3.80.260 & 5.02.020 (up to 30 days jail and/or a \$1,000 fine)
3.80.190(A)	Failure to file final sales tax return	300	Unclassified Misdemeanor HBC 3.80.260
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)
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)
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)
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)
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)

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)
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)
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)
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
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)
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)
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)
5.18.015	Commercial tour permit required	500	HBC 5.04.140(A) - Not exceeding \$300 plus required state surcharge (AS 12.55.039)
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)
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 <u>City-Borough</u> 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)

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)
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)
5.22.040(E)	Leaving commercial vehicle unattended	100	HBC 1.24 - Up to \$300 plus state surcharge when applicable (AS 12.55.039)
5.22.040(F)	Improper signage	100	HBC 1.24 - Up to \$300 plus state surcharge when applicable (AS 12.55.039)
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)
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)
6.08.010(A)	Dog license required	Altered dog: \$50	HBC 6.08.130 1 st violation - \$25 2 nd violation - \$50 3 rd violation - \$100
6.08.010(A)	Dog license required	Unaltered dog: \$150	HBC 6.08.130 1 st violation - \$75 2 nd violation - \$150 3 rd violation - \$300
6.08.010(D)	Failure to display tag	Altered dog: \$50	HBC 6.08.130 1 st violation - \$25 2 nd violation - \$50 3 rd violation - \$100
6.08.010(D)	Failure to display tag	Unaltered dog: \$150	HBC 6.08.130 1 st violation - \$75 2 nd violation - \$150 3 rd violation - \$300
6.08.010(F)	Failure to obtain kennel permit	Altered dog: \$50	HBC 6.08.130 1 st violation - \$25 2 nd violation - \$50 3 rd violation - \$100
6.08.010(F)	Failure to obtain kennel permit	Unaltered dog: \$150	HBC 6.08.130 1 st violation - \$75 2 nd violation - \$150 3 rd violation - \$300
6.08.010(H)	Using dog license receipt or license tag issued for another dog	Altered dog: \$50	HBC 6.08.130 1 st violation - \$25 2 nd violation - \$50 3 rd violation - \$100
6.08.010(H)	Using dog license receipt or license tag issued for another dog	Unaltered dog: \$150	HBC 6.08.130 1 st violation - \$75 2 nd violation - \$150 3 rd violation - \$300

6.08.020(A)	At-large dog	Altered dog: \$50	HBC 6.08.130 1 st violation - \$25 2 nd violation - \$50 3 rd violation - \$100
6.08.020(A)	At-large dog	Unaltered dog: \$150	HBC 6.08.130 1 st violation - \$75 2 nd violation - \$150 3 rd violation - \$300
6.08.020(B)	Barking, howling, or other noises	Altered dog: \$50	HBC 6.08.130 1 st violation - \$25 2 nd violation - \$50 3 rd violation - \$100
6.08.020(B)	Barking, howling, or other noises	Unaltered dog: \$150	HBC 6.08.130 1 st violation - \$75 2 nd violation - \$150 3 rd violation - \$300
6.08.020(C)	Run, chase, jump at moving vehicles	Altered dog: \$50	HBC 6.08.130 1 st violation - \$25 2 nd violation - \$50 3 rd violation - \$100
6.08.020(C)	Run, chase, jump at moving vehicles	Unaltered dog: \$150	HBC 6.08.130 1 st violation - \$75 2 nd violation - \$150 3 rd violation - \$300
6.08.020(D)	Snap, jump, injure another person	Altered dog: \$50	HBC 6.08.130 1 st violation - \$25 2 nd violation - \$50 3 rd violation - \$100
6.08.020(D)	Snap, jump, injure another person	Unaltered dog: \$150	HBC 6.08.130 1 st violation - \$75 2 nd violation - \$150 3 rd violation - \$300
6.08.020(E)	Chase, harass deer or moose	Altered dog: \$50	HBC 6.08.130 1 st violation - \$25 2 nd violation - \$50 3 rd violation - \$100
6.08.020(E)	Chase, harass deer or moose	Unaltered dog: \$150	HBC 6.08.130 1 st violation - \$75 2 nd violation - \$150 3 rd violation - \$300
6.08.020(G)	Female dog in season not confined	Unaltered dog: \$150	HBC 6.08.130 1 st violation - \$75 2 nd violation - \$150 3 rd violation - \$300
8.08.020(A)	Littering in any place other than in an appropriate refuse container	50	HBC 8.08.050 - Up to \$300 (HBC 1.24) HBC 10.08.020 - \$100
8.08.020(B)	Littering upon a public place	50	HBC 8.08.050 - Up to \$300 (HBC 1.24) HBC 10.08.020 - \$100
8.08.020(C)	Sweeping or depositing litter	50	HBC 8.08.050 - Up to \$300

	into a public place from private property		(HBC 1.24) HBC 10.08.020 - \$100
8.08.020(D)	Littering from vehicle	100	HBC 8.08.050 - Up to \$300 (HBC 1.24) HBC 10.08.020 - \$100
8.08.020(E)	Depositing any litter on private property	50	HBC 8.08.050 - Up to \$300 (HBC 1.24) HBC 10.08.020 - \$100
8.08.020(F)	Failure to maintain private property in a litter-free condition	50	HBC 8.08.050 - Up to \$300 (HBC 1.24)
8.08.020(G)	Posting any handbill without permit under HBC Title 18	50	HBC 8.08.050 - Up to \$300 (HBC 1.24)
8.08.020(H)	Littering in a body of water	50	HBC 8.08.050 - Up to \$300 (HBC 1.24)
8.08.020(I)	Depositing litter generated in a refuse container belonging to another	100	HBC 8.08.050 - Up to \$300 (HBC 1.24)
8.08.020(J)	Burning without a permit and police department notification or in violation of conditions	100	HBC 8.08.050 - Up to \$300 (HBC 1.24)
8.08.020(K)	Depositing offensive, noxious, or otherwise dangerous litter	100	HBC 8.08.050 - Up to \$300 (HBC 1.24)
8.08.040(A)(1)	Refuse container: strong, watertight, not easily corrodible, and rodent proof	100	HBC 8.08.050 - Up to \$300 (HBC 1.24)
8.08.040(A)(2)	Refuse container standards: fitted with a tight cover	100	HBC 8.08.050 - Up to \$300 (HBC 1.24)
8.08.040(A)(3)	Refuse container standards: kept tightly covered at all times	100	HBC 8.08.050 - Up to \$300 (HBC 1.24)
8.08.040(B)	Refuse containers: emptied and properly disposed of on a regular basis	100	HBC 8.08.050 - Up to \$300 (HBC 1.24)
8.12.020(A)	Burying a person outside an established cemetery	300	HBC 8.12.140(A) - Up to \$300 (HBC 1.24)
8.12.020(B)	Annoy, injure or endanger the public	300	HBC 8.12.140(A) - Up to \$300 (HBC 1.24)
8.12.020(C)	Offending public decency	300	HBC 8.12.140(A) - Up to \$300 (HBC 1.24)
8.12.020(D)	Interfere with a street, highway, lake or stream	100	HBC 8.12.140(A) - Up to \$300 (HBC 1.24)
8.12.020(E)	Making loud or unreasonable noise	100	HBC 8.12.140(A) - Up to \$300 (HBC 1.24)
8.12.020(F)	Operating device that causes preventable electric interference	100	HBC 8.12.140(A) - Up to \$300 (HBC 1.24)

8.12.020(G)	Allowing animal access to an unoccupied building	300	HBC 8.12.140(A) - Up to \$300 (HBC 1.24)
8.12.020(H)	Unsafe condition due to disrepair of building	300	HBC 8.12.140(A) - Up to \$300 (HBC 1.24)
8.12.020(I)	Reducing surrounding value of properties by maintaining building in state of disrepair	300	HBC 8.12.140(A) - Up to \$300 (HBC 1.24)
8.12.020(J)	Accumulation of stagnant water or discharge of wastewater	300	HBC 8.12.140(A) - Up to \$300 (HBC 1.24)
8.12.020(K)	Failure to take reasonable and precautionary measures to restrict access to hazards	300	HBC 8.12.140(A) - Up to \$300 (HBC 1.24)
8.12.020(L)	Causing emission of noxious fumes	300	HBC 8.12.140(A) - Up to \$300 (HBC 1.24)
8.12.020(M)	Exposure or distribution of materials offending the public decency	300	HBC 8.12.140(A) - Up to \$300 (HBC 1.24)
8.12.020(N)	Obstruction of traffic	300	HBC 8.12.140(A) - Up to \$300 (HBC 1.24)
8.12.020(O)	Public exposure of a person having a contagious disease	300	HBC 8.12.140(A) - Up to \$300 (HBC 1.24)
8.12.020(P)	Noxious cellar, pool, sewer, water closet, or private drain	300	HBC 8.12.140(A) - Up to \$300 (HBC 1.24)
8.12.030	Hazardous building or public nuisance	300	HBC 8.12.140(A) - Up to \$300 (HBC 1.24)
8.16.015	Use of fireworks prohibited	100	HBC 8.16.025 - Up to \$300
8.16.020	Sale prohibited of fireworks	300	HBC 8.16.025 - Up to \$300
8.16.025	Use of fireworks near port facilities prohibited	300	HBC 8.16.025 - Up to \$300
8.16.030	Conducting fireworks display without permission of chief of police	300	HBC 8.16.025 - Up to \$300
8.18.020(A)	Smoking in an enclosed public area	100	HBC 8.18.080(B) - \$100
8.18.020(B)	Smoking in an enclosed public area	100	HBC 8.18.080(B) - \$100
8.18.020(C)	Smoking inside an enclosed area within a place of employment	100	HBC 8.18.080(B) - \$100
8.18.020(D)	Smoking inside an enclosed area within a private club licensed to sell alcoholic beverages	100	HBC 8.18.080(B) - \$100
8.18.030	Smoking within unreasonable distance outside an enclosed area	100	HBC 8.18.080(B,D) - \$100 each day

	where smoking is prohibited		
8.18.040(A)	Smoking within 50 feet of entrance to hospital or medical clinic	100	HBC 8.18.080(B,D) – \$100 each day
8.18.040(B)	Smoking within 20 feet of entrance to enclosed school area	100	HBC 8.18.080(B,D) – \$100 each day
8.18.040(C)	Smoking within 5 feet of licensed premises	100	HBC 8.18.080(B,D) – \$100 each day
8.18.040(D)	Smoking in an outdoor arena	100	HBC 8.18.080(B,D) – \$100 each day
8.18.070(A)	Failure to post signs prohibiting smoking	200	HBC 8.18.080(C,D) – 1 st violation - \$100 2 nd violation - \$200 3 rd violation - \$300
8.18.070(B)	Failure to remove ashtrays	200	HBC 8.18.080(C,D) – 1 st violation - \$100 2 nd violation - \$200 3 rd violation - \$300
8.18.070(C)	Failure to provide smoke-free workplace	200	HBC 8.18.080(C,D) – 1 st violation - \$100 2 nd violation - \$200 3 rd violation - \$300
8.18.070(D)	Failure to prevent smoking at a smoke-free establishment	200	HBC 8.18.080(C,D) – 1 st violation - \$100 2 nd violation - \$200 3 rd violation - \$300
8.18.080(B)	Smoking where prohibited	100	HBC 8.18.080(B) - \$100
8.18.080(C)	Permitting smoking in public place where prohibited	200	HBC 8.18.080(C,D) – 1 st violation - \$100 2 nd violation - \$200 3 rd violation - \$300
8.20.020	Creating or permitting a bear attraction nuisance	100	HBC 1.24 & 8.20.040 – Up to \$300 each day
9.04.010(A)	Open container of alcoholic beverages within vehicle	100	HBC 1.24 - Up to \$300 plus state surcharge when applicable (AS 12.55.039)
9.04.010(B)(1)	Consuming alcoholic beverage upon street or highway	100	HBC 1.24 - Up to \$300 plus state surcharge when applicable (AS 12.55.039)
9.04.010(B)(2)	Consuming alcoholic beverage in public	100	HBC 1.24 - Up to \$300 plus state surcharge when applicable (AS 12.55.039)
9.04.010(B)(3)	Consuming alcoholic beverage on school property	200	HBC 1.24 - Up to \$300 plus state surcharge when applicable (AS 12.55.039)
9.04.010(B)(4)	Consuming alcoholic beverage at school function	200	HBC 1.24 - Up to \$300 plus state surcharge when applicable (AS 12.55.039)
9.08.010	Curfew For Minors	250	HBC 9.08.030 – Not more than \$250
9.08.020	Parental responsibility for	250	HBC 9.08.030 – Not more

	curfew violation		than \$250
9.24.010(A)	Discharging pistol or firearm	300	HBC 1.24 - Up to \$300 plus state surcharge when applicable (AS 12.55.039)
9.24.010(C)	Hunting in prohibited area	300	HBC 1.24 - Up to \$300 plus state surcharge when applicable (AS 12.55.039)
9.24.020(A)	Obstructing highways and other public passages	100	HBC 1.24 - Up to \$300 plus state surcharge when applicable (AS 12.55.039)
9.24.020(B)(1)	Failure to obey order to move to prevent obstruction	100	HBC 1.24 - Up to \$300 plus state surcharge when applicable (AS 12.55.039)
9.24.020(B)(2)	Failure to obey order to move to maintain public safety	100	HBC 1.24 - Up to \$300 plus state surcharge when applicable (AS 12.55.039)
9.24.030	Disrupting meetings and processions	100	HBC 1.24 - Up to \$300 plus state surcharge when applicable (AS 12.55.039)
12.08.160(B)	Utility permit required	300	HBC 1.24 - Up to \$300 plus state surcharge when applicable (AS 12.55.039)
12.10.010	Construction work on driveway in a right of way without a permit	300	HBC 1.24 - Up to \$300 plus state surcharge when applicable (AS 12.55.039)
12.12.040(A)	Failure to install street numbers in compliance with code	100	HBC 12.12.040(B) – Not exceeding \$300
12.16.010	Street and sidewalk obstructions prohibited	50	HBC 1.24 - Up to \$300 plus state surcharge when applicable (AS 12.55.039)
12.16.030(A)	Use of streets for private purposes	50	HBC 1.24 - Up to \$300 plus state surcharge when applicable (AS 12.55.039)
12.40.030	Prohibited activity or construction in Picture Park restricted area	100	HBC 12.40.060(B) - subject to the same penalties as provided in Chapters <u>1.24</u> and <u>9.01</u> – up to \$300 plus state surcharge when applicable (AS 12.55.039) and each & every day a separate offense
12.50.020	Motorized vehicle use in Chilkat River beaches recreational zone	100	HBC 1.24 - Up to \$300 plus state surcharge when applicable (AS 12.55.039)
13.04.310(A)	Unlawful opening of fire hydrant	300	HBC 13.04.350 – not exceeding \$300
13.08.100(A)	Failure to connect to sewer system after notice	300	HBC 13.08.310 – not exceeding \$300
14.34.030(A)(1)	Cutting timber that is not already dead or downed	300	<u>Green & standing</u> : HBC 14.34.030 - \$1,000 plus triple stumpage

			<u>Dead & standing:</u> HBC 1.24 - Up to \$300 plus state surcharge when applicable (AS 12.55.039)
14.34.030(A)(2)	Cutting firewood for other than personal use	300	HBC 1.24 - Up to \$300 plus state surcharge when applicable (AS 12.55.039)
14.34.030(A)(3)	Using unlawful mechanical means to cut firewood	300	HBC 1.24 - Up to \$300 plus state surcharge when applicable (AS 12.55.039)
15.08.040	Following fire apparatus or otherwise interfering with fire control operations	100	HBC 15.20.020 - subject to the same penalties as provided in Chapters 1.24.010 – up to \$300 plus state surcharge when applicable (AS 12.55.039), subject to injunctive relief, and each & every day a separate offense
15.08.060	Smoking where prohibited for safety reasons	100	HBC 15.20.020 - subject to the same penalties as provided in Chapters 1.24.010 – up to \$300 plus state surcharge when applicable (AS 12.55.039), subject to injunctive relief, and each & every day a separate offense
15.12.020(B)	Failure to file required report by a person handling hazardous substances	300	HBC 15.20.020 - subject to the same penalties as provided in Chapters 1.24.010 – up to \$300 plus state surcharge when applicable (AS 12.55.039), subject to injunctive relief, and each & every day a separate offense
15.12.020(D)	Failure to file required report by a person handling consumer quantities of hazardous material or chemical	300	HBC 15.20.020 - subject to the same penalties as provided in Chapters 1.24.010 – up to \$300 plus state surcharge when applicable (AS 12.55.039), subject to injunctive relief, and each & every day a separate offense
15.12.070(A)	Failure to file required transshipment facility report	300	HBC 15.20.020 - subject to the same penalties as provided in Chapters 1.24.010 – up to \$300 plus state surcharge when applicable (AS 12.55.039), subject to injunctive relief, and each & every day a separate offense
15.12.070(C)	Failure to display marking or warnings with respect to transshipment facility	100	HBC 15.20.020 - subject to the same penalties as provided in Chapters

			1.24.010 – up to \$300 plus state surcharge when applicable (AS 12.55.039), subject to injunctive relief, and each & every day a separate offense
15.12.070(D)(3)	Failure to notify fire department of time and quantity of a shipment of extremely hazardous substance	300	HBC 15.20.020 - subject to the same penalties as provided in Chapters 1.24.010 – up to \$300 plus state surcharge when applicable (AS 12.55.039), subject to injunctive relief, and each & every day a separate offense
15.12.090(A)	Failure to obtain certificate of compliance	300	HBC 15.20.020 - subject to the same penalties as provided in Chapters 1.24.010 – up to \$300 plus state surcharge when applicable (AS 12.55.039), subject to injunctive relief, and each & every day a separate offense
15.16.020	Crash post does not meet specifications	100	HBC 15.20.020 - subject to the same penalties as provided in Chapters 1.24.010 – up to \$300 plus state surcharge when applicable (AS 12.55.039), subject to injunctive relief, and each & every day a separate offense
16.12.020	Obstruction of dock area by vehicle, cart, conveyance, or other transportation system	50	Current Assembly-Adopted Harbor Fee Schedule – 1 st violation - \$50 2 nd violation - \$100 3 rd violation - \$150 HBC 16.28.020, 030 – 1 st violation - \$25 2 nd violation - \$50 3 rd violation - \$75 4 th violation – lose harbor use privileges Each day is a separate offense
16.12.030	Vessel in excess of 65 feet using gridiron	50	Current Assembly-Adopted Harbor Fee Schedule – 1 st violation - \$50 2 nd violation - \$100 3 rd violation - \$150 HBC 16.28.020, 030 – 1 st violation - \$25 2 nd violation - \$50 3 rd violation - \$75 4 th violation – lose harbor

			privileges Each day is a separate offense
16.16.135	Launching or recovering vessel without paying fee or obtaining annual ramp launch sticker	100	Current Assembly-Adopted Harbor Fee Schedule - \$60 per violation
16.16.150	Unapproved vessel mooring in harbor	100	Current Assembly-Adopted Harbor Fee Schedule – 1 st violation - \$50 2 nd violation - \$100 3 rd violation - \$150 HBC 16.28.020, 030 – 1 st violation - \$25 2 nd violation - \$50 3 rd violation - \$75 4 th violation – lose harbor use privileges Each day is a separate offense
16.16.170	Non-compliant electrical connection	100	Current Assembly-Adopted Harbor Fee Schedule – 1 st violation - \$50 2 nd violation - \$100 3 rd violation - \$150 HBC 16.28.020, 030 – 1 st violation - \$25 2 nd violation - \$50 3 rd violation - \$75 4 th violation – lose harbor use privileges Each day is a separate offense
16.16.190	Mooring without payment	100	Current Assembly-Adopted Harbor Fee Schedule – 1 st violation - \$50 2 nd violation - \$100 3 rd violation - \$150 HBC 16.28.020, 030 – 1 st violation - \$25 2 nd violation - \$50 3 rd violation - \$75 4 th violation – lose harbor use privileges Each day is a separate offense
16.16.200(A)	Dead storage prohibited	100	Current Assembly-Adopted Harbor Fee Schedule – 1 st violation - \$50 2 nd violation - \$100 3 rd violation - \$150 HBC 16.28.020, 030 – 1 st violation - \$25 2 nd violation - \$50

			<p>3rd violation - \$75 4th violation – lose harbor use privileges Each day is a separate offense</p>
16.16.210	Use of harbor crane without permit of paying fee	100	\$50 per violation
16.20.040	Snow must be removed from dock, float, or finger	50	<p>Current Assembly-Adopted Harbor Fee Schedule – 1st violation - \$50 2nd violation - \$100 3rd violation - \$150</p> <p>HBC 16.28.020, 030 – 1st violation - \$25 2nd violation - \$50 3rd violation - \$75 4th violation – lose harbor use privileges Each day is a separate offense</p>
16.28.005(D)	Wood fires not permitted in port and harbor facilities	100	<p>Current Assembly-Adopted Harbor Fee Schedule – 1st violation - \$50 2nd violation - \$100 3rd violation - \$150</p> <p>HBC 16.28.020, 030 – 1st violation - \$25 2nd violation - \$50 3rd violation - \$75 4th violation – lose harbor use privileges Each day is a separate offense</p>
16.28.005(E)	Unlawful electrical system or connection	100	<p>Current Assembly-Adopted Harbor Fee Schedule – 1st violation - \$50 2nd violation - \$100 3rd violation - \$150</p> <p>HBC 16.28.020, 030 – 1st violation - \$25 2nd violation - \$50 3rd violation - \$75 4th violation – lose harbor use privileges Each day is a separate offense</p>
16.28.010(A)	Operating vessel in excess of three MPH within borough port and harbor facilities	50	<p>Current Assembly-Adopted Harbor Fee Schedule – 1st violation - \$50 2nd violation - \$100 3rd violation - \$150</p> <p>HBC 16.28.020, 030 – 1st violation - \$25 2nd violation - \$50</p>

			<p>3rd violation - \$75 4th violation – lose harbor use privileges Each day is a separate offense</p>
16.28.010(B)	Operating vessel in a negligent manner	300	<p>Current Assembly-Adopted Harbor Fee Schedule – 1st violation - \$50 2nd violation - \$100 3rd violation - \$150</p> <p>HBC 16.28.020, 030 – 1st violation - \$25 2nd violation - \$50 3rd violation - \$75 4th violation – lose harbor use privileges Each day is a separate offense</p>
16.28.010(C)	Operating vessel in a negligent manner likely to endanger the safety of person or property	500	<p>Current Assembly-Adopted Harbor Fee Schedule – 1st violation - \$50 2nd violation - \$100 3rd violation - \$150</p> <p>HBC 16.28.020, 030 – 1st violation - \$25 2nd violation - \$50 3rd violation - \$75 4th violation – lose harbor use privileges Each day is a separate offense</p>
16.28.010(D)	Unlawful depositing of refuse or prohibited materials	100	<p>Current Assembly-Adopted Harbor Fee Schedule – 1st violation - \$50 2nd violation - \$100 3rd violation - \$150</p> <p>HBC 16.28.020, 030 – 1st violation - \$25 2nd violation - \$50 3rd violation - \$75 4th violation – lose harbor use privileges Each day is a separate offense</p>
16.28.010(E)	To fail to register with the harbormaster	100	<p>Current Assembly-Adopted Harbor Fee Schedule – 1st violation - \$50 2nd violation - \$100 3rd violation - \$150</p> <p>HBC 16.28.020, 030 – 1st violation - \$25 2nd violation - \$50 3rd violation - \$75 4th violation – lose harbor</p>

			use privileges Each day is a separate offense
16.28.010(F)	Leaving vessel or floating structure moored unattended while fire is burning	100	Current Assembly-Adopted Harbor Fee Schedule – 1 st violation - \$50 2 nd violation - \$100 3 rd violation - \$150 HBC 16.28.020, 030 – 1 st violation - \$25 2 nd violation - \$50 3 rd violation - \$75 4 th violation – lose harbor use privileges Each day is a separate offense
16.28.010(G)	Starting or allowing any fire on a float or dock	500	Current Assembly-Adopted Harbor Fee Schedule – 1 st violation - \$50 2 nd violation - \$100 3 rd violation - \$150 HBC 16.28.020, 030 – 1 st violation - \$25 2 nd violation - \$50 3 rd violation - \$75 4 th violation – lose harbor use privileges Each day is a separate offense
16.28.010(I)	Conducting unlawful business within the port and harbor facilities	100	Current Assembly-Adopted Harbor Fee Schedule - \$50 per violation
16.28.010(J)	Living aboard a vessel moored in the harbor while prohibited or allowing animal to run at large	100	Current Assembly-Adopted Harbor Fee Schedule – 1 st violation - \$50 2 nd violation - \$100 3 rd violation - \$150 HBC 16.28.020, 030 – 1 st violation - \$25 2 nd violation - \$50 3 rd violation - \$75 4 th violation – lose harbor use privileges Each day is a separate offense
16.28.010(K)	Leaving cargo or other material on docks or other public place	50	Current Assembly-Adopted Harbor Fee Schedule – 1 st violation - \$50 2 nd violation - \$100 3 rd violation - \$150 HBC 16.28.020, 030 – 1 st violation - \$25 2 nd violation - \$50

			<p>3rd violation - \$75 4th violation – lose harbor use privileges Each day is a separate offense</p>
16.28.010(L)	To fail to clean up after an animals	50	<p>Current Assembly-Adopted Harbor Fee Schedule – 1st violation - \$50 2nd violation - \$100 3rd violation - \$150</p> <p>HBC 16.28.020, 030 – 1st violation - \$25 2nd violation - \$50 3rd violation - \$75 4th violation – lose harbor use privileges Each day is a separate offense</p>
16.28.010(M)	Tapping, disconnecting, interfering with, or tampering with any water or electrical connection	100	<p>Current Assembly-Adopted Harbor Fee Schedule – 1st violation - \$50 2nd violation - \$100 3rd violation - \$150</p> <p>HBC 16.28.020, 030 – 1st violation - \$25 2nd violation - \$50 3rd violation - \$75 4th violation – lose harbor use privileges Each day is a separate offense</p>
16.28.010(N)	Interfering with any wharf or any other harbor facility	100	<p>Current Assembly-Adopted Harbor Fee Schedule – 1st violation - \$50 2nd violation - \$100 3rd violation - \$150</p> <p>HBC 16.28.020, 030 – 1st violation - \$25 2nd violation - \$50 3rd violation - \$75 4th violation – lose harbor use privileges Each day is a separate offense</p>
16.28.010(O)	Writing or posting printed matter upon any bulletin board without permission of the harbormaster	50	<p>Current Assembly-Adopted Harbor Fee Schedule – 1st violation - \$50 2nd violation - \$100 3rd violation - \$150</p> <p>HBC 16.28.020, 030 – 1st violation - \$25 2nd violation - \$50 3rd violation - \$75</p>

			4 th violation – lose harbor use privileges Each day is a separate offense
16.28.010(P)	Erecting or maintaining any advertising or other printed matter without approval from the harbormaster	50	Current Assembly-Adopted Harbor Fee Schedule – 1 st violation - \$50 2 nd violation - \$100 3 rd violation - \$150 HBC 16.28.020, 030 – 1 st violation - \$25 2 nd violation - \$50 3 rd violation - \$75 4 th violation – lose harbor use privileges Each day is a separate offense
16.28.010(Q)	To disregard or tamper with any notice relating to the use of mooring areas or other uses of port and harbor facilities	100	Current Assembly-Adopted Harbor Fee Schedule – 1 st violation - \$50 2 nd violation - \$100 3 rd violation - \$150 HBC 16.28.020, 030 – 1 st violation - \$25 2 nd violation - \$50 3 rd violation - \$75 4 th violation – lose harbor use privileges Each day is a separate offense
16.28.010(R)	To moor or connect to Letnikof Cove facility without paying fees	100	Current Assembly-Adopted Harbor Fee Schedule – 1 st violation - \$50 2 nd violation - \$100 3 rd violation - \$150 HBC 16.28.020, 030 – 1 st violation - \$25 2 nd violation - \$50 3 rd violation - \$75 4 th violation – lose harbor use privileges Each day is a separate offense
16.32.040(B)	Use of small boat harbor without paying required fees	100	Current Assembly-Adopted Harbor Fee Schedule – 1 st violation - \$50 2 nd violation - \$100 3 rd violation - \$150 HBC 16.28.020, 030 – 1 st violation - \$25 2 nd violation - \$50 3 rd violation - \$75 4 th violation – lose harbor

			use privileges Each day is a separate offense
16.32.045	Long-term parking outside designated area at Letnikof Cove Harbor	50	Current Assembly-Adopted Harbor Fee Schedule – 1 st violation - \$50 2 nd violation - \$100 3 rd violation - \$150 HBC 16.28.020, 030 – 1 st violation - \$25 2 nd violation - \$50 3 rd violation - \$75 4 th violation – lose harbor use privileges Each day is a separate offense
18.40.010	Land use permit required	250	<u>Beginning Work with No Permit</u> – HBC 18.30.070(B)(1) - \$250.00 or 3% of the project value to a maximum of \$2,500 <u>Working with Revoked/Suspended Permit</u> - HBC 18.30.090(B) – up to \$300; HBC 18.30.090(C,D) – Civil or Criminal Remedies up to \$1,000 HBC 18.30.090(A) - Each act & every day a separate violation
18.40.040(A)	Temporary use permit required	250	<u>Beginning Work with No Permit</u> – HBC 18.30.070(B)(1) - \$250.00 or 3% of the project value to a maximum of \$2,500 <u>Working with Revoked/Suspended Permit</u> - HBC 18.30.090(B) – up to \$300; HBC 18.30.090(C,D) – Civil or Criminal Remedies up to \$1,000 HBC 18.30.090(A) - Each act & every day a separate violation
18.40.040(B)	Exceeding scope of temporary permit	100	HBC 18.30.070(B)(2) – \$100 HBC 18.30.090(C,D) – Civil or Criminal Remedies up to \$1,000

			HBC 18.30.090(A) - Each act & every day a separate violation
18.50.020	Conditional use permit required	250	<u>Beginning Work with No Permit</u> – HBC 18.30.070(B)(1) - \$250.00 or 3% of the project value to a maximum of \$2,500 <u>Working with Revoked/Suspended Permit</u> - HBC 18.30.090(B) – up to \$300; HBC 18.30.090(C,D) – Civil or Criminal Remedies up to \$1,000 HBC 18.30.090(A) - Each act & every day a separate violation
18.70.030(A)	Violating restrictions in townsite planning/zoning district	100	HBC 18.30.070(B)(2) – \$100 HBC 18.30.090(C,D) – Civil or Criminal Remedies up to \$1,000 HBC 18.30.090(A) - Each act & every day a separate violation
18.70.030(B)	Violating restrictions in Mud Bay planning/zoning district	100	HBC 18.30.070(B)(2) – \$100 HBC 18.30.090(C,D) – Civil or Criminal Remedies up to \$1,000 HBC 18.30.090(A) - Each act & every day a separate violation
18.70.030(B)(3)(g)	Setback violation	100	HBC 18.30.070(B)(2) – \$100 HBC 18.30.090(C,D) – Civil or Criminal Remedies up to \$1,000 HBC 18.30.090(A) - Each act & every day a separate violation
18.70.030(B)(3)(h)	Maintaining a prohibited use in RRZ	100	HBC 18.30.070(B)(2) – \$100 HBC 18.30.090(C,D) – Civil or Criminal Remedies up to \$1,000 HBC 18.30.090(A) - Each act & every day a separate violation

18.70.030(B)(4)(f)	Maintaining a prohibited use in Cannery Zone	100	HBC 18.30.070(B)(2) – \$100 HBC 18.30.090(C,D) – Civil or Criminal Remedies up to \$1,000 HBC 18.30.090(A) - Each act & every day a separate violation
18.70.030(C)	Violating restrictions in Lutak Inlet planning/zoning district	100	HBC 18.30.070(B)(2) – \$100 HBC 18.30.090(C,D) – Civil or Criminal Remedies up to \$1,000 HBC 18.30.090(A) - Each act & every day a separate violation
18.70.030(C)(3)(f)	Maintaining a prohibited use in RRZ	100	HBC 18.30.070(B)(2) – \$100 HBC 18.30.090(C,D) – Civil or Criminal Remedies up to \$1,000 HBC 18.30.090(A) - Each act & every day a separate violation
18.70.030(C)(3)(h)	Setback violation	100	HBC 18.30.070(B)(2) – \$100 HBC 18.30.090(C,D) – Civil or Criminal Remedies up to \$1,000 HBC 18.30.090(A) - Each act & every day a separate violation
18.70.030(C)(3)(i)	Building height violation	100	HBC 18.30.070(B)(2) – \$100 HBC 18.30.090(C,D) – Civil or Criminal Remedies up to \$1,000 HBC 18.30.090(A) - Each act & every day a separate violation
18.70.030(C)(3)(j)	Sign violation	100	HBC 18.30.070(B)(2) – \$100 HBC 18.30.090(C,D) – Civil or Criminal Remedies up to \$1,000 HBC 18.30.090(A) - Each act & every day a separate violation
18.70.030(C)(3)(k)	Use of RV as permanent dwelling or excessive RV's on property	100	HBC 18.30.070(B)(2) – \$100 HBC 18.30.090(C,D) – Civil

			<p>or Criminal Remedies up to \$1,000</p> <p>HBC 18.30.090(A) - Each act & every day a separate violation</p>
18.70.030(C)(3)(l)	Noise violation	100	<p>HBC 18.30.070(B)(2) – \$100</p> <p>HBC 18.30.090(C,D) – Civil or Criminal Remedies up to \$1,000</p> <p>HBC 18.30.090(A) - Each act & every day a separate violation</p>
18.70.030(C)(4)(f)	Maintaining a prohibited use in Riparian Zone	100	<p>HBC 18.30.070(B)(2) – \$100</p> <p>HBC 18.30.090(C,D) – Civil or Criminal Remedies up to \$1,000</p> <p>HBC 18.30.090(A) - Each act & every day a separate violation</p>
18.70.030(D)	Violating restrictions in general use planning/zoning district	100	<p>HBC 18.30.070(B)(2) – \$100</p> <p>HBC 18.30.090(C,D) – Civil or Criminal Remedies up to \$1,000</p> <p>HBC 18.30.090(A) - Each act & every day a separate violation</p>
18.80.030(A)	Setback violation	100	<p>HBC 18.30.070(B)(2) – \$100</p> <p>HBC 18.30.090(C,D) – Civil or Criminal Remedies up to \$1,000</p> <p>HBC 18.30.090(A) - Each act & every day a separate violation</p>
18.80.040	Unlawful parking provided	100	<p>HBC 18.30.070(B)(2) – \$100</p> <p>HBC 18.30.090(C,D) – Civil or Criminal Remedies up to \$1,000</p> <p>HBC 18.30.090(A) - Each act & every day a separate violation</p>
18.90.030(A)	Failure to obtain sign permit	250	<p>HBC 18.30.070(B)(2) – \$100</p> <p>HBC 18.30.090(C,D) – Civil or Criminal Remedies up to \$1,000</p> <p>HBC 18.30.090(A) -</p>

			Each act & every day a separate violation
18.90.040	Excessive number of signs	100	HBC 18.30.070(B)(2) – \$100 HBC 18.30.090(C,D) – Civil or Criminal Remedies up to \$1,000 HBC 18.30.090(A) - Each act & every day a separate violation
18.90.050(B)	Projecting sign violation	100	HBC 18.30.070(B)(2) – \$100 HBC 18.30.090(C,D) – Civil or Criminal Remedies up to \$1,000 HBC 18.30.090(A) - Each act & every day a separate violation
18.90.050(C)	Portable sign obscuring traffic or sight angles	100	HBC 18.30.070(B)(2) – \$100 HBC 18.30.090(C,D) – Civil or Criminal Remedies up to \$1,000 HBC 18.30.090(A) - Each act & every day a separate violation
18.90.070	Prohibited sign in use	100	HBC 18.30.070(B)(2) – \$100 HBC 18.30.090(C,D) – Civil or Criminal Remedies up to \$1,000 HBC 18.30.090(A) - Each act & every day a separate violation
18.90.080(C)	Prohibited sign in Significant structures area zone	100	HBC 18.30.070(B)(2) – \$100 HBC 18.30.090(C,D) – Civil or Criminal Remedies up to \$1,000 HBC 18.30.090(A) - Each act & every day a separate violation
18.90.100(B)	Prohibited sign in residential zoning districts	100	HBC 18.30.070(B)(2) – \$100 HBC 18.30.090(C,D) – Civil or Criminal Remedies up to \$1,000 HBC 18.30.090(A) - Each act & every day a separate violation

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 guilty, 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.

Code Section	Offense Description	Fine Amount	Current Fine
10.08.010	Starting parked vehicle - excessive acceleration	15	HBC 10.16.200 - \$15
10.08.020(A)	Driving on sidewalks - vehicle	20	HBC 10.26.220 - \$20
10.08.020(B)	Driving on sidewalk in CBD - bicycle	20	HBC 10.26.220 - \$20
10.08.020(C)	Failure to yield - bicycle	20	HBC 10.26.220 - \$20
10.08.030	U-turn where prohibited	30	HBC 10.26.230 - \$30
10.08.040	Projections on wheels or tracks prohibited	20	HBC 10.26.240 - \$20
10.08.050	Dragging objects prohibited	150	AK Bail Schedule - \$125
10.08.060	Projecting load on passenger vehicles	20	HBC 10.26.260 - \$20
10.08.070	Carrying animals on outside of vehicles	125	AK Bail Schedule - \$125
10.08.080(A)	Use of coaster, roller skates, sleds or skis on roadway	25	HBC 10.26.300(D) – 1 st offense - \$25 Increase by \$5 each subsequent offense
10.08.080(B)	Use of skateboard or human powered device in prohibited area	25	HBC 10.26.300(D) – 1 st offense - \$25 Increase by \$5 each subsequent offense
10.08.080(C)	Negligent operation of device	25	HBC 10.26.300(D) – 1 st offense - \$25 Increase by \$5 each subsequent offense
10.34.005(B)	Operating a snow machine or ATV in unauthorized location or after hours.	30	HBC 10.34.050 1 st violation - \$50 2 nd violation - \$75 3 rd violation - \$100 4 th violation - \$150
10.34.005(C)	Operating a snow machine or ATV under 16 years of age.	30	HBC 10.34.050 1 st violation - \$50 2 nd violation - \$75 3 rd violation - \$100 4 th violation - \$150
10.34.005(D)	Driver's license required to operate snow	30	HBC 10.34.050

	machine or ATV		1 st violation - \$50 2 nd violation - \$75 3 rd violation - \$100 4 th violation - \$150
10.34.005(E)	Registration of snow machine or ATV required	30	HBC 10.34.050 1 st violation - \$50 2 nd violation - \$75 3 rd violation - \$100 4 th violation - \$150
10.34.005(F)	Proof of insurance	30	HBC 10.34.050 1 st violation - \$50 2 nd violation - \$75 3 rd violation - \$100 4 th violation - \$150
10.34.005(G)	Excess passengers - 13 AAC 02.445	30	HBC 10.34.050 1 st violation - \$50 2 nd violation - \$75 3 rd violation - \$100 4 th violation - \$150
10.34.005(H)	Speed in excess of 25 mph or other violation of traffic regulations	30	HBC 10.34.050 1 st violation - \$50 2 nd violation - \$75 3 rd violation - \$100 4 th violation - \$150
10.34.005(I)	Failure to signal turn	30	HBC 10.34.050 1 st violation - \$50 2 nd violation - \$75 3 rd violation - \$100 4 th violation - \$150
10.34.005(J)	ATV or snow machine on sidewalk or pedestrian way	30	HBC 10.34.050 1 st violation - \$50 2 nd violation - \$75 3 rd violation - \$100 4 th violation - \$150
10.34.005(K)	Failure to stop snow machine or ATV when directed to do so by a police officer	30	HBC 10.34.050 1 st violation - \$50 2 nd violation - \$75 3 rd violation - \$100 4 th violation - \$150
10.34.005(M)	Owner responsibility for violation	30	HBC 10.34.050 1 st violation - \$50 2 nd violation - \$75 3 rd violation - \$100 4 th violation - \$150
10.34.009(A)	Snow machine or ATV not equipped with functional headlight, tallight, and brake light	30	HBC 10.34.050 1 st violation - \$50 2 nd violation - \$75 3 rd violation - \$100 4 th violation - \$150
10.34.009(B)	Failure to maintain equipment in good working order	30	HBC 10.34.050 1 st violation - \$50 2 nd violation - \$75 3 rd violation - \$100 4 th violation - \$150
10.34.010(A)	Parental responsibility for violation	30	HBC 10.34.050 1 st violation - \$50 2 nd violation - \$75 3 rd violation - \$100

			4 th violation - \$150
10.42.010	Bicycle violations: operator to obey rules of the road	30	AK Bail Schedule - \$40
10.42.020	Bicycle violations: parents responsible for actions/violations	30	AK Bail Schedule - \$40
10.42.030	Bicycle violations: obey signs/dismount and act as pedestrian	30	AK Bail Schedule - \$40
10.42.040	Bicycle violations: two or more on bike made for one	30	AK Bail Schedule - \$40
10.42.050	Bicycle violations: attaching to other vehicle/hooky-bobbing	30	AK Bail Schedule - \$40
10.42.060	Bicycle violations: minimum of one hand on handle bars	30	AK Bail Schedule - \$40
10.42.070	Bicycle violations: unicycle/coaster/roller skates on roadway prohibited	30	AK Bail Schedule - \$40
10.42.080	Bicycle violations: ride on right side of roadway	30	AK Bail Schedule - \$40
10.42.090	Bicycle violations: yield to vehicle upon audible signal	30	AK Bail Schedule - \$40
10.42.100	Bicycle violations: no more than two bikes abreast in one lane	30	AK Bail Schedule - \$40
10.42.110	Bicycle violations: must use shoulder when available	30	AK Bail Schedule - \$40
10.42.120	Failure to give audible signal passing pedestrian	30	AK Bail Schedule - \$40
10.42.130	Bicycle violations: turn and signal requirements	30	AK Bail Schedule - \$40
10.42.140	Bicycle violations: ride in business district where prohibited	30	AK Bail Schedule - \$40
10.42.160	Bicycle Violations: Bike Parking Requirements	30	AK Bail Schedule - \$20
10.42.170	Bicycle violations: bike not to enter limited use areas	30	AK Bail Schedule - \$50
10.42.180	Bicycle violations: yield to traffic	30	AK Bail Schedule - \$40
10.42.190	Bicycle violations: headlight requirements	30	AK Bail Schedule - \$40
10.42.200	Bicycle violations: taillight requirements	30	AK Bail Schedule - \$40
10.42.210	Bicycle violations: reflector requirements	30	AK Bail Schedule - \$20
10.42.220	Bicycle violations: brake requirements	30	AK Bail Schedule - \$40
10.44.010	Parking during snow removal	25	HBC 10.44.230 - \$25
10.44.020	Prohibited 24-hour parking – impounding vehicles	25	HBC 10.44.230 - \$25

10.44.030	Time limit parking	25	HBC 10.44.230 - \$25
10.44.050	Standing or parking close to curb	25	HBC 10.44.230 - \$25
10.44.060(A)	Signs or markings indicating angle parking	25	HBC 10.44.230 - \$25
10.44.070	Obedience to angle-parking signs or markings	25	HBC 10.44.230 - \$25
10.44.080(B)	Violating permit for loading or unloading at an angle to the curb	25	HBC 10.44.230 - \$25
10.44.090(A)	Stopping, standing, or parking prohibited – no signs required	25	HBC 10.44.230 - \$25
10.44.090(B)	Moving the vehicle of another into unlawful parking area	25	HBC 10.44.230 - \$25
10.44.100	Parking not to obstruct traffic	25	HBC 10.44.230 - \$25
10.44.110	Parking in alleys	25	HBC 10.44.230 - \$25
10.44.120(A)	Parking for certain purposes prohibited: displaying such vehicle for sale	25	HBC 10.44.230 - \$25
10.44.120(B)	Parking for certain purposes prohibited: washing, greasing, or repairing	25	HBC 10.44.230 - \$25
10.44.130(B)	Parking adjacent to schools	25	HBC 10.44.230 - \$25
10.44.140(B)	Parking prohibited on narrow streets	25	HBC 10.44.230 - \$25
10.44.150	Standing or parking on one-way streets	25	HBC 10.44.230 - \$25
10.44.160(B)	No stopping, standing, or parking near hazardous or congested places	25	HBC 10.44.230 - \$25
10.44.210(A)	Abandonment of vehicle	25	HBC 10.44.230 - \$25
10.44.210(B)	Exceeding time limit for parking in designated areas	25	HBC 10.44.230 - \$25
10.44.220	Unauthorized parking on private property	25	HBC 10.44.230 - \$25
10.48.010	Pedestrians must obey regulations	25	AK Bail Schedule - \$40
10.48.020	Pedestrians not to enter limited use areas	25	AK Bail Schedule - \$50
10.48.030	No pedestrian may walk into path of vehicle	25	AK Bail Schedule - \$50
10.48.040	Pedestrian must cross at crosswalk	25	AK Bail Schedule - \$25
10.48.050	Pedestrian must yield to vehicles	25	AK Bail Schedule - \$25
10.48.060	Crossing roadway where prohibited	25	AK Bail Schedule - \$25
10.48.070	Diagonally cross intersection must use sidewalks	25	AK Bail Schedule - \$40
10.48.080	Must walk on left side/shoulder of roadway	25	AK Bail Schedule - \$40

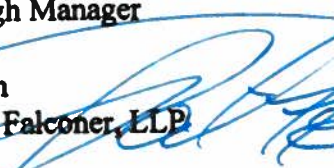
10.48.090	Pedestrian creates hazard/interferes with traffic	25	AK Bail Schedule - \$40
10.48.100	Sleep/loiter/obstruct highway	25	AK Bail Schedule - \$40
10.48.110	Solicit ride/distracts driver	25	AK Bail Schedule - \$50
10.48.120	Nonblind pedestrian not to use cane/dog	25	AK Bail Schedule - \$150
10.48.130	Pedestrian must yield to emergency vehicle	25	AK Bail Schedule - \$50
10.48.140	Pedestrian not to cross against "don't Walk" signal	25	AK Bail Schedule - \$40

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MEMORANDUM

TO: Haines Borough Assembly

CC: Dave Sosa, Borough Manager

FROM: Patrick W. Munson
Boyd, Chandler & Falconer, LLP 

RE: Minor Offense and Fine Schedule Ordinance

DATE: June 30, 2015

This memo summarizes the minor offenses and fine schedule ordinance. Our office, the Borough manager, department heads, and staff from the State court system have been working on this project for over a year in order to bring Haines into compliance with the new Alaska State Court system rules regarding minor offenses. Key issues and decisions for the Assembly are described below and included as comments throughout the draft ordinance.

A. Enforcement of Borough Ordinances

First, an overview of what this ordinance seeks to accomplish. In 2013, the Alaska Court system enacted the Alaska Rules of Minor Offense Procedure (RMOP). These new rules established a uniform system for processing low level infractions known as “minor offenses.” Minor offenses are defined in Rule 2 of the RMOP and essentially include minor violations of law that are not so serious as to rise to the level of a misdemeanor. They are sometimes called “quasi-criminal” offenses. Common examples are traffic tickets or leash law violations. The punishment for a minor offense cannot include incarceration, loss of a valuable license,¹ or a fine greater than either \$1,000 or \$500 depending on the circumstances (see sections E and F, below). Most violations (namely, all those listed in the “fine schedule” at proposed HBC 1.24.040) result

¹ This limitation means that a court cannot take away a valuable privilege (such as a driver’s license) as a result of a single conviction or no contest plea. If the court can take away a license or privilege as a result of a violation, the violation cannot be designated a minor offense. Note that the Borough will retain authority to administratively revoke certain permits or licenses based on violations of the law, but the revocation would be separate from the court proceeding adjudicating the minor offense. See, e.g., proposed HBC 5.04.140.

in tickets that can simply be paid by remitting a fixed amount to the court. If a person chooses to contest the citation, the court conducts a simplified proceeding that is fully consistent with due process requirements. Because possible punishment for a conviction is limited, the defendant is not entitled to a jury trial or a court-appointed attorney, but may appear in court to contest the charge (and may hire their own attorney if they wish). People may be familiar with this process from contesting traffic tickets.

Almost all municipalities enforce their laws at least in part as minor offenses. Therefore, almost all have been required to update their ordinances to be consistent with the new Court rules, just as Haines is proposing to do in this ordinance. Among other things, municipalities must ensure that all ordinances they intend to enforce as minor offenses are officially called “minor offenses” both in their own codes and in the Uniform Minor Offense Table on file with the state (<http://courts.alaska.gov/trialcourts/umot.htm>). The court system will not process citations citing ordinances that are not consistent with the new Rules.

Because some of Haines’s ordinances establish other enforcement mechanisms, we also recommend harmonizing those provisions with the minor offense procedures in Borough Code and the new Rules. First and foremost, we recommend changing many of the current “administrative” enforcement offenses to minor offenses. Administrative enforcement proceedings are those that are initiated by Borough staff by a notice of violation. These are often carried out in a rather *ad hoc* fashion of hearings with the Borough manager or other staff, and sometimes an appeal to the Assembly. This *ad hoc* process is confusing, inconsistent, and extremely inefficient because it often require hours of meetings with Borough staff and the Assembly. Moreover, neither staff nor the Assembly is necessarily the best forum in which to adjudicate routine enforcement matters that could just as easily be handled in a courtroom (likely with better safeguards to the accused). It would make much more sense – legally and practically – for as many of these offenses as possible to be cited as minor offenses like other ordinance violations. The court system provides a more efficient and consistent judicial forum to hear such cases than the borough administration building and the Assembly. Using the courts is also likely to be more effective than the informal proceedings that characterize most current administrative enforcement efforts.

Another significant result of converting to minor offenses is that the Borough, rather than the State, will consistently be the prosecuting entity for violations of Borough law. This is not currently the case. Traffic tickets, for example, are currently cited as violations of state law, not Borough code. The State is therefore the official prosecuting entity for such cases and receives the fine money even though Borough officers do much of the enforcement work.

This would change under the proposed new system. When an officer issues a citation for a violation of any law designated a minor offense under Borough law (including but not limited

to traffic laws), the citation will indicate that the offender violated a Borough ordinance, not a state law. The Borough will be the prosecuting entity and will therefore receive the fine money. Because the violations are minor offenses, the Borough is not required to provide a public defender and need not have its own attorney appear even if the charge is contested. Police officers appear in court to support their own citations. This happens anyway under current law, so there should be very little practical change (in traffic enforcement at least) except the Borough will receive fine money instead of the State.

Note that these changes should decrease, not increase, the time Borough employees and officers spend on enforcement. When officers write citations for minor offenses, the citations are filed with the court system for processing. The court handles everything else. Staff's only involvement may be to appear at a brief court hearing to explain the basis for the citation so the judge can adjudicate guilt or innocence (if that is even contested).

Equally important, collection of fines will improve. If the offender pleads or is found guilty he pays the court, which conveys the payment to the Borough. The court system retains a 10% administrative fee of all penalties collected through it. We believe that this fee is well worth the simplicity of enforcing laws through the court system and will be more than offset by the increased fine payments the Borough receives. We therefore recommend that as many ordinances as possible be enforced as quasi-criminal minor offenses.

B. Choosing ordinances to designate as minor offenses

It is important to understand what this ordinance does, and equally, what it does not do. The goal of this ordinance is to facilitate enforcement through the court system of laws that are already on the books, not to outlaw activities that are currently legal. The ordinance is not intended to change the substance of Borough laws. Rather, it implements (now legally required) terminology and clarifies/applies procedures that are consistent with or required by the new court Rules. It also eliminates ordinances that are redundant or unnecessary now that the RMOPs and the new HBC Ch. 1.24 establish rules and procedures for almost all violations of Borough ordinances. Finally, the ordinance proposes to align some penalties with state law.

The Assembly may choose what ordinances to designate as minor offenses. The current draft proposes those that we believe are most likely appropriate, but they are just suggestions. Some of these suggestions apply the correct terminology to violations that are already legally minor offenses under Borough law. Other proposed amendments would re-categorize certain violations that are not currently minor offenses but probably should be. This includes "administrative" offenses as described above and also most offenses currently designated as misdemeanors. We recommend most of the offenses currently referred to as misdemeanors be re-categorized as minor offenses because, as a practical matter, the Borough does not charge

offenders with misdemeanor violations of Borough ordinances. Rather, such offenses are prosecuted by the state (as are felonies). This makes sense because the State's Attorney is the local prosecutor, not the Borough Attorney, and the state is equipped to provide misdemeanor and felony defendants with a public defender, jury trial, and other process necessary to prosecute such crimes. The Borough does not have that institutional infrastructure or capacity. That is perfectly acceptable, but it means that as a practical matter, Borough laws designated as misdemeanors are either unenforced or enforced only as state crimes. In either case, it makes sense to re-categorize such offenses to minor offenses or to eliminate them altogether rather than allow them to go unenforced.

Nor do most of the so-called misdemeanor offenses seem to be the kind of offense that justifies that label. For example, failing to obtain a business license is not an offense for which jail time is likely to be appropriate. Yet HBC 5.02.020 designates this offense as a misdemeanor, meaning jail time is possible and an accused violator is entitled to a jury trial and a public defender at Borough expense. As a result, it will almost never make practical sense for the Borough to charge someone with a violation because the time and expense required to prosecute a misdemeanor likely outweighs any benefit obtained by doing so. So this violation can instead be designated a minor offense with a fine up to \$1,000. This should be equally sufficient to deter violations, is more in line with the severity of the offense, and avoids the expense of charging and trying a person for a misdemeanor.

Again, this does not mean the Borough is becoming more or less aggressive, or that it is legalizing activities that are currently illegal. We believe all the "misdemeanors" under current code that we have proposed deleting or re-categorizing are also illegal under state law (and in fact, are regularly prosecuted by the State as such). So removing these offenses from the Haines Code is more to reflect the reality of what is already occurring (i.e., the offender is prosecuted for a violation of state law; the borough law is effectively irrelevant) than to change existing laws.

In sum, we recommend re-categorizing or eliminating those types of offenses from the code if there is a state statute that covers the same conduct. However, the Assembly can elect to keep any such provision if it prefers. We have identified these in the draft.

C. Civil penalties, administrative enforcement, or minor offenses

There may be a small number of ordinances that the Borough chooses not to designate as minor offenses. Planning and zoning offenses for example, are sometimes problematic. Some of these are appropriately treated as minor offenses, such as failing to obtain a permit. Others, such as encroachments, require more options because issuing a one-time citation is not sufficient to compel compliance. We have proposed multiple enforcement options for some such offenses and flagged specific issues for consideration where appropriate.

D. Traffic laws incorporated by reference

We propose to amend Title 10 significantly to make the Borough's traffic laws easier to use, understand, and enforce. Currently, this title incorporates individual state statutes and regulations one at a time, section by section, essentially codifying state law as the Borough traffic code, but doing so in a way that is extremely cumbersome and inefficient; so confusing in fact, that it is causing the Borough not to collect the traffic fines it should be collecting (because traffic violations are currently cited as state law violations rather than Borough ordinance violations). We therefore recommend amending this title to incorporate into Borough law "all the traffic offenses of the state" except felony and misdemeanors. If this change is approved, Borough police officers will do exactly what they are doing now to issue tickets for traffic violations, but the court system will treat each such citation as a violation of Borough law, not state law, and remit the fine amount to the Borough. Officers and citizens will also be able to look up or refer to traffic laws by their state law designations without also having to look up the parallel cite to Borough code. Note that we have maintained a separate chapter for Haines-specific offenses, which can be amended any time the Assembly determines a change is needed.

E. Fine schedule - mandatory and optional appearances

The final significant change is the fine schedule. The new HBC § 1.20.040 sets forth a table, called a fine schedule, that will include offenses for which a fixed fine has been established. An offender can resolve any "scheduled violation" (*i.e.*, a violation of any ordinance listed in the table) simply by paying the amount listed in the table. He or she is not required to appear in court, but may if he or she wants to contest the charge. These violations are therefore called "optional court appearance" offenses. Any infraction not listed in the table is a "mandatory court appearance" infraction.

The Assembly decides which ordinances are optional and mandatory appearance offenses. There are two main reasons to require court appearances. The most common is where different violations of the same law are likely to be so different in severity that it is appropriate to use a range of possible fines (typically, "up to" a certain amount), rather than a single fixed amount. These offenses are mandatory appearance offenses because a judge must set the specific fine out of the range set by Code. Typically, optional appearance offenses are those for which a single penalty is likely to be sufficient.²

² Of course this does not mean that a fixed fine will exactly fit the severity of the offense in every case. Nor should that level of precision be expected. Fixed fines inevitably mean that some minor violators are fined an amount that seems excessive, or that major violators escape with a lighter fine than might be justified. This limitation is recognized, but in our view it is a reasonable trade-off for more regular enforcement, less time in court for Borough police officers,

Another common reason to require a court appearance is if the Borough wants to compel compliance or change behavior. Failing to connect to Borough sewer, for example, could be an appropriate mandatory appearance offense because the judge could order the offender to connect to the sewer system.

We have proposed the current fine schedule based on our evaluation of the ordinances for which it probably makes sense to set a fixed fine. However, the decision of whether to designate a particular offense optional or mandatory appearance is for the Assembly (subject to some limitations dictated by state law). It is also, admittedly, an inexact science. However, the consequences of choosing “wrongly” on this detail in any particular instance are minimal. In other words, whether someone is *required* to appear in court is generally less critical to the overall justice process than other factors because an accused person can always *choose* to appear.

Note that these tables can be amended at any time just like any other ordinance, so it is not necessary for the Assembly to agree on absolutely every detail prior to enacting the comprehensive ordinance.

F. Fine schedule - Setting fine amount

Finally, the Assembly must set an appropriate fine amount for each offense that is included in the fine schedule, and a maximum fine amount for mandatory court appearance offenses. We have proposed fines (or a range of fines) for every violation of a Borough ordinance that will be treated as a minor offense. Some of these amounts were stated in code already. Others are established by state fine schedules, or have been imposed by the court in past cases. We have not changed the amounts that were already stated in code (with exceptions, explained below) because, as stated earlier, it is not our intent to re-legislate every ordinance or fine that the Assembly has previously enacted. Rather, our goal has been to reorganize existing law into a framework that complies with new court rules, eliminates some discretion in imposing fines, and allows the Borough to receive fine payments rather than the State.

Where the previous Code did not establish the fine for a particular violation, we have proposed fine amounts that seem generally appropriate based on our estimate of what amount might be sufficiently high to deter violations but not so high as to be unreasonable in light of a particular offense. But the amounts in this ordinance right now are just suggestions. Again, the Assembly is free to amend any or all of the fine amounts we have proposed.

and less discretion for a judge in setting fine amounts (which poses its own risks of unfair application).

A brief explanation of the rationale we used for these proposals is in order. The maximum fine for a minor offense is \$1,000 for optional appearance offenses (scheduled fines), and \$500 for mandatory court appearance offenses. AS 29.25.070(a); R. Minor Off. P. 2(d) and (e). There was previously some uncertainty on this point, so the proposed maximum fines throughout this ordinance are currently \$500, but this can be amended if desired. We have reserved that highest amount for serious offenses: those that pose a potentially serious risk to the health and safety of the Borough, its citizens, facilities or infrastructure. We also proposed that amount as the fine for the failure to obtain certain high value permits, such as commercial tour and alcoholic beverage licenses. (Fines may be assessed for every day a violation occurs if necessary.)

We proposed a \$250-300 fine for serious offenses that do not warrant the greatest possible fine. These violations include failing to obtain other permits (such as those in Chapters 5.08 and 18.40), various nuisances, and maintaining dangerous conditions or activities. The offenses may threaten the orderly functioning of the community, pose a risk to property or safety, or involve potential damage to Borough property or interests. Some of these offenses already had fines set in this amount.

We have proposed approximately \$100 fines for violations that are not necessarily or inherently dangerous, but which are more serious than the nominal offenses in the lesser category below. These include exceeding the scope of or violating conditions of a permit, tampering with property, failing to pay for certain services (such as harbor use), engaging in prohibited activities on public Borough land, and smoking (which was set by previous ordinance).

Finally, we propose nominal fines for bicycle and pedestrian offenses. Some of these were established by earlier Code. These offenses likely require only a modest fine, not one that is particularly punitive. Note that all vehicle traffic citation fine amounts are established by state law under the new system proposed here.

Additionally, we propose to eliminate “graduated fines.” These are fines that increase for subsequent violations after the first conviction. The new court rules require a court appearance for all offenses with graduated fines because a judge must confirm the number of previous violations to impose the required fine. This simply is not efficient for violations of, for example, the leash law or dog license violations. A Haines police officer should not be required to go to court to testify for every subsequent dog license violation (nor, arguably, should a citizen who does not contest the charge). Yet that is required in order to enforce graduated fines. In our opinion, the slightly increased fines for subsequent violations does not provide enough additional deterrence over a fixed fine to justify this use of police officers’ time. We have therefore proposed setting a uniform fine for all violations (at an amount equal to the fine for the second violation under the old system).



Haines Borough
Assembly Agenda Bill

Agenda Bill No.: 15-589

Assembly Meeting Date: 9/8/15

Business Item Description:	Attachments:
Subject: Amend Code to Allow Cooling Water Discharge into the Sewer System w/Borough Approval	1. Ordinance 15-08-418 2. Memo from the Water-Sewer Operator 3. Memo from the Interim Director of Public Facilities
Originator: Interim Director of Public Facilities	
Originating Department: Public Facilities	
Date Submitted: 8/3/15	

Full Title/Motion:
Motion: Adopt Ordinance 15-08-418.

Administrative Recommendation:
The Borough Manager recommends adoption.

Fiscal Impact:			
Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$ 0	\$ 0	\$ 0	N/A

Comprehensive Plan Consistency Review:	
Comp Plan Goals/Objectives: Objective 3F, Page 108	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Summary Statement:
<p>There is a need to update code to allow on a case-by-case basis cooling water discharge into the borough's waste water system. One example is the local distillery whose process involves a certain amount of cooling water discharge.</p> <p>Objective 3F of the Comprehensive Plan: Strengthen entrepreneurial activity and businesses. Provide entrepreneurs with the resources that will enable them to develop and expand their businesses</p>

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

Assembly Action:	
Meeting Date(s): 8/11, 8/25, 9/8/15	Public Hearing Date(s): 8/25, 9/8/15
	Postponed to Date:

An Ordinance of the Haines Borough amending Haines Borough Code Title 13, Section 13.08.260 to allow the discharge of cooling water into the municipal sewer system with specific approval from a designated borough official.

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. Amendment of Section 13.08.260. Haines Borough Code is amended, as follows:

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

13.08.260 Prohibited connections.

It shall be unlawful and a violation of this chapter for any customer or other person to connect or cause to be connected to the sanitary sewer system any inflow source. The term "inflow source" is defined as any source of water from such sources as, but not limited to, roof gutters, cellar, yard, and area drains, foundation drains, cooling water discharges (**unless specifically approved by a designated borough official**), drains from springs and swampy areas, manhole covers, cross connections from storm sewers and combined sewers, catch basins, storm waters, surface runoff, and street wash waters or drainage, but does not include water entering the sanitary sewer system from the ground, through such means as, but not limited to, defective pipes, pipe joints, connections, or manhole walls. All new sewers and connections from wastewater sources to the sewer system shall be designed and constructed in accordance with such guidelines as the Administrator of the U.S. Environmental Protection Agency or the Alaska Department of Environmental Conservation, as applicable, shall publish from time to time.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS ____ DAY OF _____, 2015.

ATTEST:

Janice Hill, Mayor

Julie Cozzi, MMC, Borough Clerk

Date Introduced: 08/11/15
Date of First Public Hearing: 08/25/15
Date of Second Public Hearing: 09/08/15

MEMO

September 1, 2015

Code Change 13.08.260 Prohibited connections.

Adding wording to code (Unless specifically approved by Borough officials) will allow small operations such as the Distillery to be code compliant.

- The intent of the current wording was for large amounts of warm or hot water from Industrial applications. That could adversely impact the Sewer Treatment Plant and its EPA Discharge Permit.
- Cooling water in small amounts (2 or 3 thousand gallons a day) will not have an effect on the Treatment Plant.
- This change will allow small Businesses such the Distillery to be compliant with this code.
- In the future if there are new businesses that propose to use water for cooling purposes, this change in code would allow that after review by Borough Staff.
- Borough Staff would have to review the proposed daily amounts of cooling water a new business would use and what impacts it could cause to the Sewer Treatment Plant.
- Borough Staff will have to monitor the amount of cooling water a business discharges to the sewer system, if amounts increase over time.

Thank You.

Scott Bradford
Water-Sewer Operator



Memo

Public Facilities

Date: August 25, 2015
To: Mayor and Borough Assembly
Cc: Borough Manager
From: Brian Lemcke, Interim Director of Public Facilities
Re: Ordinance 15-08-418

The Haines Borough code sometimes needs to be updated to address changing requirements of local citizens and business'. For example the brewing and distillery operations and their needs were never anticipated when certain areas of the code were written. This minor ordinance change is an attempt to address one of these instances and to maybe accommodate future similar needs.

The cooling water section of the ordinance applies to large hot water discharges to the borough waste water system from things like big power generation plants and not small breweries, distilleries and other similar enterprises. It is my view that the best way to handle this is to look at each individual case as described in the ordinance change language.



MANAGER'S REPORT

DATE: September 08, 2015
 TO: Mayor and Borough Assembly
 FROM: David B. Sosa, Borough Manager

BOROUGH ADMINISTRATION MISSION

Under the guidance and direction of the Borough Assembly, the mission of the Haines Borough Administration is to deliver critical and desired services; to protect the safety and well-being of the community; and to create conditions for a vibrant, sustainable economy that enhances and safeguards quality of life

Manager's Comments:

Facilities & PW Director Hire Recommendation: The hiring committee recommended Mr. Brad Ryan, a Haines resident, for the position of Facilities & Public Works Director. Mr. Ryan's strengths include project management, a long history of work with state and federal regulatory agencies, a detailed understanding of mitigation issues, a commitment to public outreach, and exceptional knowledge of using technology to convey information. He has a sound background in construction and a good understanding of construction management. The committee acknowledged that Mr. Ryan has limited exposure to municipal public works and water & sewer operations but noted that he was very intelligent and can acquire the necessary knowledge he needs. Additionally, the committee felt that his strengths (in many areas that the Borough is historically weak in) outweighed the gaps in certain areas.

GASC Meeting: The Committee met last week and is recommending a list of federal priorities be approved in this week's proceedings. An additional recommendation is made to send the current list of State Legislative priorities to all committees and boards for review and request that they identify any other items for possible inclusion on the list. These items could be reviewed by the GASC in October and a revised list proposed for consideration by the Assembly in late October or early November. I also propose that all items be identified with associated goals (long & short term), messages and themes, and an outreach & action plan. The administration will develop a template for committees and boards to use as they develop their input.

Noise Study Review: I have tentatively scheduled Meade & Hunt to provide a presentation on the Noise Study for the last Assembly meeting of September. Given the topic and the potential for a high level of interest it may be best if we have a separate meeting for this. Other dates for consideration are 23 and 24 September.

Small Boat Harbor Update: On Thursday 27 August the PHAC met and reviewed the 95% plans for the SBH. They ultimately approved the plans as they are and passed a motion to that effect. At the next Planning Commission meeting the item will once again be addressed. The PC will look at the issue from the perspective of zoning and land use and make a recommendation on whether or not the plans are consistent with Borough plans for land use. A useful document to review is the 2009 Harbor Master Plan which outlines the reasons and goals for the project in chapter 2. Please see the link below

http://www.hainesalaska.gov/sites/default/files/fileattachments/ports/portage_cove_harbor_master_plan_2009_0.pdf
 (see chapter 2 for Goals & Objectives)

Pellet/Chip Boilers in Sitka: This week's agenda includes a resolution to purchase three chip/pellet boilers from the Coast Guard using the 1.3 Million Dollar Bio-Mass Grant. Additional details are located within this week's packet. The US Coast Guard is selling 3 Pellet/Chip Boilers and all associated equipment for which I propose we offer 60K. The original cost was approximately 450K. Using the 1.3 million dollar grant for Bio Mass projects and purchasing these boilers is an opportunity

that can allow us to maximize the grant through a low cost boiler purchase. There is some risk involved but I feel it is worth it given the good price. **Truth in advertising:** The Boilers are offered at this price because one was installed improperly resulting in a fire (additional details in packet). The boilers have been fully rebuilt and are now for sale. Potential use for the boilers exist at the School, Waste Water Treatment Facility, or in combination as a district heating system for the School, Pool, WWTF, and Borough Offices.

Police Chief Hire Process: The Police Management Audit was posted on the Borough website on 14 August. On 17 August the Borough Manager updated the Public Safety Commission on some of the elements contained within the report and the PSC scheduled an additional meeting to determine the qualifications the Borough seeks in a permanent police chief. On 2 September the PSC met and identified a list of traits that the community feels are important for a Police Chief to possess. Many individuals present expressed their appreciation and support of the Interim Police Chief and urged the PSC and the Administration to focus on Chief Griffiths for hire. Extending an offer directly to Chief Griffiths without conducting the normal hiring process is allowed by code (see HBC 2.74.035 (A)). This is an action the Administration can pursue while also continuing to develop a more formalized process in conjunction with the Public Safety Commission.

Community Non-profit Funding Applications: A revised application packet has been prepared and was posted to the Borough website. A submission deadline of 22 August was set and the committee now needs to meet and review the applications received so that the item can be brought before the Assembly on 22 September.

Update to the Multi-Hazard Mitigation Plan: The State Department of Emergency Management has completed their review of the Borough's update to the Multi-Hazard Mitigation Plan. Staff updated the plan based on the guidance from the State and the plan is presented to the Assembly tonight for review and approval.

Website Upgrade: Staff has been reviewing options to upgrade the Borough website with our consultant aHa (<http://www.ahaconsulting.com/>). Options for upgrade include incorporating a Responsive Design (Mobile Friendly), adding Mega Menus, advanced search, improved e-mail notifications, link projects, etc to geo-mapping (see this link for example: <http://www.losaltosca.gov/projects>). Anticipated cost of the re-design will be approximately \$7,000.

Road Maintenance: The Summer road maintenance plan has been completed. An updated road status map is being prepared and will be posted on the Borough website once it is complete.

Elections: As a reminder, this year elections for the Haines #1 precinct will be held in the Chilkat Center Lobby. The Clerk's Office is providing details and getting additional signage from the state to increase awareness. The Haines #2 polling place remains the same: Klehini Valley Fire Hall.

Facilities & Public Works: (See Attached Spreadsheet)

Finance:

2015 Municipal Debt & Municipal Tax reports. These are mandatory reports per AS 29.20.640 that must be submitted to the State Assessor on 1 September. Our report was filed.

Property Tax – First half property tax payments were due 9/1. \$2,807,359 in 2015 property tax bills were sent out in July. Of this amount, \$915,483 (33%) has been paid as of the date of this report.

Fire Department:

Temporary/Part Time Hires:

Lizi Wirak has been hired on a temporary part-time basis until a permanent full time EMT/firefighter is hired. Lizi joined the HVFD in May of last year after successfully completing her EMT-1 course. She is working at the Fire Department on Mondays and Tuesdays to help with emergency call response, apparatus inventories and training records.

Chris Downer has been hired on a temporary part time basis until a permanent full time EMT/firefighter is hired. Chris joined the HVFD Ambulance Company in February 2013. Since joining, he has completed both an EMT-1 and EMT-2 course, joined the Engine Company and has been voted on by the department as the Engine Company Second Lieutenant. He is working Wednesdays through Fridays to help with emergency call response, apparatus maintenance and maintenance records.

Library: See separate report. Additional comments regarding library employees: The Library Director and I would like to acknowledge the library staff for their positive attitudes and dedicated work ethic. This summer they have had between 10,000 to 11,000 people visit the library each month. Staff has juggled duties, missed lunches, stepped in wherever needed to assist visitors and locals with their needs. While waiting on up to 800 people a day, they also may find themselves repairing a printer, unplugging a toilet, helping a child find his/her parent, giving directions, describing the Haines community, and recommending what else to do in and around Haines. They manage all this while they continue their required duties of circulation, collection development, interlibrary loans, cataloging, firewall reconfiguration, program planning, story hours, statistical reporting, project development, and grant reports.

This is a hard-working group of Borough employees that represent Haines to a wide variety of people in a positive and enthusiastic way. We couldn't ask for more.

Museum:

Totem Trot: On August 15, 2015 the Sheldon Museum and Cultural Center held its annual Totem Trot fundraiser. This year the museum sought to attract out-of-town athletes by adding a half-marathon to the events as a challenging alternative to the 5K run or walk. Five half-marathon runners started at the Folletti family pole at Chilkoot River Lodge and ran approximately nine miles down Lutak Road to 2nd Street before taking a more strenuous, lengthy route through town than the 5K. The event's first finisher, Jonathan Cromwell, completed the course with the impressive time of one hour, thirty-seven minutes and twenty seconds. 5K runners included Haines School cross country athletes from Tara Bicknell's team, many of whom took top places in the finish. Local businesses donated prizes for an opportunity drawing and corporations showed their support by sponsoring totem poles.

Local Foods Dinner: On August 29th, the museum hosted a local foods dinner with chefs Michele Genest and Lyn Fabio from Whitehorse. Twenty volunteers decorated the Senior Center, assisted with food preparation, played music, served food and cleaned up after the event, providing a fine dining experience for fifty ticket holders. The meal included Elk ribs covered in Anway apple barbeque sauce and a dessert of Haines cherries and Birch syrup ice cream.

Junior Curator Program: The Museum launched its Junior Curator program at the end of the month. Six Haines teenagers signed up for the program during its first meeting, learning about museums and visiting the storage area of the Sheldon Museum.

Police: See separate report

Pool: The Thursday after-school swim went well, and over 20 kids attended. Other items of note include:

- A. A meeting with Greg Herbert from Juneau Electric to inspect wiring upgrades for the blanket reel. Facility maintenance scheduled Juneau Electric to upgrade electrical wiring Sept 2nd from 7-9 am. Facility was scheduled to remain shut down until 11am Wednesday, 9/2. Juneau Electric finished wiring upgrades at 9:45am.
- B. Haines Dolphin Swim Team contract is signed.
- C. Inspection of the pool stairs found some damage which needed to be addressed immediately since it was a safety issue. Pool was closed for the evening swim to remove and repair stairs and caulking.

Tourism:

Chilkoot: The Tourism Director has met with Mike Eberhardt, Area Superintendent of Alaska State Parks, and the new Haines Ranger, Travis Russell. Parks is currently meeting with DOT to decide on the management of the Chilkoot Rd. The current plan is to have DOT continue to maintain the road but giving management and enforcement to State Parks. The borough has discussed supporting the efforts of Parks to implement this plan. No further action on building bear platforms or road improvements will happen until this transfer has taken place. Parks Ranger Russell will be enforcing the Chilkoot Rd as a normal state road would be enforced, and will encourage no stopping in the road way, pulling off only in specified pullout areas, and to try to address human/bear conflicts. The Tourism Advisory Board is address incidents involving tour operators and conflicts at the Chilkoot.

Cruise Ships: We have our last month of ship activity with the last Holland America ship on September 16th. The Tourism Director will be traveling to Seattle and Miami for visits with cruise industry leaders to market Haines with our new initiative

at the end of September. We will be meeting with Royal Caribbean, NCL and Prestige, Princess, Holland America and Silver Seas.

Marketing: We have been working on an ad campaign with the Yukon publications and will be continuing this through winter events to encourage traffic from Whitehorse and Haines Junction. The State offered a co-op opportunity with Audubon Magazine which we took advantage in a normally high end rate.

Picture Point: Southeast Road Builders completed the next stage at Picture Point with an accessible trail from the lot near the restrooms down to the tide lines. As well, they installed a line of raw logs to delineate the picnic area from the lot, this area was seeded for grass. The sign will be finished this month but installed in the spring.

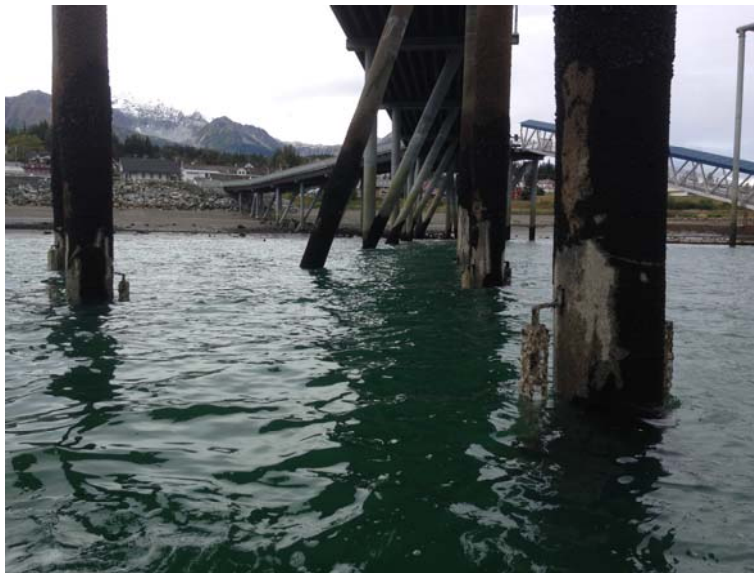
Visitor Planner: We are working on the 2016 Visitor Planner accepting photo submissions and solidifying the printing contract.

Travel Writers: Earlier this month we had another writer with Alaska Airlines Magazine with focus on food, distillery and Brewery. This week with the last visit of the L' Austral we have a reporter with a large French travel publication on board.

Freeride World Tour: Meeting with organizers next week to solidify expenses, lodging and event needs.

Water/Sewer: There have been a number of complaints regarding the taste of the water. In response to this the water sewer teams flushed 30 hydrants and have isolated Tower Road Tank and will flush and clean that tank. This tank will be offline through Wednesday 9 September. We want to stress that the water has been tested and is safe to drink and we continue to work to address taste and odor.

Ports & Harbor: The Harbor is still getting heavy boat traffic which keeps our crews very busy. Additionally, the crews are cleaning anodes at PC dock on minus tides (see picture) and they installed a second fish cleaning table and catch basin at harbor. The PHAC has scheduled an additional meeting to discuss 95% on 10 Sept and the Harbormaster will be attending Pacific Coast Congress of Harbormasters and Port Managers Conference in Juneau 15-18 Sept. Finally, the updated harbor fee schedule is on the website.



Ongoing Public Works and Facilities Projects

Ongoing Public Works and Facilities Projects						
Item	Planning Lead	Scheduled Start Date	Scheduled Completion Date	Status	Remarks	Other
VocEd Building	Facilities	Last week of May	Final Completion Sep 18		Project is moving forward as planned but substantial completion will be delayed for 9 days due to critical sprinkler system parts that will not show up timely. The contractor has coordinated with HBSD and part of the building will be available for class on the first day of school.	Change orders to this date total \$81k, mostly for additions to the scope of work, some due to unanticipated conflicts. Class was able to be held on 8-19-15.
Allen Road	W/S	May 1 (delayed due to Dec-SEE REMARKS)	15-Aug		Project is essentially complete lacking only some close out paperwork and final payment. As built drawings have been submitted.	Change order being developed to cover cost of additional work and material added to improve subgrade in bad areas. Site was visited and documents were reviewed by EPA reps. CONSTRUCTION IS COMPLETE. NEED CLOSE OUT PROCESS, AS BUILTS, ETC. Final CO has been processed and as built drawings are being finished by CD
School Roof Project	Facilities	NET 7 June	NLT 18 Sept		Contract awarded to Silverbow Const. of Juneau. Start of project has been delayed until the end of August by the contractor.	Change order issued to have roof over the newer school inspected, some problem areas were identified and will be addressed in the CO. An completion extension may be required at some point. WILL START SEP 1 AND WILL LAST 10 DAYS
Sledding Hill	Facilities	In progress	1-Oct		Trees removes, stumps next (Whiterock)	Don't expect action until the fall on this one
Piedad Water Transmission Line Replacement	W/S	Project will be bid in the normal fashion, does not meet "emergency" criteria.	TBD		Design is essentially complete and DEC review is in progress	Engineer and others walked and climbed the site to determine best building location and pipe route. Property owned has agreed to sign a use agreement until final sale goes through. Property final sale is delayed to the platted lot size being smaller than allowed by borough code. Options being explored at this time.
Summer Road Maintenance	PW	Started	Through Oct		Road maintenance matrix currently beign updated	Beach road and Soap Suds alley chip sealed. Additional D1 and grading taking place through out the townsite road system. COMPLETE FOR SUMMER. NEW MAP DUE BY 27 AUGUST
Picture Point	Tourism	In progress	Ongoing		Bathrooms installed and open as of July 1, 2015	Met with this committee July 6, 2015, agreement that phased project with trails first is the best way to proceed. RFP for trail, log parking barrier and grass seeding closes August 13, if an acceptable Proposal is presented work should begin by last week in August. RFP PLACED FOR GRASS PLANTING, LOG PARKIGN BARRIERS, 60-70 FOOT TRAIL TO BEACH ON SOUTH SIDE. SRI was the only proposer, work was awarded and will start next week.
Waste Water Treatment Facility	W/S				\$1.7 mill DEC loan secure, plans approved by DEC and submitted for grant point review. Received high points so we await grant approval and award.	Working to coordinate with pellet grant folks and building designers to accommodate pellet heat with oil backup. Design continues with the hope of putting out to bid this fall. If the grant is not received fund will be a problem.
Public Safety Building/Jail Cells:	Facilities		Complete		Heating upgrades are complete, new jail toilets and other maintenance and upgrades are under way by borough staff.	Installing new toilets in two cells and ventilation system in crawlspace. Working on better ventilation in the upstairs server room as directed by IT. PF office moved from temp. trailer into former space.
Small Boat Harbor Expansion	Harbormaster				95% documents presented and under review	
Letnikof Float repair	Harbormaster	NLT mid Jul	NLT Late July		Work completed with little complication	Work completed slightly ahead of schedule after minor alignment adjustment. CO for additional work totals approximatly \$19k. Project still under estimated cost.
Excursion Inlet Bridge	EconDev					
School Renovation Completion Project						
Repeater Station					Kyle Sinclair and Assoc. Explored the repeater station issues and provide and assessment, several deficiencies were identified and corrected, the antenna was determined to be the major cause of trouble.	Receive a quote from APT to provide and install new cable and antenna. We are currently using APT's area wide antenna to provide communication to the upper valley. New equipment has been ordered and will be installed by APT as soon as it shows up.
Haines Senior Center, siding ,windows,doors	Facilities	TBD			JVL made site visit and followed up with a estimated budget for the entire job that is within the available funding. Moving forward with the bid process.	Bid ready documents to be delivered before September 15th, Should be out to bid shortly after that with construction to start mid OCT weather permitting. Substantial completion will be next June 1, 2016 in case we have a harsh early winter.
Mathias-Lutak sewer improvement project	W/S	August 17 start date	30-Aug		Clearing and grubbing underway this date, material is on site and pipe install to start on Aug. 17	
Roll on Roll off ramp at Lutak Dock	harbors	tbd			Air leak discovered at the RORO 7-9-2015, Temporary patch installed. Ramp is severely degraded, replacement needs to be considered in the near future.	Discussion with Western Marine to make permanent repair underway.



July Statistics

Visits: 10,226
Monthly Circulation: 9,395
Internet Use: 1,450; Wi-Fi: 3,420
Library Programs: 69, Attendance: 692
Non-Library Programs: 1, Attendance: 63
Meeting Room Reservations: 27; Attendance: 128

**August 19, 2015
Director's Report**

Updates:

- For those of you unaware, we spent a week in July without internet. This included emails for staff. Apparently, due to a power outage, our shared firewall died. There was no cost to replace the firewall but it did take a week for it to arrive in Haines. Erik worked diligently to reconfigure the firewall and shared 'file cabinets' and mailboxes. When additional problems have ensued since, it was determined that we need to replace the switch. Again, no cost for the part but will take Erik's time. Fun Fact: library visits for the 10 days without internet were **2,491**. The primary day we saw a decrease in numbers was the cruise ship day with no Wi-Fi access. Internet or not, the Haines community still uses their library!
- During this same week, Dale found water leaking from the hot water heater in the boiler room. A new one has been ordered to replace it. Also, there was water on the floor in the boiler room which was first thought to be from the in-floor heating. It was determined that this is not the case but we are keeping a watch on it.
- Facility crew also worked on removing the moss from the roof.
- The Summer Reading finale was held at Tlingit Park and was a huge success. Music, puppet and magic shows, prizes, awards and a BBQ were all part of the final program.
- From late June through mid-August on Thursdays, the library hosted "Enhance your Gardening Skills" programs at Starvin' Marvin's Hoop House. On Friday, August 7, we joined Takshanuk Watershed Council for a fun and successful First Friday Garden Party. Jessie created natural dyes from thimble berries, cherries, turmeric, etc. for a tie dying activity. About 75 people attended the event.

Grants and reports:

- I am currently working on the State Library annual statistical report, the Public Library Assistant (PLA) grant final report for FY15, and the updated Technology plan, all due September 1.
- Holly submitted the final report for the Play Space Mini-grant we received from the State Library.
- FY16 PLA grant request has been approved by the State Library. We will be receiving an amount of \$6,650.
- Received notification of our award for the Native American Library Services Basic and Educational Grant for FY16. The amount is \$7,000. I will be completing the FY15 Basic Grant

Haines Borough Public Library

final narrative and financial reports prior to leaving for the upcoming conference in September.

- Reba and I are working with the Friends on a CVCF grant application.

Staff:

- We will be advertising for a 14 hour per week circulation services position. This will be a shared position with Debbie Gravel. Dave Sosa approved this staffing change.
- Jolanta was hired as a 90 day emergency hire to assist with portions of the Enhancement grant project. She'll be working from August 1 – October 30.
- Daytan Long worked a few hours for the library this summer through the CIA youth development program. He also spent a week working on editing the films from previous Cultural Programs. His hours for this project were paid for through SAIL.

Special Events:

- We are partnering with 49 Writers and Alaska Quarterly Review for a SE Alaska program. The tour begins in Haines with a free public reading by Melinda Moustakis, author of *Bear Down, Bear North* on September 18, 6pm. Melinda will also be teaching a writers workshop and hosting a statewide discussion over OWL on the 19th and 20th.
- Author, Seth Kantner will be at the library on Sunday, September 27, at 3pm reading from his new book of short stories.
- Juneau Public Library staff has invited us to be part of their grant-awarded StoryCorps project. The project seeks to share stories around the theme of Alaska Native Educational Experiences. Jessie and Jolanta will be scheduling interviews for up to 10 participants. Storytellers receive a CD recording of their interview and can choose to archive their story with Sealaska Heritage Institute, StoryCorps, and the American Folklife Center at the Library of Congress. When the project is complete, we will be able to borrow their recording equipment for our own projects. Interviews will take place at the library October 16-17.
- *Ikaduwaḱaa* Game kick-off event and Cultural Exchange, late October. The exact dates will be determined when we receive confirmation from visiting presenters. I am looking for Board members willing to be part of our test group. Please let me know if you are interested.
- We will be participating in Alaska Book Week, October 3-10. Watch for upcoming events.

Upcoming:

- Association of Tribal Libraries, Archives, and Museums conference in Washington DC, September 9-13, 2015. Erik, Jessie and I will be attending, leaving on Saturday, September 5. Both Erik and Jessie have received scholarships from ATALM to reduce the cost. The remainder of the cost will be covered by grant funds.
- I will be taking personal leave from September 14-23.
- Alaska Library Association Executive Council meeting in Anchorage, September 26-27, 2015. I'll return to Haines on the 28th.

Haines Borough Public Library

Other:

- We have been invited to participate as presenters in webinars for small libraries hosted by Library Journal and the Gates Foundation which will be scheduled throughout the year.
- IMLS contacted me to let me know that we have, again, been nominated for the National Medal for Library Services. Applications are due October 1.

Summer's over ... some visitor quotes for your reading pleasure:

From TripAdvisor:

“Library find of our life”

Reviewed August 9, 2015, Milwaukee, Wisconsin

This is the best we've seen. The architecture, the lighting, the chairs are all very new. It was very comfortable and the staff extremely friendly and helpful. It was not only well stocked, there was a book sale for only a quarter on every bk - paperback or hardcover, where I found [hopefully] some 'little treasures' for my granddaughters. (I have been told my personal children's library is lacking.)

“Amazing library for a small town”

Reviewed June 29, 2015, Brooklyn, New York

Amazing collection for a small town. Watched local kids perform Three Pigs in the fairytale theater.

“A Highlight of the Trip”

Reviewed June 1, 2015

This little library is excellent. There's a fabulous totem pole to admire outside, and the inside has a lovely layout, cold water coming from the taps, and friendly staff at the desk. We were glad we stopped in to cool off, purchase some of your discards (excellent selection!), and read for awhile.

From our guest book:

Lovely library and people. Helpful and friendly. – Chicago Illinois

A warm and welcoming place. – Christchurch, New Zealand

Wonderful resource for community! – Sarasota, CA

It's the most beautiful library ever! – Toronto, Ontario

Best library in Alaska! – Vancouver, BC

Very friendly staff, nice library, kind welcome. – France

Thanks for being a great library! – Holland, MI

Lovely library with a kind and warm staff. – Kansas

Beautiful, packed full in a great way. – Tampa, FL

Love the library and interactive display map. – Michigan

Haines Borough Public Library

Great library, slow wi-fi, enjoyed the visit. – Brantford, Ontario

Wow! Wonderful place with kids! – Whitehorse, Yukon



HAINES BOROUGH

POLICE DEPARTMENT

PO BOX 1209

HAINES, AK 99827-1209

Phone 907-766-2121, Fax 907-766-2190

Robert Griffiths
Interim Chief of Police

Date: 9/2/2015
To: Mr. Dave Sosa, Borough Manager
From: Bob Griffiths, Interim Chief of Police
RE: Manager's Report Input

The PSC met on 8/21/15 @ 4:00 PM and voted to pass their recommendations to the Borough Assembly regarding the Minor Offense Ordinance. A Public Hearing is scheduled for Wednesday, 9/2/15, 6:00 PM to gather public input into the Hiring Process and Requirements for a permanent Police Chief.

The Department sent two offer letters to successful applicants for police officer.

- One was accepted and the candidate is currently in Haines finishing his pre-employment physical and background investigation. He will likely start next week and will be detailed to help with the evidence room audit pending the return of Off. VanSpronsen from his moose hunt, midmonth.
- The other candidate, an experienced officer from out of state, has declined the offer, primarily due to inadequate compensation.

The department will conduct additional interviews from other applicants both this and next week.

Jail improvements continue; hopefully most cosmetic improvements will be completed prior to an AK DOC facility audit scheduled for sometime in early October.

Efforts continue to clean up the offices and storage rooms. Cleaning and purging is ongoing along with staging of old documents for destruction, pending authorization.

As previously mentioned, we uncovered an additional evidence room in upstairs storage while cleaning the storage room.

I'm having an ongoing dialog with AK DPS regarding the implementation of the Alaska Records Management System (ARMS). I learned that the system tracks evidence, and evidence locations. I'm working with them now to set up the various data codes for locations, and will incorporate those, with Ryan Rutland's assistance into our efforts

No notable criminal cases have occurred since last report. We are waiting for the DA to weigh in on a couple of investigations before filing charges or making arrests on ongoing cases.

I continue to work high visibility radar during the morning school – traffic rush and have stopped a number of vehicles, issued many warnings a one citation.

Approved

Public Safety Commission

4-13-2015 Meeting Assembly Chambers 5:30pm

Commissioners present: Judy Erekson, Jim Stanford, Bob Duis, Judy Ewald and Kay Clements

Also present: Manager Sosa, Ron Jackson, Chief Musser, Mayor Hill, Carol Duis, Karen Garcia, Mike Case

Agenda – JE approved, BD/2 unanimous

Minutes from March – BD approved, JLE/2

Old Business:

- HELP Committee Report – nothing to report

New Business:

- Chief Musser's report - refer to stat sheet for month of March 2015 and first quarter Jan – Mar 2015. Chief mentioned that one of his men has let the department know that family may necessitate his leaving but no date has been given at this time. Chief leaving at end of May. Dupree returning from training soon to take up position and department is actively beginning to recruit for Chief position. The auditor is working with city manager on recruitment and borough is considering consulting assistance.
- Phase one of the HPD Audit completed. Auditor spoke with over 30 residents from varying parts of the community.
- The survey being readied for delivery to the manager who will review and present questions if any. Final draft to be released in a month.
- Discussion of PSC – revisiting briefly role of the commission. If issues arise that the commission is concerned about, it was recommended by the manager to make a recommendation to the assembly regarding the issue.
- The Chair will write up an annual report for the mayor and assembly- commission discussed list of efforts and agreed on content for the letter.
- The commission entertained a motion to write a letter to Fish and Game in Juneau about the lack of oversight due to budget cuts. BD move, JLE/2 – passed unanimously

Open Discussion:

1. The Chair requested updates on state funding for jails/police and for public broadcasting.
2. Commissioner Erekson suggested that the model of restorative justice might be appropriate for the size of our town and will gather information to present at May meeting.

JE moves to adjourn, JLE/2 unanimous!

Meeting adjourned: 6:40pm

Next meeting May 4, 5:30pm

[PSC will be on 3-month sabbatical from June – August]

Haines Borough Public Library Board
Approved Meeting Minutes
July 24, 2015
4:00 PM

The mission of the Haines Borough Public Library is to be responsive to community needs by assembling, preserving and providing access to materials, information, and technology. Therefore, the Library will offer an environment conducive to providing programs, sharing information, and stimulating ideas. The library will be a community gathering place where all ages are welcome.

Call to Order: 4:05pm

Present: James, Cecily, Anne Marie, Patty, Lori

Excused: Dick, JoAnn, Heather, Tracy

Guests: Erik, Reba

NOTE: no quorum was present

Consent Agenda

No changes

Virtual Desktop Question

Erik and Patty reported on the request from Borough staff for the library to be included in a thin-client assessment.

Current operations are smooth. No reason to change.

Desktop usage is diminishing.

Thin client advantages: financial, reduced maintenance costs for certain organizations. A thin client system would not necessarily be a cost savings to the library.

Erik has assessed the pros and cons and the current outlook is negative.

Assessment will happen in October.

Is the thin client direction in line with our technology plan and vision?

Erik to circle back with Warren and James to discuss and we will report back next meeting.

Rasmuson Board Visit

Cecily reported on the visit of Rasmuson Foundation. Cathy, Lile and Judy brought up the fact that our current expansion is not big enough. They recommended pushing it out over the totem pole park to the edge of the parking lot (create a space that can hold 200 people).

They said it would be a waste to do it at the current scope.

Possible eligibility for different levels of funding if the project size increases.

Staff to come up with a realistic needs assessment.

Board discussed asking MRV to work up some ideas (see Fair Booth below.)

Parking Lot

The general pattern and direction outlined in our project plans is moving forward (one-way flow)

Board Positions

Cecily has submitted her resignation to reduce conflict with her professional role as a consultant.

We will need to advertise for a new position, keeping our "gaps" in mind.

Fair Booth

We need to reconsider our Fair plan. Perhaps put our kickoff on hold until we have more specifics.

James to cancel with Fair. James to remove current images of extension from website and remove link from hainesak.com

Radio:

July 17: Staff,

July 24: James

July 31: FOL

August 7: Staff

August 14: Heather

Adjourned: 5:35pm



**Haines Borough
Assembly Agenda Bill**

Agenda Bill No.: 15-592
Assembly Meeting Date: 9/8/15

Business Item Description:	Attachments:
Subject: Appoint Election Workers for the October 6, 2015 Borough Election	1. Resolution 15-09-641
Originator: Borough Clerk	
Originating Department: Administration	
Date Submitted: 8/31/15	

Full Title/Motion:
Motion: Adopt Resolution 15-09-641.

Administrative Recommendation:
This resolution is required by HBC 11.40.010.

Fiscal Impact:

Expenditure Required	Amount Budgeted	Appropriation Required
\$	\$	\$

Comprehensive Plan Consistency Review:

Comp Plan Policy Nos.:	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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Summary Statement:

HBC 11.40.010 provides that prior to each election the borough clerk, with assembly approval through resolution, shall appoint election workers for each polling place, and if a worker is unable to serve on Election Day, the clerk may appoint a replacement. Additionally, the election workers shall be compensated for their services as is determined by assembly resolution. The FY16 budget provides for specific hourly rates and estimates the number of hours based on previous elections, and it is anticipated the budget will be sufficient for the October 6, 2015 Election.

This resolution complies with the code requirements.

Referral:

Sent to:	Date:
Recommendation:	Refer to: Meeting Date:

Assembly Action:

Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s): 9/8/15	Tabled to Date:

A RESOLUTION OF THE HAINES BOROUGH ASSEMBLY APPOINTING ELECTION OFFICIALS FOR THE REGULAR ELECTION TO BE HELD OCTOBER 6, 2015, AND ESTABLISHING THE WAGES.

WHEREAS, HBC 11.40.010 provides that prior to each election, the borough clerk, with assembly approval through resolution, shall appoint election workers for each polling place, and if a worker is unable to serve on election day, the clerk may appoint a replacement; and

WHEREAS, the election workers shall be paid such compensation for their services as is determined by resolution of the assembly; and

WHEREAS, the FY16 budget provides for specific hourly rates and estimates the number of hours based on previous elections, and it is anticipated the budget will be sufficient for the October 6, 2015 Election,

NOW, THEREFORE, BE IT RESOLVED by the Haines Borough Assembly:

Section 1. The following persons shall be appointed election officials and alternates for the Haines Borough Regular Election to be held on October 6, 2015:

Precinct 33-545 – Haines #1

Jeannette Heinrich – Chair/Judge
Donna Truax-Hess – Judge/Alternate Chair
Leslee Downer – Judge
Diann Ahrens – Judge
Melissa Aronson – Clerk
Donna Catotti – Clerk

Precinct 33-550 – Haines #2

Frances Perry – Chair/Judge
Holly Thomas – Judge/Alternate Chair
Marion Carlson – Clerk
Teresa Visscher – Clerk
Lyn Campbell – Clerk
Jessica Crowe - Clerk

Section 2. Should any of these persons be unable to work as an election official on Election Day, the borough clerk is hereby authorized to appoint a qualified replacement; and

Section 3. The election chair/judges shall be paid \$12.50 per hour, and the election judges and clerks shall be paid \$11.00 per hour.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this ____ day of September, 2015.

Janice Hill, Mayor

ATTEST:

Julie Cozzi, MMC, Borough Clerk



**Haines Borough
Assembly Agenda Bill**

Agenda Bill No.: 15-594
Assembly Meeting Date: 9/8/15

Business Item Description:	Attachments:
Subject: FY 2016 Federal Priorities	1. Resolution 15-09-642 2. GAS Committee Recommendation
Originator: Borough Manager	
Originating Department: Administration	
Date Submitted: 9/1/15	

Full Title/Motion:
Motion: Adopt Resolution 15-09-642.

Administrative Recommendation:
The Borough Manager recommends adoption.

Fiscal Impact:

Expenditure Required	Amount Budgeted	Appropriation Required
\$	\$	\$

Comprehensive Plan Consistency Review:

Comp Plan Policy Nos.: Objective 2B, Page 56	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
---	---

Summary Statement:

The intent of this resolution is to provide the President of the United States, Alaska Congressional Delegation, and other federal officials with adequate information to represent the needs of the borough concerning requests of the Federal Government, including necessary funding requirements. Following adoption of this resolution, the borough manager and staff will take all appropriate steps to provide background information and testimony in representing the borough's interests. It is important to note that the "order" of priority for the projects is not binding on the borough or federal government, but it does provide general guidance for funding through Congress and the Administration. Note: The Government Affairs & Services Committee was asked to recommend a 2016 priorities list. The committee met on 9/1/15 and recommends this resolution.

Referral:

Sent to: Government Affairs & Services Committee	Date: 8/25/15
Recommendation: Adopt	Refer to: Meeting Date: 9/1/15

Assembly Action:

Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s): 9/8/15	Tabled to Date:

**A RESOLUTION OF THE HAINES BOROUGH ASSEMBLY ADOPTING THE
BOROUGH'S 2016 FEDERAL PRIORITIES.**

WHEREAS, the Haines Borough Assembly has determined to prioritize the Borough's 2016 federal priorities; and

WHEREAS, it is the intent of the assembly to provide the President of the United States, Alaska Congressional Delegation, and other federal officials with adequate information to represent the needs of the borough concerning requests of the Federal Government, including necessary funding requirements,

NOW, THEREFORE BE IT RESOLVED, by the Haines Borough Assembly, Haines, Alaska:

Section 1. The following Capital Budget priorities are identified as the Haines Borough federal priorities for 2016:

1. Haines – Port Lutak Facility Improvements
2. Secure Rural Schools (SRS) Program and Payment in Lieu of Taxes (PILT)
3. Haines Harbor
4. Shakwak Project – North Alaska Highway
5. Haines Public Safety Building Replacement
6. Haines National Scenic Byway
7. Department of Energy Liquid Natural Gas Study
8. Tribal Transportation Program

Section 2. The borough manager is hereby instructed to advise the President, Alaska Congressional Delegation, and other federal officials of the Borough's federal priorities and take all appropriate steps to provide background information and testimony in representing the Borough's best interests.

Adopted by a duly-constituted quorum of the Haines Borough Assembly this ____ day of _____, 2015.

Janice Hill, Mayor

Attest:

Julie Cozzi, MMC, Borough Clerk

**Haines Borough GAS Committee Meeting
September 1, 2015, 6:00 p.m.**

Committee: Present: Diana Lapham, George Campbell, and Ron Jackson.
Absent: Dave Berry (Chair)

Chair of the Meeting: Lapham

Meeting Report: Lapham

Staff: Manager Dave Sosa, Leslie Ross

Ex Officio: Mayor Jan Hill

Attendance: Mike Case, Karen Garcia/CVN

Topic: Federal Legislative Priorities	
Recommendation to the Assembly as follows: 1. Lutak Dock 2. SRS/PILT, 3. Shakwak North Alaska Highway, 4. Haines Public Safety Building Replacement, 5. Haines National Scenic Byway, 6. Dept of Natural Resources Liquid Gas, 7. Tribal Transportation	
Topic: State Legislative Priorities	
Motion by Campbell with Second by Jackson: Recommend to the Assembly to have all committees and boards weigh in on the State Priorities. Motion passed unanimously.	
Next meeting date set for: Sept 15,2015, 6:00PM to recommend State Legislative Priorities	



**Haines Borough
Assembly Agenda Bill**

Agenda Bill No.: 15-596

Assembly Meeting Date: 9/8/15

Business Item Description:	Attachments:
Subject: Adopt Haines Borough Multi-Hazard Mitigation Plan	1. Resolution 15-09-643 2. Haines Borough Multi-Hazard Mitigation Plan (draft) 3. E-mails from Alaska Division of Homeland Security and Emergency Management
Originator: Director of Public Facilities	
Originating Department: Public Facilities	
Date Submitted: 9/3/15	

Full Title/Motion:
Motion: Adopt Resolution 15-09-643.

Administrative Recommendation:
The Borough Manager recommends adoption of this resolution.

Fiscal Impact:			
Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$0	\$0	\$0	N/A

Comprehensive Plan Consistency Review:	
Comp Plan Goals/Objectives:	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Summary Statement:
<p>Hazard mitigation is any sustained action taken to reduce or eliminate long-term risk to people and property from natural hazards and their effects. A multi-hazard mitigation plan identifies and coordinates risk mitigation efforts with state, federal and local partners. Federal regulations require local communities and tribes to have a FEMA-approved hazard mitigation plan for most of FEMA's grant programs. Local plans must be formally updated and approved by FEMA every five years. Borough staff drafted the 2015 Haines Borough Multi-Hazard Mitigation Plan in collaboration with the Alaska Division of Homeland Security and Emergency Management. If adopted, the plan will be sent to FEMA for formal review and approval.</p>

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

Assembly Action:	
Meeting Date(s): 9/8/15	Public Hearing Date(s):
	Postponed to Date:

A Resolution of the Haines Borough Assembly adopting the Haines Borough Multi-Hazard Mitigation Plan.

WHEREAS, hazard mitigation is any sustained action taken to reduce or eliminate long-term risk to people and property from natural hazards and their effects; and

WHEREAS, a multi-hazard mitigation plan identifies and coordinates risk mitigation efforts with state, federal and local partners; and

WHEREAS, federal regulations require local communities and tribes to have a FEMA-approved hazard mitigation plan for most of FEMA's grant programs; and

WHEREAS, local plans must be formally updated and approved by FEMA every five years; and

WHEREAS, Borough staff drafted the 2015 Haines Borough Multi-Hazard Mitigation Plan in collaboration with the Alaska Division of Homeland Security and Emergency Management; and

WHEREAS, if adopted, the plan will be sent to FEMA for formal review and approval,

NOW, THEREFORE, BE IT RESOLVED that the Haines Borough Assembly hereby adopts the Haines Borough Multi-Hazard Mitigation Plan.

Adopted by a duly-constituted quorum of the Haines Borough Assembly this ____ day of _____, 2015.

Janice Hill, Mayor

Attest:

Julie Cozzi, MMC, Borough Clerk



Haines Borough Multi-Hazard Mitigation Plan 2015



Acknowledgements

Haines Borough Mayor & Assembly

Mayor Jan Hill
Diana Lapham, Deputy Mayor
Joanne Waterman
George Campbell
Ron Jackson
Mike Case
Dave Berry

Haines Emergency Local Planning

Scott Bradford
Roc Ahrens
David Sosa

Haines Borough Staff

Carlos Jimenez
Former Public Facilities Director

Scott Bradford
Water/Sewer Plant Operator

103 Third Avenue S.
P.O. Box 1209
Haines, Alaska 99827
Phone: (907) 766-2231
Fax: (907) 766-2716
Website: www.hainesalaska.gov

Technical Assistance

Scott Nelsen
State Hazard Mitigation Planner
Alaska DHS&EM

Ann Gravier
State Hazard Mitigation Officer
Alaska DHS&EM

Photography

Cover Photo, Storm of 2005,
Scott Bradford

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Acronyms

AAC	Alaska Administrative Code
AEIC	Alaska Earthquake Information Center
AEIS	Alaska Economic Information System
BFE	Base Flood Elevation (100 year flood)
CFR	Code of Federal Regulations
DCCED	(Alaska) Department of Commerce, Community and Economic Development
DCRA	(DCCED) Division of Community and Regional Affairs
DEC	(Alaska) Department of Environmental Conservation
DHS&EM	(Alaska) Division of Homeland Security and Emergency Management
DGGS	(Alaska) Division of Geological and Geophysical Surveys
DNR	(Alaska) Department of Natural Resources
DOT&PF	(Alaska) Department of Transportation & Public Facilities
EOC	Emergency Operations Center
EOP	Emergency Operations Plan
FEMA	Federal Emergency Management Agency
HCMP	Haines Coastal Management Plan
HMHMP	Haines Multi-Hazard Mitigation Plan
HMP	Hazard Mitigation Plan
HMPG	Hazard Mitigation Planning Grant
MHMP	Multi-Hazard Mitigation Plan
MLLW	Mean Low Lower Water
MSL	Mean Sea Level
NFIP	National Flood Insurance Program
NPS	National Park Service
NOAA	National Oceanographic and Atmospheric Administration
NWS	National Weather Service
PDM	Pre Disaster Mitigation (Grant Program)
UAF	University of Alaska, Fairbanks
USCOE	United States Army Corps of Engineers
USGS	U.S. Geological Survey
WCATWC	West Coast and Alaska Tsunami Warning Center

Chapter 1. Planning Process

Purpose

The purpose of this Multi-Jurisdictional Hazard Mitigation Plan (MJMP) is to identify and coordinate risk mitigation efforts with State, Federal, and local partners and to fulfill the requirements set forth by the Code of Federal Regulations, Title 44 “Emergency Management and Assistance”, Part 201 “Mitigation Planning”, subsections 6 and 7 (44 CFR §201.6, §201.7):

Hazard mitigation is any sustained action taken to reduce or eliminate long-term risk to people and property from natural hazards and their effects. This definition distinguishes actions that have a long-term impact from those that are more closely associated with immediate preparedness, response, and recovery activities. Hazard mitigation is the only phase of emergency management specifically dedicated to breaking the cycle of damage reconstruction, and repeated damage. As such, States, Territories, Indian Tribal governments, and communities are encouraged to take advantage of funding provided by HMA programs in both the pre- and post-disaster timeframes.

Current Federal regulations 44 CFR §201.6 and §201.7 require local communities and tribes, except under Regional Administrator approved “extraordinary circumstances” (§201.6(a)(3), to have a FEMA approved hazard mitigation plan for most of FEMA’s grant programs (all but PA Category A, B, and IA). Currently, Federal regulations require local plans to be formally updated and approved by FEMA every five years.

Authority

On October 30, 2000, Congress passed the Disaster Mitigation Act of 2000 (DMA 2000) (P.L. 106-390) which amended the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act) (Title 42 of the United States Code [USC] 5121 et seq.) by repealing the act’s previous mitigation planning section (409) and replacing it with a new mitigation planning section (322). This new section emphasized the need for State, Tribal, and local entities to closely coordinate mitigation planning and implementation efforts. In addition, it provided the legal basis for the Federal Emergency Management Agency’s (FEMA) mitigation plan requirements for mitigation grant assistance.

For implementation guidance, FEMA published the Final Rule in the Federal Register on September 16, 2009 [Docket ID FEMA-2006-0010], 44 CFR Part 201 with subsequent updates. The planning requirements for local entities are described in detail in Section 2 and are identified in their appropriate sections throughout this HMP.

Jurisdictions

In 2002, Borough residents voted to consolidate the first-class City of Haines and the third-class Haines Borough into a home rule borough. This action combined two separate governmental entities into one and mandated adding area wide planning,

planning, and land use regulation to the responsibilities of the local government. Areas of the Borough that already had planning and zoning powers, the former City of Haines, Mud Bay and Lutak, retained their respective zoning regulations. The remainder of the Borough has been zoned General Use as described in the Haines Borough Charter.

This is a multi-hazard single jurisdiction plan. The Borough corporate limits did not change when Haines became a borough.

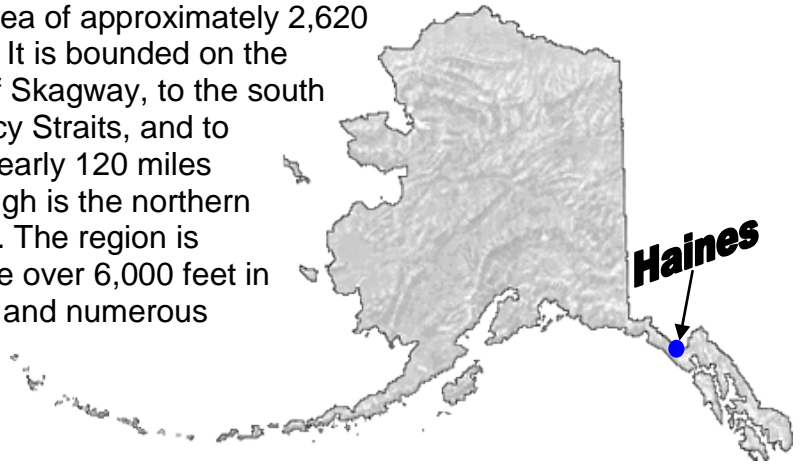
The scope of this plan is natural hazards: flooding/erosion, earthquake, snow avalanche, tsunami, and severe weather. However, some of the mitigation projects for the natural hazards would also mitigate impacts from manmade hazards, such as technological and economic hazards.

The Borough of Haines Multi-Hazard Mitigation Plan (MHMP) includes information to assist the borough government and residents in avoiding potential future disaster losses. The plan profiles natural hazards, chronicles past disasters, and lists projects to remedy or reduce disaster losses.

Plan Development

Location

The Haines Borough encompasses an area of approximately 2,620 square miles, or almost 1.7 million acres. It is bounded on the north and east by Canada and the City of Skagway, to the south by the City and Borough of Juneau and Icy Straits, and to the west by Glacier Bay National Park. Nearly 120 miles long and 80 miles at its widest, the Borough is the northern boundary of the Southeast Alaska region. The region is typified by snow-capped mountains, some over 6,000 feet in elevation, glaciated and forested valleys, and numerous streams and rivers descending to saltwater fjords.



Government

The Haines Borough is a "home rule" municipality with a manager form of government. The Borough Assembly is the sole legislative body creating and adopting any and all new borough laws and amendments or repealing laws and amendments.

The Assembly consists of six members elected to three-year staggered terms. The elected mayor serves as the presiding officer. A deputy mayor, chosen by the mayor among the assembly members, presides when the mayor is absent.

The Borough Assembly has powers and duties provided for by the Haines Borough Charter and Code, and State of Alaska statute (including Title 29).

Project Staff

The Borough of Haines staff project leads were Scott Bradford and Carlos Jimenez. The Haines Emergency Local Planning (H.E.L.P.) Committee reviewed the plan.

Scott Nelsen of the Division of Homeland Security and Emergency Management (DHS&EM) provided technical assistance and reviewed the drafts of this plan.

Plan Research

The plan was developed using existing Haines plans and studies as well as outside information and research. Outside sources are credited in parentheses after their inclusion.

1. *State of Alaska Hazard Mitigation Plan (State HMP)*, prepared by DHS&EM, October 2013.

2. *Alaska DHS&EM Disaster Cost Index*, prepared by DHS&EM, 2015.
3. *Division of Community and Regional Affairs (DCRA) Community Information*
<http://commerce.state.ak.us/dnn/dcra/Home.aspx>
4. *FEMA How to Guides:*
 - Getting Started: Building Support For Mitigation Planning (FEMA 386-1)
 - Multi-Hazard Mitigation Planning Guidance, July 1, 2008 (FEMA 386-8)
 - Understanding Your Risks: Identifying Hazards And Estimating Losses (FEMA 386-2)
 - Developing The Mitigation Plan: Identifying Mitigation Actions And Implementing Strategies (FEMA 386-3)
 - Bringing the Plan to Life: Implementing the Hazard Mitigation Plan (FEMA 386-4)
 - Using Benefit-Cost Review in Mitigation Planning (FEMA 386-5)
5. *Haines Coastal Management Plan, Revised*. Prepared by Sheinberg Associates for the Borough of Haines. 2007. (The State Abandoned the Coastal Management Program in 2011.)
6. *Haines Comprehensive Plan*. Prepared by and for Borough of Haines. Updated 2012.
7. *Haines Emergency Operations Guide*. Prepared by the Haines Emergency Local Planning Committee. 2007
8. *Harbor Protection Alternatives*. Haines Borough August 21, 2013 draft.
[http://www.hainesalaska.gov/sites/default/files/fileattachments/ports/102029_04_spche - draft alternative analysis report_08-22-13_final.pdf](http://www.hainesalaska.gov/sites/default/files/fileattachments/ports/102029_04_spche_-_draft_alternative_analysis_report_08-22-13_final.pdf)
9. *Tsunami Hazard Mapping of Alaska Coastal Communities*, Alaska GEO Survey News, Vol. 6, No. 2, Prepared by DGGS. June 2002.
10. *University of Alaska, Fairbanks, and Alaska Earthquake Information Center (AEIC) website* at: <http://www.gi.alaska.edu/research>
11. USGS Earthquake Probability Mapping:
<http://geohazards.usgs.gov/eqprob/2009/index.php>
12. West Coast and Alaska Tsunami Warning Center, NOAA,
<http://wcatwc.arh.noaa.gov/>.

General Hazard Planning Web Sites

American Planning Association: <http://www.planning.org>
Association of State Floodplain Managers: <http://www.floods.org>
Federal Emergency Management Agency: <http://www.fema.gov/plan/>
Community Rating System: <http://www.fema.gov/national-flood-insurance-program-community-rating-system>
Flood Mitigation Assistance Program: <http://www.fema.gov/flood-mitigation-assistance-grant-program>
Hazard Mitigation Grant Program: <http://www.fema.gov/hazard-mitigation-grant-program>
Individual Assistance Programs: <http://www.fema.gov/individual-assistance-program-tools-frequently-asked-questions>
National Flood Insurance Program: <https://www.fema.gov/national-flood-insurance-program>
Public Assistance Program: <http://www.fema.gov/public-assistance-policy-and-guidance>

Public Involvement

The H.E.L.P. Committee reviewed the draft and provided revisions to the plan at a meeting on _____. The committee is comprised of Haines Borough Fire Chief, Fire Department representatives, Police Chief, and Harbormaster. Proposed future seats on the H.E.L.P. Committee include representatives of Public Health, the School District and the local Health Clinic.

A copy of the MHMP was available for public perusal at the Borough Building, Fire Department, Public Works Department, Borough Library and a draft was put online at the Borough website at: <http://www.hainesalaska.gov>.

The Haines Assembly will adopt the plan after pre-approval by DHS&EM and FEMA.

The appendix includes a copy of the Haines Community Newsletter which was posted at local governmental offices, businesses, Haines Borough Library and on the Haines Borough website. The newsletter was also sent to the Chamber of Commerce, school board and other interested parties.

All meetings were advertised and open to the public, using normal public noticing procedures of the Borough.

All comments and/or revisions were incorporated into the plan.

Plan Implementation

The H.E.L.P. Committee was responsible for reviewing the plan and recommending approval to the Haines Assembly. The Haines Borough Assembly will be responsible for adopting the Haines MHMP and all future updates. This governing body has the authority to promote sound public policy regarding hazards. The MHMP will be assimilated into other Haines plans and documents as they come up for review according to each plan's review schedule.

Table 1. Haines Plans

Document	Completed	Next Review
Haines Comprehensive Plan	2012	As Needed
Haines Legislative Priorities	FY 2015	Annually
Haines Operations Guide	2007	As needed
Haines Coastal Management Plan	2007	*Upon State participation in the coastal management program

**The State of Alaska is the only state not participating in the US Coastal Management Program.*

Monitoring, Evaluating and Updating the Plan

Section §201.6(c)(4)(i) of the mitigation planning regulation requires that the plan maintenance process shall include a section describing the method and schedule of monitoring, evaluating, and updating the mitigation plan within a five-year cycle.

Monitoring the Plan

The Haines Borough Manager or designee is responsible for monitoring the plan. On an annual basis, the Borough Manager will request a report from the agencies and departments responsible for implementing the mitigation projects in Chapter 4 of the plan. The compiled report will be provided to the Planning Commission and Assembly as information and noticed to the public. A report outlining all five years of the plan monitoring will be included in the plan update.

Evaluating the Plan

The Borough Manager or designee will evaluate the plan annually during the five-year cycle of the plan. Concurrent with the report above, the evaluation should assess, among other things, whether:

- The goals and objectives address current and expected conditions.
- The nature, magnitude and/or types of risks have changed.
- The current resources are appropriate for implementing the mitigation projects in Chapter 4.
- There are implementation problems, such as technical, political, legal or coordination issues with other agencies.
- The outcomes have occurred as expected (a demonstration of progress).
- The agencies and other partners participated as originally proposed.

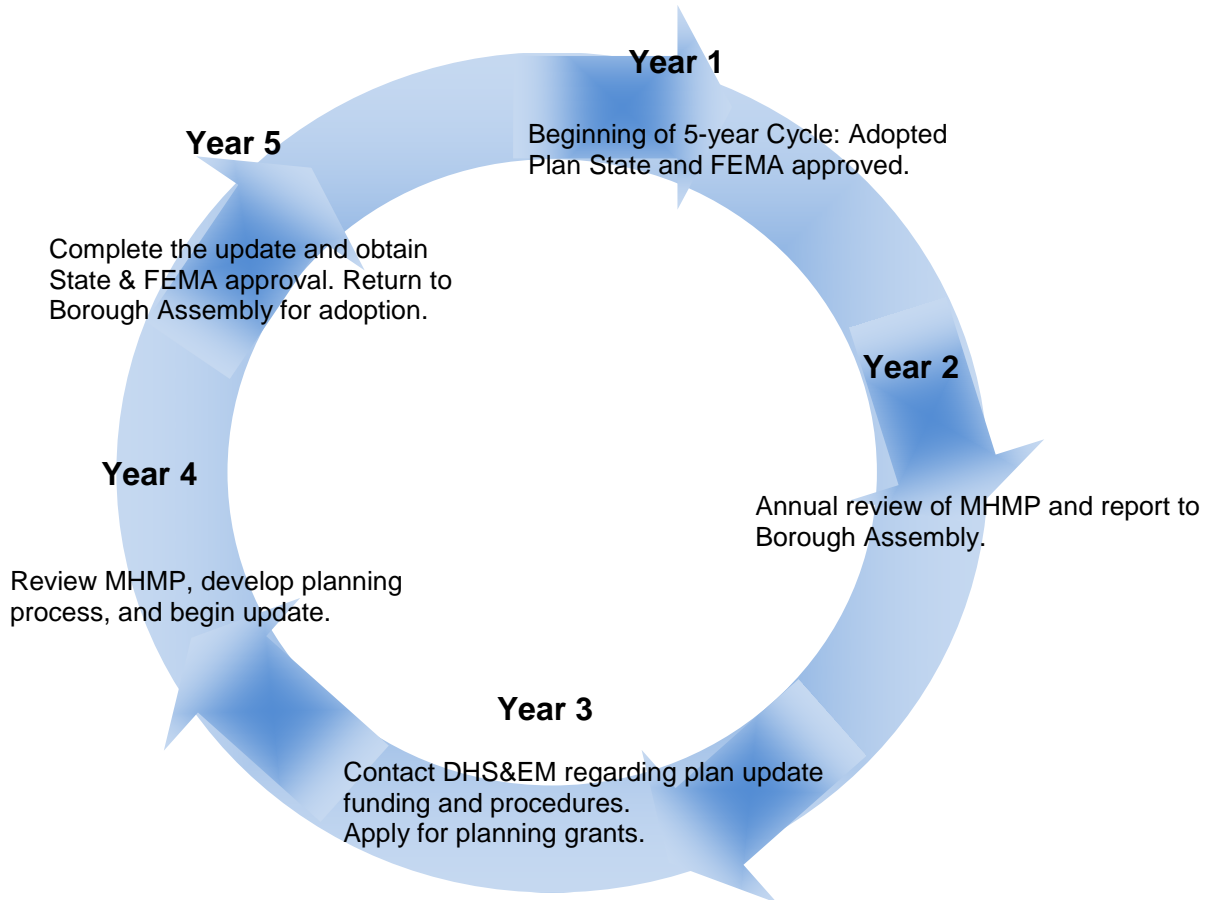
Updating the Plan

The mitigation planning regulations at §201.6(d)(3) direct the update of Mitigation Plans.

Plans must be updated and resubmitted to FEMA for approval every five years in order to continue eligibility for FEMA hazard mitigation assistance programs. Plan updates must demonstrate that progress has been made in the past five years to fulfill commitments outlined in the previously approved plan. This involves a comprehensive review and update of each section of the plan and a discussion of the results of evaluation and monitoring activities described above. Plan updates may validate the information in the previously approved plan or may involve a major plan rewrite. A plan update may not be an annex to this plan; it must stand on its own as a complete and current plan.

The tasks required to monitor, evaluate and update the MHMP are illustrated on the proceeding page in Figure 1.

Figure 1. Hazard Mitigation Planning Cycle



Continued Public Involvement

The following methods will be used for continued public involvement.

A copy of the MHMP will be put online at the Borough website:

<http://www.hainesalaska.gov>

Places where the hazard plan will be kept:

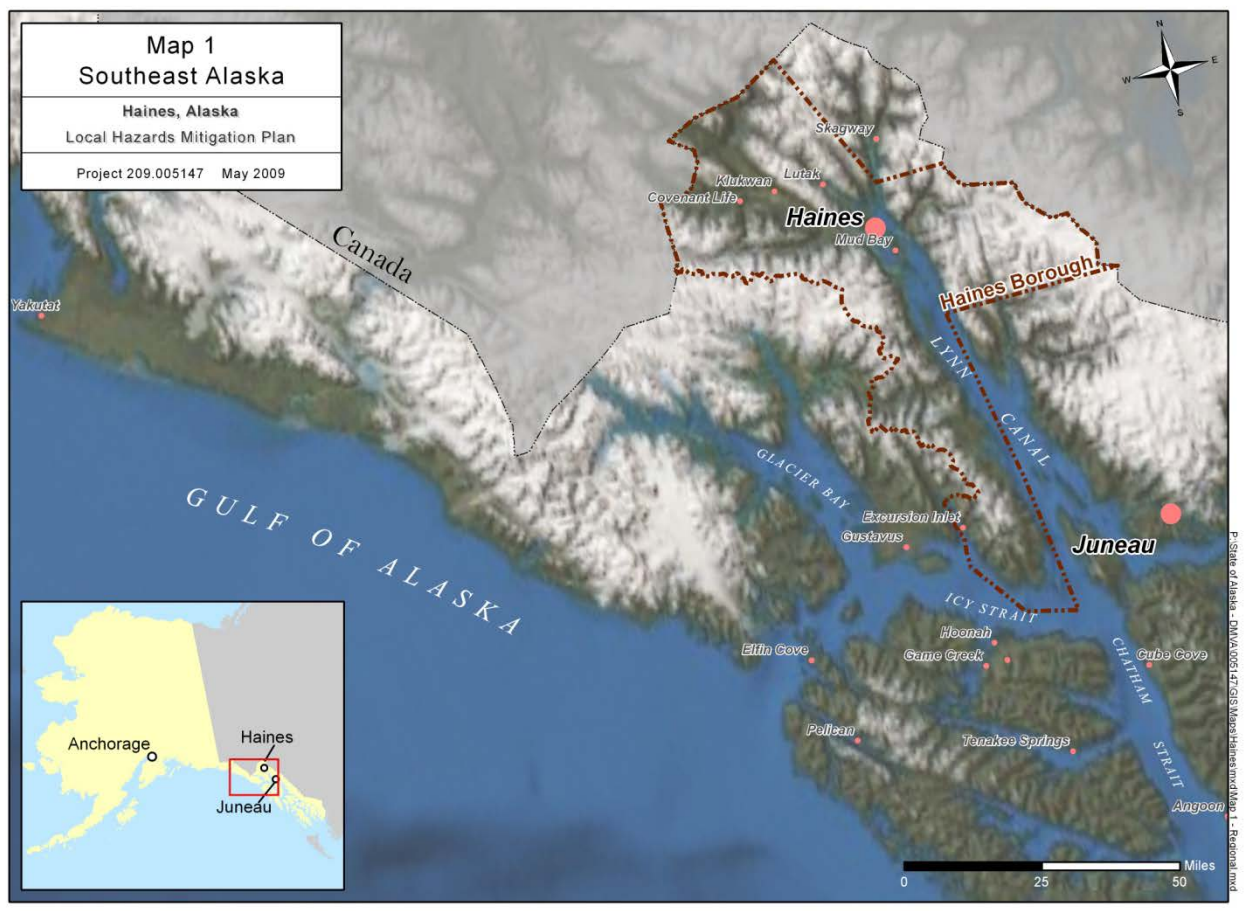
- Borough Building
- Fire Department
- Public Works Department
- Clerk's Office
- Library

On an annual basis Borough Manager or designee will review the plan; the H.E.L.P. Committee and the general public will also be solicited for the review using the method established under the public involvement section of this plan.

Chapter 2. Haines Community Profile and Capability Assessment

Section 1. Community Overview

Pronunciation HAYNZ
Current Population 2,537 AKDOL 2014 Population Estimate
Incorporation Type Home Rule Borough



Map 1. Regional Map

The following was reproduced from the State Division of Community and Regional Affairs (DCRA) website in 2009. The Borough boundary remains the same for 2015.

History, Culture and Demographics

The Haines area was historically Tlingit territory and was called "Dei Shu" by the Tlingit, meaning "end of the trail." The Chilkat Tlingit controlled the trading routes between the coast and the Interior. The first non-Native to settle here was George Dickinson, an

agent for the North West Trading Co., in 1880. In 1881, S. Young Hall, a Presbyterian minister, received permission from the Chilkat to build the Willard Mission and school. The mission was renamed Haines in 1884 in honor of Mrs. F.E. Haines, Secretary of the Presbyterian Women's Executive Society of Home Missions, who had raised funds for the mission's construction. During the Klondike gold rush in the late 1890s, it grew as a mining supply center, since the Dalton Trail from Chilkat Inlet to Whitehorse offered an easier route to the Yukon for prospectors. Gold was also discovered 36 miles from Haines in 1899 at the Porcupine District. Four canneries had been constructed in the area by the turn of the century. The first permanent U.S. military installation was constructed south of Haines in 1904, Fort William H. Seward. In 1922, the fort was renamed Chilkoot Barracks. Until World War II, it was the only U.S. Army post in Alaska. It was deactivated in 1946 and sold as surplus property to a group of veterans who established it as Port Chilkoot. The City of Port Chilkoot was incorporated in 1956. Haines Borough formed as a third-class borough on August 29, 1968. In 1970, Port Chilkoot merged with Haines into the City of Haines. In 1972, the post was designated a national historic site and the name, Fort William Seward, was restored. The last of the early canneries closed in 1972 due to declining fish stocks. Expansion of the timber industry in the early 1970s fueled growth. In 1974, the Borough annexed 420 square miles to the south, including Excursion Inlet. In 1978, it annexed the former military petroleum distribution facility at Lutak Inlet. The City of Haines and the Haines Borough were consolidated on October 17, 2002, resulting in the establishment of a home rule borough.

The population of the community consists of 9.2% Alaska Native or part Native. During the 2010 U.S. Census, total housing units numbered 1,631, vacant housing units numbered 120, and units used only seasonally numbered 53. However, the Alaska Department of Labor (AKDOL) reported 23 new housing units for 2013. U.S. Census data for Year 2010 showed 994 residents as employed, 588 of which were employed all four quarters. According to the AKDOL, the average annual unemployment rate in 2013 was 9.9%. The median household income was \$40,772, per capita income was \$22,090, and 10.67 percent of residents were living below the poverty level.

Facilities, Utilities, Schools and Health Care

Communities located within the Borough include: Covenant Life, Haines, Lutak, Mud Bay and Mosquito Lake. There are two schools located in the borough, attended by 268 students. Auxiliary health care is provided by Haines Volunteer Fire Department/EMS (766-2115/2121).

Economy and Transportation

The Borough School District, retail trade, business and transportation services, fishing and forestry provide the majority of employment in the Borough. 109 area residents hold commercial fishing permits. Many jobs are seasonal. Tourism and the traffic Haines draws as a result of its road connection to the State Ferry are important. Around 45,000 cruise ship passengers visit Haines annually. Haines is home to the world's largest

population of bald eagles, who feed from the warm spring-fed rivers. The Chilkat Bald Eagle Preserve is a major attraction, drawing visitors from around the world.

Haines is a major trans-shipment point because of its ice-free, deep water port and dock, and year-round road access to Canada and Interior Alaska. It is a northern terminus of the Alaska State Ferry System, and a hub for transportation to and from southeast Alaska. The Haines airport has a 4,600-foot runway.

Organizations Serving Haines Borough

The following local and regional organizations provide services to the people of the Haines Borough.

Borough - Haines Borough

P.O. Box 1209

Haines, AK 99827

Phone 907-766-2231

Fax 907-766-2716

E-mail jcozzi@haines.ak.us

Web <http://www.hainesalaska.gov>

School District - Haines Borough School District

P.O. Box 1289

Haines, AK 99827

Phone 907-766-6725

Fax 907-766-6794

E-mail ashley@hbsd.net

Web <http://www.hbsd.net>

Regional Organizations

Regional Native Health Corporation - Southeast Alaska Regional Health Consortium

3245 Hospital Dr.

Juneau, AK 99801

Phone 907-463-4000

Fax 907-463-4075

E-mail admin@searhc.org

Web <http://www.searhc.org>

Regional Native Non-Profit - Central Council Tlingit & Haida Indian Tribes of Alaska

320 W. Willoughby Ave., Suite 300

Juneau, AK 99801

Phone 907-586-1432

Fax 907-586-8970

E-mail econdev@ccthita.org

Web <http://www.ccthita.org>

Regional Development - Southeast Conference

P.O. Box 21989

Juneau, AK 99802

Phone 907-523-2327

Fax 907-463-5670

E-mail shellyw@seconference.org

Web <http://www.seconference.org>

Source: DCRA website: <http://www.commerce.state.ak.us/dca/commdb/CIS.cfm> .

Section 2. Haines Capability Assessment

Local Resources

Haines has a number of planning and land management tools that will allow it to implement hazard mitigation activities. The resources available in these areas have been assessed by the Borough, and are summarized in Tables 2 and 3.

Table 2. Regulatory Tools

Regulatory Tools (ordinances, codes, plans)	Local Authority (Yes/No)	Year of Most Recent Update
Building code	No	
Zoning ordinance	Yes	
Subdivision ordinance or regulations	Yes	
Special purpose ordinances (floodplain management, stormwater management, hillside or steep slope ordinances, wildfire ordinances, hazard setback requirements)	Floodplain Regulations 1987 NFIP	Need new FIRMs
Growth management ordinances (also called "smart growth" or anti-sprawl programs)	No	
Site plan review requirements	Yes	
Comprehensive plan	Yes	2012
A capital improvements plan	Yes	Annually
An economic development plan	Yes	Part of Comp Plan
An emergency operations guide	Yes	Annually
A post-disaster recovery plan	No	
Real estate disclosure requirements	No	

Table 3. Fiscal Capabilities

Financial Resources	Accessible or Eligible to Use (Yes or No)
Community Development Block Grants (CDBG)	Yes
Capital improvements project funding	Yes
Authority to levy taxes for specific purposes	Yes
Fees for sewer	Yes
Impact fees for homebuyers or developers for new developments/homes	No
Incur debt through general obligation bonds	Yes
Incur debt through special tax and revenue bonds	Yes
Incur debt through private activity bonds	No
Withhold spending in hazard-prone areas	No

State Resources

- **Alaska DHS&EM** is responsible for coordinating all aspects of emergency management for the State of Alaska. Public education is one of its identified main categories for mitigation efforts.

Improving hazard mitigation technical assistance for local governments is another high priority list item for the State of Alaska. Providing hazard mitigation training, current hazard information and the facilitation of communication with other agencies encourages local hazard mitigation efforts. DHS&EM provides resources for mitigation planning on their website at <http://www.ak-prepared.com>.

- **DCCED/DCRA** provides training and technical assistance on all aspects of the National Flood Insurance Program (NFIP) and flood mitigation.
- **Division of Senior Services** provides special outreach services for seniors, including food, shelter and clothing.
- **Division of Insurance** provides assistance in obtaining copies of policies and provides information regarding filing claims.
- **Department of Military and Veterans Affairs** provides damage appraisals and settlements for Veterans Administration (VA)-insured homes, and assists with filing of survivor benefits.

Federal Resources

The federal government requires local governments to have a hazard mitigation plan in place to be eligible for funding opportunities through FEMA such as the Pre-Disaster

Mitigation (PDM) Program and the Hazard Mitigation Grant Program (HMGP). The Mitigation Technical Assistance Programs available to local governments are also a valuable resource. FEMA may also provide temporary housing assistance through rental assistance, mobile homes, furniture rental, mortgage assistance, and emergency home repairs. The Disaster Preparedness Improvement Grant also promotes educational opportunities with respect to hazard awareness and mitigation.

FEMA, through its Emergency Management Institute, offers training in many aspects of emergency management, including hazard mitigation. FEMA has also developed a large number of documents that address implementing hazard mitigation at the local level. Five key resource documents are available from FEMA Publication Warehouse (1-800-480-2520). These resources are briefly described below:

- **How-to Guides:** FEMA has developed a series of how-to guides to assist states, communities, and tribes in enhancing their hazard mitigation planning capabilities. The first four guides mirror the four major phases of hazard mitigation planning used in the development of the Haines MHMP. The last five how-to guides address special topics that arise in hazard mitigation planning such as conducting cost-benefit analysis and preparing multi-jurisdictional plans. The inclusion of worksheets, checklists, and tables makes these guides a practical source of guidance to address all stages of the hazard mitigation planning process. They also include special tips on meeting Disaster Mitigation Act (DMA) 2000 requirements
<http://www.fema.gov/hazard-mitigation-planning-overview>
- **Post-Disaster Hazard Mitigation Planning Guidance for State and Local Governments.** FEMA DAP-12, September 1990. This handbook explains the basic concepts of hazard mitigation and shows state and local governments how they can develop and achieve mitigation goals within the context of FEMA's post-disaster hazard mitigation planning requirements. The handbook focuses on approaches to mitigation, with an emphasis on multi-objective planning.
- **Mitigation Resources for Success CD.** FEMA 372, September 2001. This CD contains information about mitigation and is useful for state and local government planners and other stakeholders in the mitigation process. It provides mitigation case studies, success stories, information about Federal mitigation programs, suggestions for mitigation measures to homes and businesses, appropriate relevant mitigation publications, and contact information.
- **A Guide to Federal Aid in Disasters.** FEMA 262, April 1995. When disasters exceed the capabilities of state and local governments, the President's disaster assistance program (administered by FEMA) is the primary source of federal assistance. This handbook discusses the procedures and process for obtaining this assistance, and provides a brief overview of each program.
- **The Emergency Management Guide for Business and Industry.** FEMA 141, October 1993. This guide provides a step-by-step approach to emergency

management planning, response, and recovery. It also details a planning process that businesses can follow to better prepare for a wide range of hazards and emergency events. This effort can enhance a business's ability to recover from financial losses, loss of market share, damages to equipment, and product or business interruptions. This guide could be of great assistance to Haines businesses.

Other federal resources include:

- **Department of Agriculture.** Assistance provided includes: Emergency Conservation Program, Non-Insured Assistance, Emergency Watershed Protection, Rural Housing Service, Rural Utilities Service, and Rural Business and Cooperative Service.
- **Department of Energy, Office of Energy Efficiency and Renewable Energy, Weatherization Assistance Program.** This program minimizes the adverse effects of high energy costs on low-income, elderly, and handicapped citizens through client education activities and weatherization services such as an all-around safety check of major energy systems, including heating system modifications and insulation checks.
- **Department of Housing and Urban Development, Office of Homes and Communities, Section 108 Loan Guarantee Programs.** This program provides loan guarantees as security for federal loans for acquisition, rehabilitation, relocation, clearance, site preparation, special economic development activities, and construction of certain public facilities and housing.
- **Department of Housing and Urban Development, Community Development Block Grants.** Administered by Alaska Department of Commerce, Community and Economic Development (DCCED) DCRA. Provides grant assistance and technical assistance to aid communities in planning activities that address issues detrimental to the health and safety of local residents, such as housing rehabilitation, public services, community facilities, and infrastructure improvements that would primarily benefit low-and moderate-income persons.
- **Department of Labor, Employment and Training Administration, Disaster Unemployment Assistance.** Provides weekly unemployment subsistence grants for those who become unemployed because of a major disaster or emergency. Applicants must have exhausted all benefits for which they would normally be eligible.
- **Federal Financial Institutions.** Member banks of FDIC, FRS or FHLBB may be permitted to waive early withdrawal penalties for Certificates of Deposit and Individual Retirement Accounts.

- **Internal Revenue Service, Tax Relief.** Provides extensions to current year tax return, allows deductions for disaster losses, and allows amendment of previous tax returns to reflect loss back to three years.
- **United States Small Business Administration.** May provide low-interest disaster loans to individuals and businesses that have suffered a loss due to a disaster. Requests for SBA loan assistance should be submitted to the Alaska Division of Homeland Security and Emergency Management.

Other resources: The following are Web sites that provide focused access to valuable planning resources for communities interested in sustainable development activities.

- **Federal Emergency Management Agency,** <http://www.fema.gov> – includes links to information, resources, and grants that communities can use in planning and implementation of sustainable measures.
- **American Planning Association,** <http://www.planning.org> – a non-profit professional association that serves as a resource for planners, elected officials, and citizens concerned with planning and growth initiatives.
- **Institute for Business and Home Safety,** <http://ibhs.org> – an initiative of the insurance industry to reduce deaths, injuries, property damage, economic losses, and human suffering caused by natural disasters. Online resources provide information on natural hazards, community land use, and ways citizens can protect their property from damage.

Other Funding Sources and Resources

- **Real Estate Business.** State law for properties within floodplains requires real estate disclosure.
- **American Red Cross.** Provides for the critical needs of individuals such as food, clothing, shelter, and supplemental medical needs. Provides recovery needs such as furniture, home repair, home purchasing, essential tools, and some bill payment may be provided.
- **Crisis Counseling Program.** Provides grants to State and Borough mental health departments, which in turn provide training for screening, diagnosing and counseling techniques. Also provides funds for counseling, outreach, and consultation for those affected by disaster.

Chapter 3. Risk Assessment, General Overview

Section 201.6(c)(2) of the mitigation planning regulation requires local jurisdictions to provide sufficient hazard and risk information from which to identify and prioritize appropriate mitigation actions to reduce losses from identified hazards. (FEMA 386-8)

The goal of mitigation is to reduce the future impacts of a hazard including loss of life, property damage, and disruption to local and regional economies, environmental damage and disruption, and the amount of public and private funds spent to assist with recovery.

Mitigation efforts begin with a comprehensive risk assessment. A risk assessment measures the potential loss from a disaster event caused by an existing hazard, by evaluating the vulnerability of buildings, infrastructure, and people. It identifies the characteristics and potential consequences of hazards and their impact on community assets.

Section 1. Federal Requirements for Risk Assessment

Federal regulations for hazard mitigation plans outlined in 44 CFR Section §201.6(c)(2) include a requirement for a risk assessment. This risk assessment requirement is intended to provide information that will help the community identify and prioritize mitigation activities that will prevent or reduce losses from the identified hazards. The federal criteria for risk assessments and information on how the Haines MHMP meets those criteria are outlined on Table 4.

Table 4. Risk Assessments - Federal Requirements

Section §201.6(c)(2) Requirement	Haines Multi-Hazard Mitigation Plan Where it is Addressed in Plan
Identifying Hazards §201.6(c)(2)(i) B1. Does the Plan include a description of the type, location, and extent of all natural hazards that can affect each jurisdiction(s)?	Chapter 3, Section 3 identifies <i>flood/erosion, earthquake, snow avalanche, tsunami and severe weather</i> as the top five natural hazards in Haines.
Profiling Hazards §201.6(c)(2)(i) B2. Does the Plan include information on previous occurrences of hazard events and on the probability of future hazard events for each jurisdiction?	Chapter 4, Sections 1-5 include hazard-specific sections of the natural hazards that may affect the Borough. The MHMP includes location, extent, impact and probability for each natural hazard identified. The MHMP also provides hazard specific information on previous occurrences of hazards events.

Section §201.6(c)(2) Requirement	Haines Multi-Hazard Mitigation Plan Where it is Addressed in Plan
<p>Assessing Vulnerability: Overview §201.6(c)(2)(i)</p> <p>B3. Is there a description of each identified hazard's impact on the community as well as an overall summary of the community's vulnerability for each jurisdiction?</p>	<p>Chapter 4, Sections 1-5 contain overall summaries of each hazard. The impacts on the community are contained in each hazard specific section in the chapter.</p> <p>Chapter 3, Section 1, Table 11. Hazard Asset Matrix lists structures; infrastructure and critical facilities located in the identified hazard areas.</p> <p>Chapter 3, Section 2, Table 12. Potential Dollar Losses of Borough Structures estimates potential dollar losses to borough owned facilities. The methodology used to obtain the losses is above the table.</p>
<p>Assessing Vulnerability: Addressing Repetitive Loss Properties §201.6(c)(2)(ii)</p> <p>B4. Does the Plan address NFIP insured structures within the jurisdiction that have been repetitively damaged by floods?</p>	<p>There are no repetitively damaged structures in the Borough of Haines. Chapter 4, Section 1, Flood/Erosion explains this requirement in more detail.</p>

Section 2. Vulnerability Assessment Methodology

A risk assessment typically consists of three components; hazards identification, vulnerability assessment and risk analysis.

1. **Hazards Identification** - The first step in conducting a risk assessment is to identify and profile hazards, and their possible effects on the jurisdiction. This information can be found in Chapter 3: Hazards.
2. **Vulnerability Assessment** – The second step is to identify the jurisdiction's vulnerability; the people, infrastructure and property that are likely to be affected. It includes everyone who enters the jurisdiction including employees, commuters, shoppers, tourists, and others.

Populations with special needs such as children, the elderly, and the disabled should be considered; as should facilities such as the hospital, health clinic, senior housing and schools because of their additional vulnerability to hazards.

Inventorizing the jurisdiction's assets to determine the number of buildings, their value, and population in hazard areas can also help determine vulnerability. A jurisdiction with many high-value buildings in a high-hazard zone will be extremely vulnerable to financial devastation brought on by a disaster event.

Identifying hazard prone critical facilities is vital because they are necessary during response and recovery phases.

Critical facilities include:

- Essential facilities, which are necessary for the health and welfare of an area and are essential during response to a disaster, including hospitals, fire stations, police stations, and other emergency facilities;
- Transportation systems such as highways, airways and waterways;
- Utilities, water treatment plants, communications systems, power facilities;
- High potential loss facilities such as bulk fuel storage facilities; and
- Hazardous materials sites.
- Other items to identify critical facilities include economic elements, areas that require special considerations, historic, cultural and natural resource areas and other jurisdiction-determined important facilities.

3. **Risk Analysis** – The third step is to calculate the potential losses to determine which hazard will have the greatest impact on the jurisdiction. Hazards should be considered in terms of their frequency of occurrence and potential impact on the jurisdiction. For instance, a possible hazard may pose a devastating impact on a community but have an extremely low likelihood of occurrence. Such a hazard must take lower priority than a hazard with only moderate impact but a very high likelihood of occurrence.

For example, there might be several schools exposed to one hazard but one school may be exposed to four different hazards. A multi-hazard approach will identify such high-risk areas and indicate where mitigation efforts should be concentrated.

The purpose of a vulnerability assessment is to identify the assets of a community that are susceptible to damage should a hazard incident occur.

- The **location** or geographical area(s) of the hazard in the community.

The description of each of the identified hazards includes a narrative and in some cases a map of the location or it is noted if the hazard is area wide.

- The **extent** (i.e. magnitude or severity) of potential hazard events, based on the criteria listed in Table 5.

Table 6 was used to rank the extent of each hazard. Sources of information to determine the extent include the *State of Alaska Hazard Mitigation Plan (State HMP)*, historical or past occurrences and other outside sources.

Table 5. Extent of Hazard Ranking

Magnitude/Severity	Criteria to Determine Extent
Catastrophic	Multiple deaths Complete shutdown of facilities for 30 or more days More than 50% of property severely damaged
Critical	Injuries and/or illnesses result in permanent disability Complete shutdown of critical facilities for at least 2 weeks More than 25% of property is severely damaged
Limited	Injuries and/or illnesses do not result in permanent disability Complete shutdown of critical facilities for more than one week More than 10% of property is severely damaged
Negligible	Injuries and/or illnesses are treatable with first aid Minor quality of life lost Shutdown of critical facilities and services for 24 hours or more Less than 10% of property is severely damaged

- The **impact** of each hazard to the community.
- The **probability** of the likelihood that the hazard event would occur in an area.

Table 6, taken from the State HMP categorizes hazard probability.

Table 6. Probability Criteria Table

Probability	Criteria Used to Determine Probability
Low	Hazard is present with a low probability of occurrence within the next ten years. Event has up to 1 in 10 years chance of occurring.
Moderate	Hazard is present with a moderate probability of occurrence within the next three years. Event has up to 1 in 3 years chance of occurring.
High	Hazard is present with a high probability of occurrence within the calendar year. Event has up to 1 in 1 year chance of occurring.

Previous occurrences of hazard events.

Previous occurrences of natural events are described for identified natural hazards. The information was obtained from the *State of Alaska Hazard Mitigation Plan*, *State Disaster Cost Index*, Borough records, other state and federal agency reports, newspaper articles, and web searches.

Section 3. Identifying Hazards, Overview

This section identifies and describes the hazards likely to affect the Borough of Haines. Table 7 and Table 8 reference the State HMP.

Alaska Hazard Mitigation Plan Matrices

Table 7. State Hazard Vulnerability Matrix

Haines Borough					
Flood	Wildland Fire	Earthquake	Volcano	Snow Avalanche	Tsunami & Seiche
Y-M	Y-M	Y-H	Y-L	Y-H	Y-L
Severe Weather	Ground Failure				
Y-H	Y				

Y = Hazard is present in jurisdiction but probability unknown

Y – L = Hazard is present with a low probability of occurrence within the next ten years. Event has up to 1 in 10 years chance of occurring.

Y – M = Hazard is present with a moderate probability of occurrence with the next three years. Event has up to 1 in 3 years chance of occurring.

Y – H = Hazard is present with a high probability of occurrence within the calendar year. Event has up to 1 in 1 year chance of occurring.

N = Hazard is not present

U = Unknown if the hazard occurs in the jurisdiction

Source: State of Alaska Hazard Mitigation Plan, 2013

Table 8. State Previous Occurrences of Hazards Matrix from 1978 to Present

Haines Borough					
Flood	Wildland Fire	Earthquake	Volcano	Avalanche	Tsunami & Seiche
4-L	Z	Z	Z	1-L	Z
Severe Weather	Ground Failure				
1-L	Z				

Extent:

Z = Zero

L = Limited

T = Total

Number: Occurrences

Source: State of Alaska-Hazard Mitigation Plan, 2013

Section 4. Natural Hazards Profiled in the Plan

Information in the following table was a result of consultation with the local public, the above tables from the State HMP, Haines plans and reports, and interviews and newspaper articles.

Table 9. Identification of Natural Hazards and Decision to Profile

Hazard	Yes/No	Decision to Profile Hazard
Flood/Erosion	Yes	Designated as a high hazard in the State HMP. Participates in NFIP, has had limited damage in the past.
Wildland Fire	No	The soil conditions and abundant rainfall combine to make wildland fire hazard unlikely
Earthquake	Yes	Designed in state plan as high risk. Located near the Queen Charlotte – Fairweather fault System
Volcano	No	The Alaska Volcano Observatory identifies the closest active volcano to Haines at being over 300 miles away.
Snow Avalanche Landslide	Yes	Designated as a high hazard in the State HMP
Tsunami	Yes	Designated as a low hazard in State HMP
Severe Weather	Yes	Designated as a high hazard in the State HMP
Ground Failure	No	Designated as a hazard in the state plan but with an unknown probability.

See Chapter 4, Section 6, Hazards not Profiled in Plan, for more information on the hazards not present in the community.

Section 5. Assessing Vulnerability

Overview

The vulnerability overview section is a summary of Haines’s vulnerability to the above-identified hazards. The summary includes, by type of hazard, the types of structures, infrastructures and critical facilities affected by the hazards.

Maps and Figures Depicting Natural Hazards

The following maps and figures show existing infrastructure and facilities and illustrate the natural hazards located in Haines.

1. Map 2. Critical Infrastructure
2. Map 3. Regional Infrastructure
3. Figure 2. HCMP Designated Natural Hazards

Coastal Storm, 2005, photos from Fire Chief Scott Bradford



Map 2 Critical Infrastructure



Map 3 Regional Infrastructure

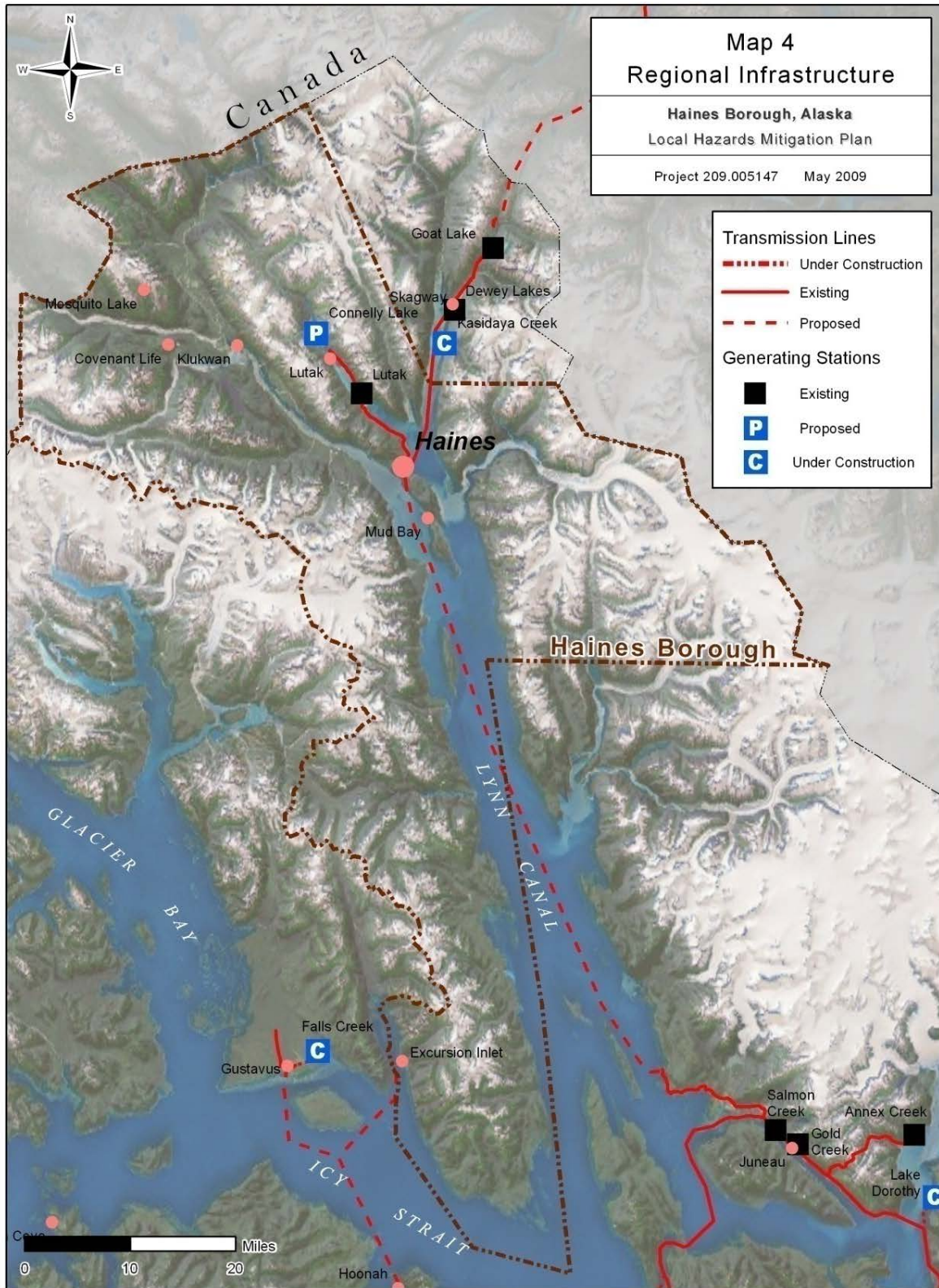


Figure 2. HCMP Natural Hazards



Source: HCMP, 2007

Hazard Asset Matrix

Table 10 Hazard Asset Matrix contains a list of facilities, business and infrastructure shown on Maps 3 and 4, and their vulnerability to identified natural hazards and whether, based on its location, each asset has a low, moderate or high vulnerability to specific natural hazards.

Table 10. Hazard Asset Matrix

Structure/Facility	Flood/ Erosion	Earthquake	Snow Avalanche	Tsunami	Severe Weather
1. Airport	M	H			H
2. ADF&G		H			H
3. Laundromat		H			H
4. Head Start	M	H	N o t M a p p e d	N o t M a p p e d	H
5. Veterans Village		H			H
6. Haines Light & Power		H			H
7. Olerud's Supermarket		H			H
8. Alascom		H			H
9. Haines High School		H			H
10. Aspen Hotel		H			H
11. Borough Office		H			H
12. Bank		H			H
13. Supermarket		H			H
14. APT office		H			H
15. Public Library		H			H
16. Haines Assisted Living		H			H
17. DOT	M	H			H
18. Supermarket	M	H			H
19. Clinic	M	H			H
20. Small Boat Harbor		H			H
21. Police /Fire Department		H			H
22. Senior Citizens Center	M	H			H
23. Post Office	M	H			H
24. City Shop		H			H
25. Port Chilkoot Dock	M	H			H
26. Haines/Skagway Ferry		H			H
27. KNHS Public Radio		H			H
Regional Infrastructure	M	H			H

Estimating Potential Dollar Losses

The following table lists the replacement values, plus content values of borough-owned buildings. The Haines Finance Department provided the information for this table, using potential dollar loss figures from the borough insurance provider.

Table 11. Potential Dollar Losses of Borough Structures

Occupancy Description	Construction Type	Square Feet	Year Built	Building Value	Contents	Total Value
Administration Bldg	Frame	3,552	1961	\$1,385,280	\$137,800	\$1,523,080
Ice House	Frame	640	2007	\$609,280	\$28,400	\$637,680
Maintenance Shop	Frame	3,500	1970	\$350,000	\$100,000	\$450,000
New Maintenance Shop	Metal Frame	5,760	2008	\$1,036,800	\$150,000	\$1,186,800
Public Safety Bldg	Frame	12,000	1980	\$4,320,000	\$500,000	\$4,820,000
Sewer Control Bldg	Mixed	800	1980	\$200,000	\$899,400	\$1,099,400
Sewer Treatment Plant	Mixed	8,075	1980	\$9,685,200	\$31,227	\$9,716,427
Sewer Shop Building	Mixed	1,240	1980	\$2,294,000	\$43,000	\$272,400
FAA Tank/ Inst Bldg	Mixed	120	2000	\$1,574,952	\$75,000	\$1,649,952
Water Treatment Plant	Mixed	2,000	1973	\$2,190,642	\$500,000	\$2,690,642
Barnett Dr, Pump House	Frame	144	2013	\$75,000	\$75,000	\$150,000
Young Rd Pump House	Frame	192	1999	\$80,000	\$30,000	\$110,000
Chilkat Center	Mixed	20,230	1977	\$7,080,500	\$150,400	\$7,230,900
Harbor Restrooms	Frame	500	1950	\$160,000		\$160,000
Human Resources	Frame	4,080	1940	\$200,000		\$200,000
Mosquito Lake Firehall	Non Combust	4,550	1983	\$978,500	\$86,000	\$1,064,500
Museum	Frame	4,753	1979	\$1,544,725	\$1,813,300	\$3,358,025
Natatorium (Pool)	Steel Frame	11,010	1982	\$3,699,360	\$91,900	\$3,791,260
Library	Frame	8,130	2003	\$3,008,100	\$1,015,300	\$4,023,400
Pt Chilkoot Dock	Frame	7,950	2013	\$5,565,000		\$5,565,000
Pt Chilkoot Dock Bathrooms	Frame		2011	\$361,500	\$15,000	\$376,500
Tlingit Park Restroom	Frame	200	2010	\$75,000		\$75,000
Visitor Center Restroom	Frame	600	1998	\$192,000		\$192,000
Visitor Info Center	Frame	1,008	1983	\$250,000	\$15,000	\$265,614
		101,034		\$46,915,839	\$2,899,027	\$50,608,580

Vulnerability – Future Structures in Hazard Zones

New public structures in Haines are built to withstand the identified hazards of earthquake and severe weather.

Development permits for all new building construction, or substantial improvements, are required by the Borough in all A, AO, AH, A-numbered Zones. Flood insurance purchase may be required in flood zones A, AO, AH, A-numbered zones as a condition

of loan or grant assistance. An Elevation Certificate is required as part of the development permit. The Elevation Certificate is a form published by the Federal Emergency Management Agency required to be maintained by communities participating in the NFIP. According to the NFIP, local governments maintain records of elevations for all new construction, or substantial improvements, in floodplains and must keep the certificates on file.

Portage Cove Shoreline. The U.S. Army Corps of Engineers Flood Hazard Boundary Map, and the Haines Borough Floodplain and Hazards Map indicate that run-up from a tsunami, seiche or high storm surge could adversely affect the Portage Cove shoreline up to 25 feet above Mean Low Lower Water (MLLW).

Sawmill Creek Floodplain. This area includes all geographic depressions, ponds, streams, and improved drainage routes at or near the elevation of Sawmill Creek. These areas are indicated on the Haines Borough Floodplain and Figure 2, Hazards Map. Management in this area shall be to protect property from flood hazards and flood bearing capacity of the floodplain.

11 AAC 112.210(c): Development in a natural hazard area may not be found consistent unless the applicant has taken appropriate measures in the siting, design, construction, and operation of the proposed activity to protect public safety, services, and the environment from potential damage caused by known natural hazards.

Chapter 4. Risk Assessment, Hazard Specific Sections

Section 1. Flood/Erosion Hazard

The following flood/erosion hazard profile includes a description of the hazard, the location, extent and probability of the hazard and past occurrences of flooding/erosion in Haines.

Hazard Description

Flood hazards in Haines include voluminous rainfall, snow melt, glacier outburst, and coastal storms.

Rainfall/Snowmelt/Glacier Melt Flooding

Riverine flooding occurs as a result of a large volume of water to the drainage basin in the form of rainfall, snowmelt, glacier melt, or a combination of these inputs. In the Haines area, as well as most coastal areas of Southcentral and Southeast Alaska, the floods due to snowmelt are typically lower in magnitude than those due to rainstorms in late summer or fall. Glacier melt is typically largest in late summer; increasing the potential magnitude of late summer rainfall floods in glacial streams.

Coastal Storm Surge or coastal floods, occur when the sea moves inland above the high-tide level onto land that is normally dry. Often, large waves driven by high winds accompany a storm surge.

Erosion

Erosion is a process that involves the wearing away, transportation, and movement of land. Erosion rates can vary significantly and erosion can occur quite quickly as the result of a flash flood, coastal storm or other event. It can also occur slowly as the result of long-term environmental changes. Erosion is a natural process but its effects can be exacerbated by human activity.

Deposition is the accumulation of soil, silt, and other particles on a river bottom or delta. Deposition leads to the destruction of fish habitat and presents a challenge for navigational purposes. Deposition also reduces channel capacity, resulting in increased flooding or bank erosion.

Stream bank erosion involves the removal of material from the stream bank. When bank erosion is excessive, it becomes a concern because it results in loss of streamside vegetation, loss of fish habitat, and loss of property.

Coastal Erosion: Coastal erosion is a common term used to describe the retreat of the shoreline along the ocean. It is measured as the rate of change in the position or horizontal displacement of a shoreline over a period of time. Erosion rates are not uniform, and are accelerated by intense natural and human activities. Climatic factors

such as sea-level rise, increased storm activity, and land subsidence exacerbate coastal erosion in Alaska. According to the National Oceanic and Atmospheric Administration (NOAA), global average sea levels rose a total of 7.7 inches between 1870 and 2004.

Further information on coastal erosion can be found in FEMA-55, *Coastal Construction Manual*, FEMA's *Multi-hazard Identification and Risk Assessment, Evaluation of Erosion Hazards* published by The Heinz Center, and *Coastal Erosion Mapping and Management*, a special edition of the *Journal of Coastal Research* (FEMA, 386-2).

Location

Extensive flood hazard areas exist throughout the floodplains of all riverine systems in the Haines Borough.

Sudden changes in main channel alignment and course are common as has occurred at Klukwan and the Tsirku River Fans. Sloughs, riverine islands, river deltas, and tributary channels are all subject to sudden flood immersion and scouring. As a result, existing lowland physical features are sometimes not considered permanent. Salmon and wildlife habitat, salmon enhancement project areas, and human developments in flood prone areas are continually subject to negative impacts from flooding.

Flood hazard areas in the developed core area of the coastal district are well identified on the 1989 Floodplain and Flood Hazards Map of the Haines Borough and through FEMA. Flood and geophysical hazard areas in the Tanani Bay and Lutak Inlet areas are primarily within the Johnson Creek, Mink Creek, and unnamed industrial water source drainages. In this area, some minor landslide and avalanche activity can also occur on higher slopes, especially in association with the deeply cut drainages of the three creeks.



Seasonal storm winds can create wind damage, wind-driven water damage, and high runoff inundation. However,

wind damage in the Haines coastal area is rare due to the semi-sheltered location of the community. Winds up to 40 knots in summer (southeasterly), and winter (northerly) can impact the community with occasional gusts to 60 knots. Related water damage is usually minor, but more frequent in areas where human development has encroached

into natural drainages and floodplains. During periods of high seasonal rains and storm-driven high tides the Haines area is subject to the effects of 100-year floods up to 25 feet above MLLW (HCMP, 2007).

National Flood Insurance Rate Maps

Map 2, page 25 shows areas of the community that are located within the National Flood Insurance Rate Map (FIRM) "A" zone. The "A" zones are defined as areas of 100-year flood zones.

The FIRMs for Haines are from mapping that was completed in 1989. Since that time, areas have been filled to above the Base Flood Evaluation in some cases. Until the FIRM has an official revision or a Letter of Map Revision is approved by FEMA, the designations stand but may not be accurate and do not necessarily reflect the current situation in the field.

Properties unaffected directly by flooding may suffer due to road closures, impacts to public safety (access and response capabilities), limited availability of perishable commodities, and isolation.

Portage Cove Shoreline. Figure 2, page 28, indicates that run-up from a tsunami, seiche or high storm surge could adversely affect the Portage Cove shoreline up to 25 feet above MLLW.

Sawmill Creek Floodplain. This area includes all geographic depressions, ponds, streams, and improved drainage routes at or near the elevation of Sawmill Creek. Page 28 depicts the location of this area. Management in this area shall be to protect property from flood hazards and flood bearing capacity of the floodplain.

11 AAC 112.210(c): Development in a natural hazard area may not be found consistent [with the HCMP] unless the applicant has taken appropriate measures in the siting, design, construction, and operation of the proposed activity to protect public safety, services, and the environment from potential damage caused by known natural hazards.

Extent

The extent (i.e. magnitude or severity) of the flood/erosion hazard is measured in this plan by using statistics from the National Flood Insurance Program, historical past events and the *Alaska State All-Hazards Risk Mitigation Plan*. Based on these factors and using the criteria established in Table 6. Extent of Hazard Ranking, page 20 the Borough of Haines has a **critical** extent of flooding not due to tsunami, which is covered in Chapter 4, Section 4, Tsunami Hazard.

Community Participation in the NFIP

The Borough of Haines participates in the NFIP. Table 11. Hazard Asset Matrix, page 29 lists critical facilities located in the “A” flood zone, which is described below.

The function of the NFIP is to provide flood insurance at a reasonable cost to homes and businesses located in floodplains. In trade, the Borough of Haines regulates new development and substantial improvement to existing structures in the floodplain, or requires developers to build safely above flood heights to reduce future damage to new construction. The program is based on mapping areas of flood risk, and requiring local implementation to reduce flood damage primarily through requiring the elevation of structures above the base (100-year) flood elevations.

Table 12 describes the FIRM zones.

Table 12. FIRM Zones

<i>Firm Zone</i>	<i>Explanation</i>
A	Areas of 100-year flood; base flood elevations and flood hazard not determined.
AO	Areas of 100-year shallow flooding where depths are between one (1) and three (3) feet, average depths of inundation are shown but no flood hazard factors are determined.
AH	Areas of 100-year shallow flooding where depths are between one (1) and three (3) feet; base flood elevations are shown but no flood hazard factors are determined.
A1-A30	Areas of 100-year flood; base flood elevations and flood hazard factors determined.
B	Areas between limits of the 100-year flood and 500-year flood; or certain areas subject to 100-year flooding with average depths less than one (1) foot or where the contributing drainage area is less than one square mile; or areas protected by levees from the base flood.
C	Areas of minimal flooding.
D	Areas of undetermined, but possible, flood hazards.

Development permits for all new building construction, or substantial improvements, are required by the Borough in all A, AO, AH, A-numbered zones. Flood insurance purchase may be required in A, AO, AH, A-numbered zones as a condition of loan or grant assistance. An Elevation Certificate is required as part of the development permit. The Elevation Certificate is a form published by FEMA required to be maintained by communities participating in the NFIP. According to the NFIP, local governments maintain records of elevations for all new construction, or substantial improvements, in floodplains and must keep certificates on file.

Elevation Certificates are used to:

1. Record the elevation of the lowest floor of all newly constructed buildings, or substantial improvement, located in the floodplain.
2. Determine the proper flood insurance rate for floodplain structures.

Local governments must insure that elevation certificates are filled out correctly for structures built in floodplains. Certificates must include:

- The location of the structure (tax parcel number, legal description and latitude and longitude) and use of the building.
- The Flood Insurance Rate Map panel number and date, community name and source of base flood elevation date.
- Information on the building's elevation.
- Signature of a licensed surveyor or engineer.

Table 13 lists the NFIP Statistics provided from DCRA; this compares Haines statistics with that of the State as of July 14, 2015.

Table 13. NFIP Statistics

Emergency Program Date Identified	Regular Program Entry Date	Map Date	NFIP Community Number	CRS Rating Number	Total # of Current Policies (07/14/15)
09/10/1975	05/01/1987	05/01/1987	020008	N/A	2
Total Loss Dollars Paid Since 1978	Average Value of Loss Since 1978	Repetitive Loss	Insurance In Force		
0	0	0	\$700,000.00		

*Source: DCRA, Floodplain Management
Taunnie Boothby, State Floodplain Manager*

Repetitive Loss Properties

The risk assessment in all plans approved after October 1, 2008 must also address NFIP-insured structures that have been repetitively damaged by floods. Under NFIP guidelines, repetitive loss structures include any currently insured building with two or more flood losses (occurring more than ten days apart) greater than \$1,000 in any 10-year period since 1978.

States should provide communities with information on historic floods throughout the state so communities will know what type of damage has occurred (even if it didn't occur within that particular community).

States should ensure that lists of repetitive loss properties are kept up to date and that communities have the most current list. States should contact their FEMA Regional Office for this information.

FEMA also maintains a national list of properties that comprise the “Repetitive Loss Target Group”. These are repetitive loss properties that have either experienced four or more losses with the characteristics above, or have had losses that cumulatively exceed the property value of the building.

Repetitive loss properties are those with at least two losses, at least ten years apart, in a rolling ten-year period. Specific property information is confidential, but the State DCRA Floodplain Coordinator related that within the Borough of Haines there have been **zero** properties that meet the FEMA definition of repetitive loss.

Probability

Based on the State HMP, NFIP, Borough records, and past historical events Haines has a **high** probability of flooding. Table 7. Probability Criteria Table, page 21 defines criteria used for determining high probability, as the hazard is present with a high probability of occurrence within the next ten years. Event has up to 1 in 1 year chance of occurring.

Previous Occurrences

The *DHS&EM Disaster Cost Index, 2015* lists the following events in the Haines area that have received state or federal disaster funding.

AK 06-216. December 23, 2005. Disaster declared by Governor Murkowski: Beginning on November 18, 2005 and continuing through November 26, 2005, a strong winter storm with high winds and record rainfall occurred in the City/Borough of Juneau, the **City/Borough of Haines**, the City/Borough of Sitka, the City of Pelican, the City of Hoonah, and the Borough of Skagway, which resulted in widespread coastal flooding, landslides, and severe damage and threat to life and property, with the potential for further damage. The following conditions existed as a result of this disaster: severe damage to personal residences requiring evacuation and relocation of residents; to individuals’ personal and real property; to businesses; and to a marine highway system dock, the road systems eroded and blocked by heavy debris that prohibited access to communities and residents, and other public infrastructures, necessitating emergency protective measures and temporary and permanent repairs. The total estimated amount of assistance was approximately \$1.87 million. This includes the following: Individual Assistance totaling \$500,000 for 52 applicants.

AK 93-160 August 14, 1992. Haines Highway Disaster. This disaster was declared in order for the State DOT/PF to request \$1.8 million in Federal Highway Administration emergency funds (under Title 23 U.S.C., Section 125) to repair damages relating to

flooding of the Klehini River 30 miles north of Haines. No expenditure of State Disaster Relief Funds was required.

AK 88-70. February 29, 1988 The city experienced severe damage to streets from flooding and runoff triggered by extremely heavy rainfall. The State made available \$150,000 in disaster funds to assist in the repair of the city streets.

AK 85-33. January 25, 1985 After prolonged and excessive rainstorms caused permanent damage to the city sewer system, the Governor proclaimed a Disaster Emergency to provide funds to repair the system through a categorical public assistance grant.

Impact

A flooding event in Haines could damage the structures and infrastructure that are located along the shoreline in the community, and within the flood zones described above. A flooding event in Haines could isolate the community from other areas of the state and cause widespread damage.

Flood/Erosion Mitigation Goals and Projects

Goals

Goal 1. Reduce or prevent future flood damage.

Support elevation, flood proofing, buyout or relocation of structures that are in danger of flooding or are located on eroding banks.

A list of homes, commercial structures and critical facilities that are in danger of flooding or in erosion danger should be identified and mitigation projects for elevating and/or relocating the structures determined.

Accurate flood maps should be prepared that delineate areas of flooding and upland areas.

Goal 2. Increase public awareness

Increase public knowledge about mitigation opportunities, floodplain functions, emergency service procedures, and potential hazards. Active participation in the NFIP is a proven method of increasing public awareness.

This would include advising property owners, potential property owners, and visitors about the hazards. In addition, dissemination of a brochure or flyer on flood hazards in Haines could be developed and distributed to all households.

Projects

FLD-1. Identify Drainage Patterns and Develop a Comprehensive Drainage System (Goal 1)

FLD-2. Structure Elevation and/or Relocation (Goal 1)

FLD-3. Updated FIRM Haines Maps (Goal 1, 2)

FLD-4. Public Education (Goal 2)

FLD-5. Pursue obtaining a CRS rating to lower flood insurance rates (Goal 1, 2)

FLD-6. Continue to obtain flood insurance for all Borough structures, and continue compliance with NFIP (Goal 1, 2)

FLD-7. Require that all new structures be constructed according to NFIP requirements and set back from the shoreline to lessen future erosion concerns and costs (Goal 1, 2)

Section 2. Earthquake Hazard

Southeast Alaska sits on the boundary of two major tectonic plates: the Pacific plate in the west and the North American Plate in the east. The collision of these two plates has caused the uplift of the Coastal Mountain Range that runs the length of Southeast Alaska.

Hazard Description

Approximately 11% of the world's earthquakes occur in Alaska, making it one of the most seismically active regions in the world. Three of the ten largest quakes in the world since 1900 have occurred here. Earthquakes of magnitude 7 or greater occur in Alaska an average of about once a year; magnitude 8 earthquakes average about 14 years between events.

Most large earthquakes are caused by a sudden release of accumulated stresses between crustal plates that move against each other on the earth's surface. Some earthquakes occur along faults that lie within these plates. The dangers associated with earthquakes include ground shaking; surface faulting, ground failures, snow avalanches, seiches and tsunamis. The extent of damage is dependent on the magnitude of the quake, the geology of the area, distance from the epicenter and structure design and construction. A main goal of an earthquake hazard reduction program is to preserve lives through economical rehabilitation of existing structures and constructing safe new structures.

Ground shaking is due to the three main classes of seismic waves generated by an earthquake. Primary waves are the first ones felt, often as a sharp jolt. Shear or

secondary waves are slower and usually have a side-to-side movement. They can be very damaging because structures are more vulnerable to horizontal than vertical motion. Surface waves are the slowest, although they can carry the bulk of the energy in a large earthquake. The damage to buildings depends on how the specific characteristics of each incoming wave interact with the buildings' height, shape, and construction materials.

Earthquakes are usually measured in terms of their magnitude and intensity. Magnitude is related to the amount of energy released during an event while intensity refers to the effects on people and structures at a particular place. Earthquake magnitude is usually reported according to the standard Richter scale for small to moderate earthquakes.

Strike-slip faults are where each side of the fault moves horizontally. Normal faults have one side dropping down relative to the other side. Thrust (reverse) faults have one side moving up and over the fault relative to the other side.

Earthquake-induced ground failure is often the result of liquefaction, which occurs when soil (usually sand and coarse silt with high water content) loses strength as a result of the shaking and acts like a viscous fluid. Liquefaction causes three types of ground failures: lateral spreads, flow failures, and loss of bearing strength. In the 1964 earthquake, over 200 bridges were destroyed or damaged due to lateral spreads. Flow failures damaged the port facilities in Seward, Valdez and Whittier.

Similar ground failures can result from loss of strength in saturated clay soils, as occurred in several major landslides that were responsible for most of the earthquake damage in Anchorage in 1964. Other types of earthquake-induced ground failures include slumps and debris slides on steep slopes.

Figure 3 was obtained from the University of Alaska, Fairbanks (UAF), and Alaska Earthquake Information Center (AEIC) website at: <http://www.aeic.alaska.edu/>.

Location

Local subsidiary faults to the Chatham Strait Fault are the Chilkat River Fault, the Chilkoot Fault, the Takhin Fault, and faults in the saddle area of Haines. These faults are, for the most part, concealed by water or valley floor deposits, thus their exact location and character can only be inferred.

The hazards of earthquakes could potentially impact any part of Haines. Earthquake damage would be area wide with potential damage to critical infrastructure up to and including the complete abandonment of key facilities. Limited building damage assessors are available in Haines to determine structures' integrity following earthquake damage. Priority would have to be given critical infrastructure to include: public safety facilities, health care facilities, shelters and potential shelters, and finally public utilities.

Southeastern Alaska

Southeastern Alaska, also known as "the panhandle", includes the area of the state from Prince Wales Island to Icy Bay. In 1904, the state's first seismic monitoring station was installed in southeastern Alaska at the Astronomical Observatory in Sitka. It was the only seismic station monitoring earthquakes in Alaska until 1935 when a second station was installed at College near Fairbanks. The Sitka station continues to operate today as part of a statewide network of seismograph stations (AEIC).

Major faults in the area include the Queen Charlotte fault, the Fairweather fault, and the Chatham Strait fault, described in further detail below. Minor faults in the area include the Clarence Strait fault and the Peril Strait fault. The eastern ends of the Denali and Transition faults are also found in southeastern Alaska (AEIC).

The strongest shaking will occur in muskeg, man-made fills, modern alluvial and delta deposits, and volcanic ash deposits. The saturated muskeg and reworked volcanic ash would be subject to possible liquefaction during severe earthquake-caused ground shaking, and are thus unreliable as stable foundation materials.

An earthquake would also cause other disastrous events to potentially occur at the same time, including tsunamis, fires, release of hazardous materials, and energy shortages.

Queen Charlotte - Fairweather fault system

The Queen Charlotte and Fairweather faults are part of a long fault system that marks the eastern boundary of the Pacific plate and the western boundary of the North American plate. The Pacific plate moves in a northwestward direction relative to the North American plate, creating a transform boundary, the name given to the interface between two plates moving horizontally in opposite directions. The fault associated with a transform boundary is a strike-slip fault. The Queen Charlotte and Fairweather faults

are very similar to some of the most well known strike-slip faults in the world; the faults associated with California's San Andreas fault system.

At the northern end of the Queen Charlotte-Fairweather fault system is the Fairweather fault, a strike-slip fault with right lateral movement. The Fairweather fault is visible on land for about 280 kilometers from Cross Sound northwestward to its junction with the St. Elias fault in the vicinity of Yakutat Bay. Seismic exploration methods have projected the Fairweather fault just offshore of the Alexander Archipelago from Cross Sound to the mouth of Chatham Strait. At this point, the fault is believed to connect with the Queen Charlotte fault. The Queen Charlotte fault, which extends southeastward from Chatham Strait past the Queen Charlotte Islands, is also a strike-slip fault with right lateral movement (AEIC).

Chatham Strait fault

The Chatham Strait fault is the second largest right lateral strike-slip fault in southeastern Alaska. Starting near Haines, the fault follows Lynn Canal south into Chatham strait and is thought to be truncated by the Fairweather-Queen Charlotte fault system west of Iphigenia Bay (AEIC).

Extent

The extent of an earthquake in Haines could be **critical**. Table 6. Extent of Hazard Ranking, page 20, uses the following criteria to determine the extent of possible damage: Injuries and/or illnesses result in permanent disability, complete shutdown of critical facilities for at least two weeks, more than 25% of property is severely damaged.

Intensity is a subjective measure of the strength of the shaking experienced in an earthquake. Intensity is based on the observed effects of ground shaking on people, buildings, and natural features. It varies from place to place within the disturbed region depending on the location of the observer with respect to the earthquake epicenter.

The "intensity" reported at different points generally decreases away from the earthquake epicenter. Local geologic conditions strongly influence the intensity of an earthquake; commonly, sites on soft ground or alluvium have intensities 2 to 3 units higher than sites on bedrock.

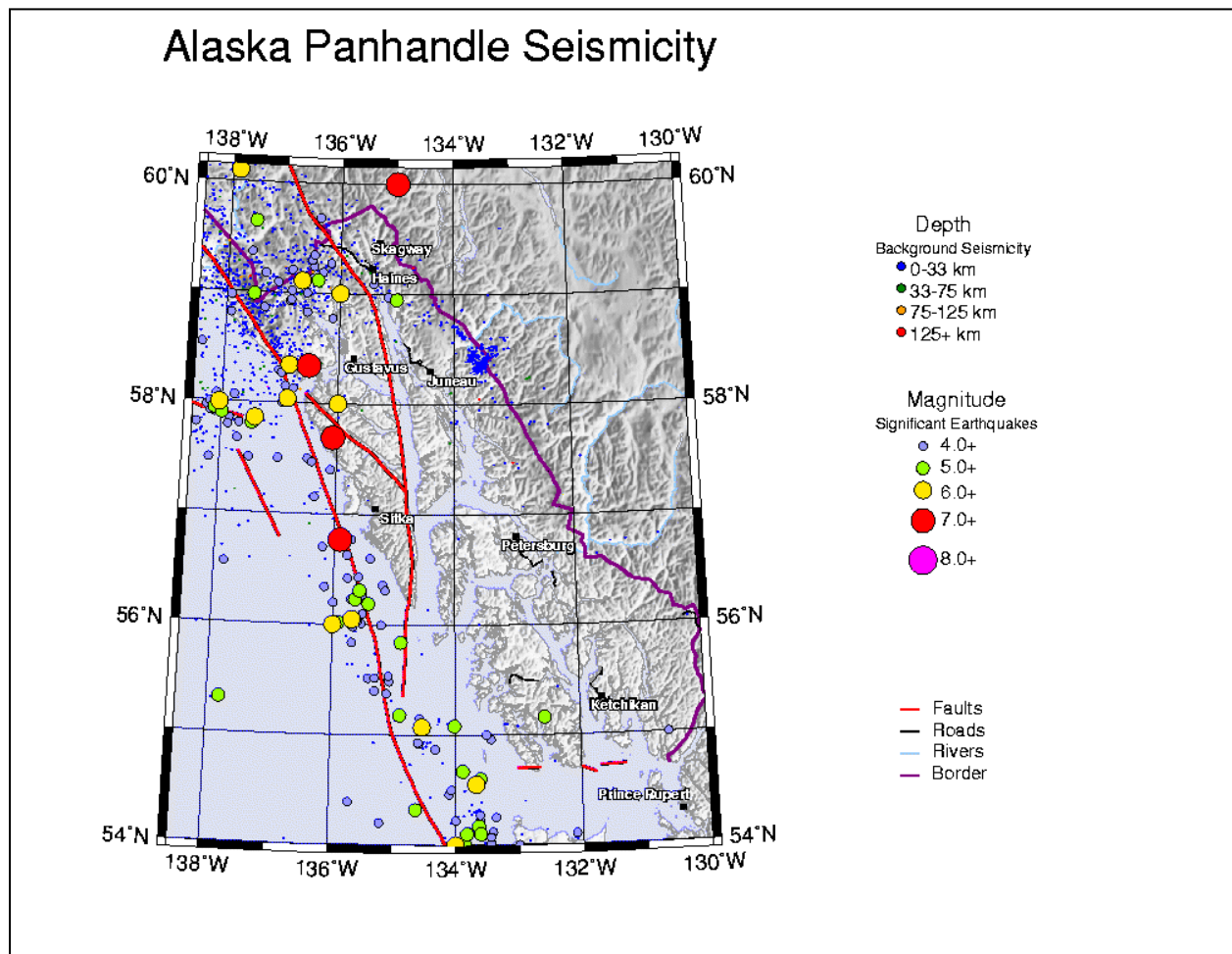
The Richter Scale expresses magnitude as a decimal number. A magnitude of 2 or less is called a microearthquake; they cannot even be felt by people and are recorded only on local seismographs. Events with magnitudes of about 4.5 or greater are strong enough to be recorded by seismographs all over the world. But the magnitude would need to be higher than 5 to be considered a moderate earthquake, and a large earthquake might be rated as magnitude 6 and major as 7. Great earthquakes (which occur once a year on average) have magnitudes of 8.0 or higher (British Columbia 1700, Chile 1960, Alaska 1964). The Richter Scale has no upper limit, but for the study

of massive earthquakes the moment magnitude scale is used. The modified Mercalli Intensity Scale is used to describe earthquake effects on structures.

The extent of a major earthquake in Haines could be critical. Haines is located near the Fairweather fault, which extends from south of Queen Charlotte Islands to Haines. The fault moves right-laterally approximately 2.25 inches per year. A study by the U.S. Geological Survey predicts a magnitude 8 or greater earthquake will occur near Haines in the future. This could be especially devastating because ground shaking can cause liquefaction of Haines's thixotropic soils.

Figure 4 is from the UAF AEIC. It illustrates that a major earthquake has occurred near Haines in the past and show that a fault is located near the Haines area.

Figure 4. AEIC Alaska Panhandle Seismicity



Source: http://www.aeic.alaska.edu/html_docs/information_releases.html

Probability

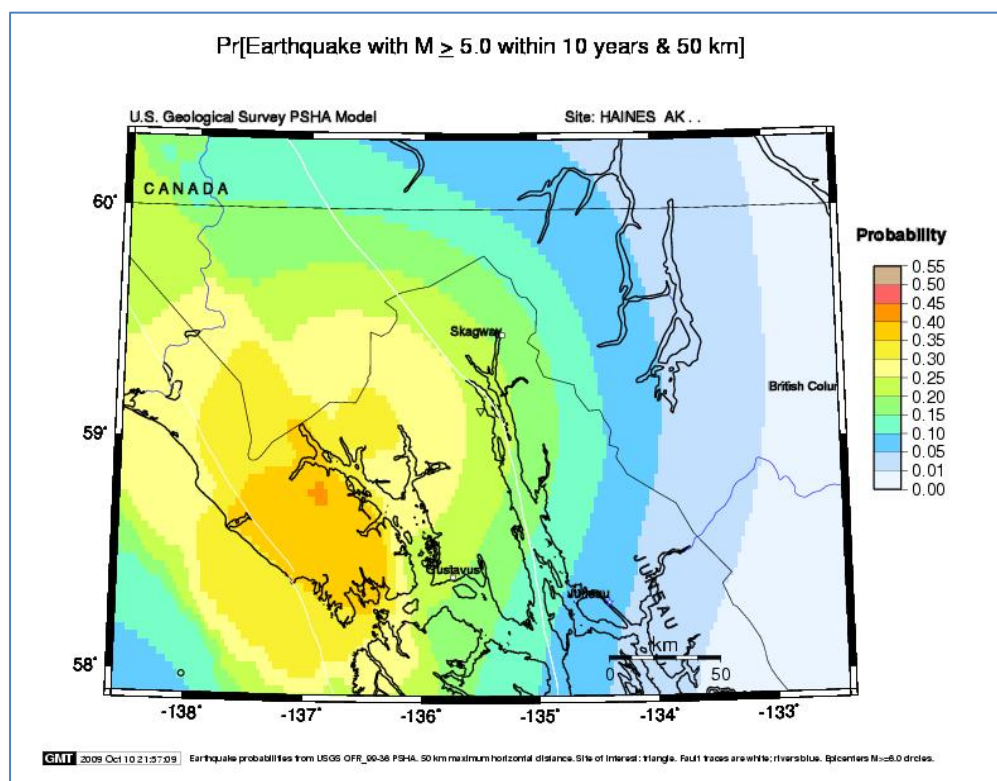
Haines has a **high** probability of earthquake hazard. Table 7. Probability Criteria Table, page 21, lists the following criteria for a high probability: hazard is present with a high probability of occurrence with the next three years. Event has up to 1 in 1 year chance of occurring.

As stated above, Haines is located near the Fairweather fault, which extends from south of Queen Charlotte Islands to Haines. The fault moves right-laterally approximately 2.25 inches per year. A study by the U.S. Geological Survey (USGS) predicts a magnitude 8 or greater earthquake will occur near Haines in the future.

While it is not possible to predict an earthquake, the USGS has developed Earthquake Probability Maps that use the most recent earthquake rate and probability models. These models are derived from earthquake rate, location and magnitude data from the USGS National Seismic Hazard Mapping Project.

Figure 5 was developed by using the USGS website (see source for web address) and indicates that the probability of an earthquake with an intensity of 5.0 or greater will occur within the next ten years within 50 kilometers (31 miles) of Haines is 20 percent.

Figure 5. USGS Probability Map



Source: USGS Earthquake Probability Mapping: <http://geohazards.usgs.gov/eqprob/2009/index.php>

Previous Occurrences

The largest potential geological hazard in the Haines area is earthquakes. The area lies within an extremely active tectonic zone, where large-scale faulting is common. Haines is part of a belt in the second most seismically active region in Alaska and constitutes a part of the highly active circum-pacific seismic belt where earthquakes of magnitude 8 or greater have occurred. Seismic records indicate that over 100 significant earthquakes have been recorded in the Haines area since 1899 (HCMP, 2007).

Earthquakes of moderate size, between 6.0 and 7.0 on the Richter scale, can be expected to occur on the order of once or twice per century. There are no known earthquake epicenters within the Haines coastal zone; however, in November 1987 an earthquake registering 5.3 on the Richter scale had its epicenter near Haines. This earthquake also had several preliminary quakes and aftershocks (HCMP, 2007).

Four major earthquakes have been linked to the Queen Charlotte-Fairweather fault system in the last century. In 1927, a magnitude 7.1 (Ms - surface wave magnitude) earthquake occurred in the northern part of Chichagof Island; in 1949, a magnitude 8.1 (Mw - moment magnitude) earthquake occurred along the Queen Charlotte fault near the Queen Charlotte Islands; in 1958, movement along the Fairweather fault near Lituya Bay created a magnitude 7.9 (Ms) earthquake, and in 1972, a magnitude 7.4 (Ms) earthquake occurred near Haines. The 1958 Lituya Bay earthquake, which was felt as far away as Seattle, Washington; caused a large rockslide, which deposited the contents of an entire mountainside into the bay. The gigantic wave that resulted from this rockslide scoured the shores of the bay down to bedrock and uprooted trees as high as 540 meters above sea level. Fishing boats were carried on the wave at a reported height of at least 30 meters over the spit at the entrance to the bay and tossed into the open ocean (AEIC).

Geologic evidence shows that the Chatham Strait fault was active as recently as the mid-Tertiary period and had total right lateral displacement up to 150 km. Although a 1987 magnitude 5.3 (mb - body wave magnitude) earthquake was located near the Chatham Strait fault, very few earthquakes in the area appear to have been directly related to the fault (AEIC).

The following table was developed from the AEIC Database, using the following search criteria:

- 58.0 <= latitude <=60
- -137 <= longitude >= -134
- 0 to 350 feet depth
- 01/01/1964 to 7/31/2015
- Earthquakes of over 6.0 magnitudes

Table 14. Historical Earthquake Events

Date	Depth (km)	Mb	ML	MS
03/28/1964	4.0	6.1	6.1	
09/04/1965	30.0	7.0	7.0	6.8
12/22/1965	38.0	6.4	6.4	
04/23/1968	22.0	6.2	6.5	6.5
11/17/1987	10.0	6.6	7.1	6.9
11/30/1987	10.0	6.7	7.1	7.6
02/21/1991	20.2	6.3		6.5
01/06/2000	1.0	5.5	6.1	5.9

Mb - Body wave Magnitude - Based on the amplitude of P (compression) body-waves. This scale is most appropriate for deep earthquakes.

ML - Local Magnitude - The original magnitude relationship defined by Richter and Gutenberg for local earthquakes in 1935. It is based on the maximum amplitude of a seismogram recorded on a Wood-Anderson torsion seismograph. Although these instruments are no longer widely used, ML values are calculated using modern instruments with appropriate adjustments.

Ms - Surface wave Magnitude - A magnitude for distant earthquakes based on the amplitude of the Rayleigh surface wave.

Source: http://www.aeic.alaska.edu/html_docs/db2catalog.html

Impact

The greatest potential earthquake effects include compaction, settlement, liquefaction, subsidence and ground fracturing of poorly consolidated, water-saturated deposits, as well as sliding on steep slopes of fine grained plastic sediments and damage from waves induced by submarine sliding.

The impact on the community of Haines of a high-magnitude earthquake could be extensive. Earthquake damage could be area-wide with potential damage to critical infrastructure. Limited building damage assessors are available in Haines to determine structural integrity following earthquake damage. Priority would have to be given critical infrastructure to include: public safety facilities, health care facilities, shelters and potential shelters, and finally public utilities.

Earthquake Mitigation Goal and Projects

Goal 1. Obtain funding to protect existing critical infrastructure from earthquake damage.

E-1. Identify buildings and facilities that must be able to remain operable during and following an earthquake event.

E-2. Contract a structural engineering firm to assess the identified buildings and facilities.

E-3. Conduct mock emergency exercises to identify response vulnerabilities.

E-4. Nonstructural mitigation projects

Assessing facilities will improve earthquake preparedness through such measures as installing bookshelf tie-downs, improving computer servers' resistance to earthquakes, moving heavy objects to lower shelves, etc.

Section 3. Snow Avalanche and Landslides

Hazard Description

Alaska experiences many snow avalanches every year. The exact number is undeterminable as most occur in isolated areas and go unreported. Avalanches tend to occur repeatedly in localized areas and can shear trees, cover communities and transportation routes, destroy buildings, and cause death. Alaska leads the nation in avalanche accidents per capita.

Avalanche Types

A snow avalanche is a swift, downhill moving snow mass. The amount of damage is related to the type of avalanche, the composition and consistency of the material in the avalanche, the force and velocity of the flow, and the avalanche path. There are two main types of snow avalanches; loose snow and slab. Other types that occur in Alaska include: cornice collapse, ice, and slush avalanches.

Loose Snow Avalanches

Loose snow avalanches, sometimes called point releases, generally occur when a small amount of snow slips and causes more snow to slide downhill. They occur frequently as small local cold dry 'sluffs', which remove excess snow (involving just the upper layers of snow) keeping the slopes relatively safe.

They can be large and destructive, though. For example, wet loose snow avalanches occur in the spring are very damaging. Loose snow avalanches can also trigger slab avalanches. Loose snow avalanches typically occur on slopes above 35 degrees, leaving behind an inverted V-shaped scar. They are often caused by snow overloading (common during or just after a snowstorm), vibration, or warming (triggered by rain, rising temperatures or solar radiation).

Slab Avalanches

Slab avalanches are the most dangerous types of avalanches. They happen when a mass of cohesive snow breaks away and travels down the mountainside. As it moves, the slab breaks up into smaller cohesive blocks. Slab avalanches usually require the presence of structural weaknesses within interfacing layers of the snow pack. The weakness exists when a relatively strong, cohesive snow layer overlies weaker snow or is not well bonded to the underlying layer. The weaknesses are caused by changes in

the thickness and type of snow cover due to changes in temperature or multiple snowfalls. The interface may fail for several reasons. It can fail naturally by earthquakes, blizzards, temperature changes or other seismic and climatic causes, or artificially by human activity.

When a slab is released, it accelerates, gaining speed and mass as it travels downhill. The slab is defined by fractures. The uppermost fracture delineating the top line of the slab is termed the “crown surface”, the area above that is called the crown. The slab sides are called the flanks. The lower fracture indicating the base of the slab is called the “stauchwall”. The surface the slab slides over is called the “bed surface”. Slabs can range in thickness from less than an inch to 35 feet or greater.

Cornice Collapse

A cornice is an overhanging snow mass formed by wind blowing snow over a ridge crest or the sides of a gully. The cornice can break off and trigger bigger snow avalanches when it hits the wind-loaded snow pillow.

Icefall Avalanche

Icefall avalanches result from the sudden fall of broken glacier ice down a steep slope. They can be unpredictable as it is hard to know when icefalls are imminent. Despite what some people think, they are unrelated to temperature, time of day or other typical avalanche factors.

Slush Avalanches

Slush avalanches occur mostly in high latitudes such as in the Brooks Range. They have also occurred in the mountain areas of Alaska's Seward Peninsula and occasionally in the Talkeetna Mountains near Anchorage. Part of the reason they are more common in high-latitudes is because of the rapid onset of snowmelt in the spring. Slush avalanches can start on slopes from 5 to 40 degrees but usually not above 25 to 30. The snowpack is totally or partially water saturated. The release is associated with a bed surface that is nearly impermeable to water. It is also commonly associated with heavy rainfall or sudden intense snowmelt. Additionally, depth hoar is usually present at the base of the snow cover.

Slush avalanches can travel slowly or reach speeds over 40 miles per hour. Their depth is variable as well, ranging from 1 foot to over 50 feet deep.

Avalanche Terrain Factors

There are several factors that influence avalanche conditions, with the main ones being slope angle, slope aspect and terrain roughness. Other factors include slope shape, vegetation cover, elevation, and path history. Avalanches usually occur on slopes above 25 degrees. Terrain with slopes below 25 degrees, are usually not steep enough to stress the snow pack resulting in a slide. Terrain with slopes above 60 degrees is too steep, causing snow to 'sluff' off and preventing accumulation. Avalanches can occur outside this slope angle range, but are not as common. Slope aspect, also termed orientation, describes the direction a slope faces with respect to the wind and sun. Leeward slopes loaded by wind-transported snow are problematic because the wind-deposited snow increases the stress and enhances slab formation.

Intense direct sunlight, primarily during the spring months, can weaken and lubricate the bonds between the snow grains, weakening the snow pack. Shaded slopes are potentially unstable because the weak layers are held for a longer time in an unstable state.

Terrain influences snow avalanches because trees, rocks, and general roughness act as anchors, holding snow in place. However, once an anchor is buried by snow, it loses its effectiveness. Anchors make avalanches less likely but do not prevent them unless the anchors are so close together that a person could not travel between them.

Avalanche Path

The local terrain features determine an avalanche's path. The path has three parts: the starting zone, the track, and the run-out zone.

The starting zone is where the snow breaks loose and starts sliding. It is generally near the top of a canyon, bowl, ridge, etc., with steep slopes between 25 and 50 degrees. Snowfall is usually significant in this area.

The track is the actual path followed by an avalanche. The track has milder slopes, between 15 and 30 degrees, but this is where the snow avalanche will reach maximum velocity and mass. Tracks can branch, creating successive runs that increase the threat, especially when multiple releases share a run-out zone.

The run-out zone is a flatter area (around 5 to 15 degrees) at the path base where the avalanche slows down, resulting in snow and debris deposition.

The impact pressure determines the amount of damage caused by a snow avalanche. The impact pressure is related to the density, volume (mass) and velocity of the avalanche.

Location

Backcountry areas are prone to snow avalanches. The developed areas of Haines are not prone to snow avalanche risk. Potentially affected areas surrounding Haines are shown on Map 4 Regional Infrastructure, page 27.

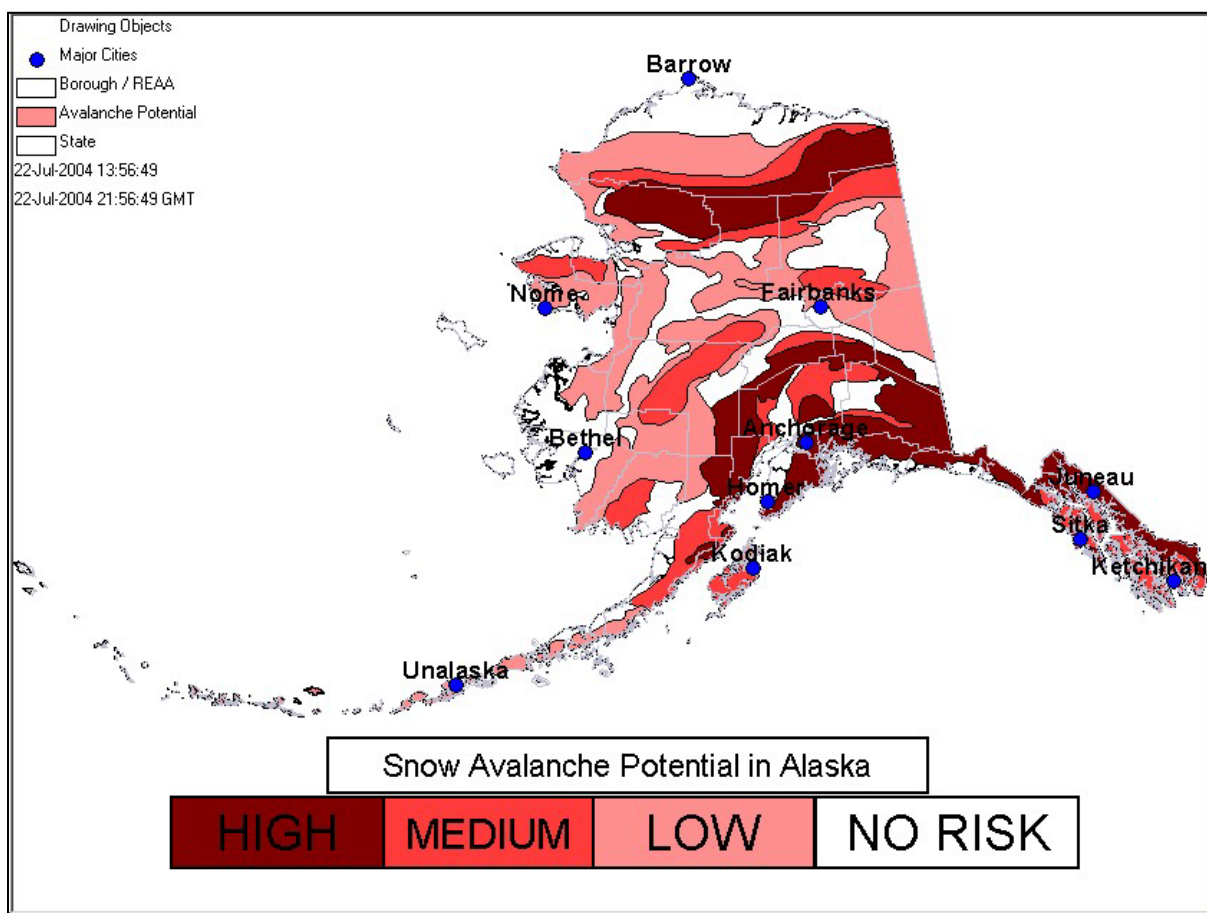
Extent

The extent of damage due to a snow avalanche can be expected to be **critical**. Injuries may be caused by an unanticipated avalanche striking one the major transportation routes to the Yukon. Complete shutdown of critical facilities involving the transportation routes and infrastructure could occur causing extreme financial hardship.

Probability

Table 8. State Hazard Vulnerability Matrix, on page 22, lists the probability of a snow avalanche in Haines as **high**. The hazard is present with a high probability of occurrence within the calendar year. Event has up to 1 in 1 year chance of occurring.

Figure 6. Snow Avalanche Potential in Alaska



Source: State of Alaska Hazard Mitigation Plan

Previous Occurrences

Alaska has a long history of snow avalanches and landslides. The Palm Sunday avalanche, April 3, 1898 is considered to be the deadliest event of the Klondike gold rush. The Chilkoot Trail, near Skagway, experienced multiple slides that day, including three with fatalities.

Late 1999 and early 2000 saw avalanches in Cordova, Valdez, Anchorage, Whittier, Cooper Landing, Moose Pass, Summit, Matanuska-Susitna Valley, and Eklutna from the Central Gulf Coast Storm. The most damaging avalanche occurred in Cordova, near milepost 5.5 of the Copper River Highway and was approximately 0.5 mile wide. It resulted in one death, at least 10 damaged structures, and about 1 million dollars in damage. Avalanches had struck in that spot before, including one in 1971 (*Alaska State All-Hazard Risk Mitigation Plan*).

No disaster-level avalanche events have been recorded in Haines, although transportation impacts and infrastructure damage have been documented. One recent slow moving landslide did damage homes and public infrastructure in January 2012.

Haines Slope Failure:

I. SUBJECT: 2012 Haines Slope Failure

Commencing on January 16, 2012, and continuing, a geological event is occurring in the Haines Borough. The hillside immediately above the Lutak Road approx. $\frac{3}{4}$ mile from Haines, is slowly moving downhill, undermining and cracking homes, public utilities, and transportation infrastructure along portions of the Oceanview and Lutak Roads, and Front Street. The Haines Borough, along with State and contracted engineers, are monitoring the slope and are evaluating potential steps to address the issue. On February 3, the Haines Borough adopted Resolution 12-02-330 declaring a local disaster and requesting state assistance for repairs and temporary housing.

Impact

The greatest danger from snow avalanche is in the backcountry of the Borough. Several times in the past, as described in the previous occurrence section, Haines has been isolated from road closures due to snow avalanches. Infrastructure damage is also a high risk in Haines, as well as the potential for injuries or death.

Snow Avalanche Goals and Projects

Goal 1. Reduce Haines's vulnerability to avalanche hazards in terms of threat to life and property.

Goal 2. Have comprehensive information regarding avalanches throughout Haines's developed area, including areas that will be developed in the future.

Goal 3. Increase public awareness of avalanche and landslide dangers and hazard zones.

S/A-1 Prohibit new construction in avalanche areas (Goal 1, 2, 3).

S/A-2 Utilize appropriate methods of structural avalanche control (Goal 1, 2, 3).

S/A-3 Determine if there are homes in avalanche paths (Goal 1, 2, 3).

S/A-4 Install warning signage in avalanche areas (Goal 1, 2, 3).

S/A-5 Continue to educate public about avalanche hazards. Information can be disseminated to the public through the Borough web site, press releases, media ads, and other methods (Goal 1, 2, 3).

Section 4. Tsunami Hazard

Hazard Description

A tsunami is a series of long waves generated in the ocean by a sudden displacement of a large volume of water. Underwater earthquakes, landslides, volcanic eruptions, meteor impacts, or onshore slope failures can cause this displacement. Most tsunamis originate in the Pacific "Ring of Fire," the area of the Pacific bounded by the eastern coasts of Asia and Australia and the western coasts of North America and South America that is the most active seismic feature on earth.

Tsunami waves can travel at speeds averaging 450 to 600 miles per hour. As a tsunami nears the coastline, its speed diminishes, its wavelength decreases, and its height increases greatly. Unusual waves have been known to be over 100 feet high. However, waves that are 10 to 20 feet high can be very destructive and cause many deaths and injuries.

After a major earthquake or other tsunami-inducing event occurs, a tsunami could reach the shore within a few minutes. From the source of the tsunami-generating event, waves travel outward in all directions in ripples. As these waves approach coastal areas, the time between successive wave crests varies from 5 to 90 minutes. The first wave is usually not the largest in the series of waves, nor is it the most significant. One coastal community may experience no damaging waves while another may experience destructive deadly waves. Some low-lying areas could experience severe inland inundation of water and deposition of debris of more than 1000 feet inland.

The Alaska and Aleutian Seismic Zone that threatens Alaska has a predicted occurrence (84 percent probability between 1988 and 2008) of an earthquake with magnitude greater than 7.4 in Alaska. According to the West Coast and Alaska Tsunami

Warning Center (WCATWC), if an earthquake of this magnitude occurs, Alaska's coastlines can be expected to flood within 15 minutes.

Types of Tsunami

Tele-Tsunami

Tele-tsunami is the term for a tsunami observed at places several thousand kilometers from their source. In many cases, tele-tsunamis can allow sufficient warning time for evacuation.

No part of Alaska is expected to have significant damage due to a tele-tsunami. Only one tele-tsunami has caused damage in Alaska; the 1960 Chilean tsunami. Damage occurred to pilings at MacLeod Harbor, Montague Island on Cape Pole, and Kosciusko Island where a log boom broke free.

Seismically generated local tsunami

Most seismically generated local tsunamis have occurred along the Aleutian Arc. Other locations include the back arc area in the Bering Sea and the eastern boundary of the Aleutian Arc plate. They generally reach land 20 to 45 minutes after starting.

Landslide-generated tsunami

Submarine and subaerial landslides can generate large tsunami. Subaerial landslides have more kinetic energy associated with them so they trigger larger tsunamis. An earthquake usually, but not always, triggers this type of landslide and they are usually confined to the bay or lake of origin. One earthquake can trigger multiple landslides and landslide generated tsunamis. Low tide is a factor for submarine landslides because low tide leaves part of the water-saturated sediments exposed without the support of the water.

Landslide generated tsunamis are responsible for most of the tsunamis deaths in Alaska because they allow virtually no warning time.

Seiches

A seiche is a wave that oscillates in partially or totally enclosed bodies of water. They can last from a few minutes to a few hours because of an earthquake, underwater landslide, atmospheric disturbance or avalanche. The resulting effect is similar to bathtub water sloshing repeatedly from side to side. The reverberating water continually causes damage until the activity subsides. The factors for effective warning are similar to a local tsunami. The onset of the first wave can occur in a few minutes, giving virtually no time for warning.

Characteristics of Tsunamis

Debris: As the tsunami wave comes ashore, it brings with it debris from the ocean, including man-made debris such as boats, and as it strikes the shore, creates more on-shore debris. Debris can damage or destroy structures on land.

Distance from shore: Tsunamis can be both local and distant. Local tsunamis cause more devastation and give residents only a few minutes to seek safety. Distant tsunamis originating in places like Chile, Japan, Russia, or other parts of Alaska can also cause damage.

High tide: If a tsunami occurs during high tide, the water height will be greater and cause greater inland inundation, especially along flood control and other channels.

Outflow: Outflow following inundation creates strong currents, which rip at structures and pound them with debris, and erode beaches and coastal structures.

Water displacement: When a large mass of earth on the ocean bottom impulsively sinks or uplifts, the column of water directly above it is displaced, forming the tsunami wave. The rate of displacement, motion of the ocean floor at the earthquake epicenter, the amount of displacement of the rupture zone, and the depth of water above the rupture zone all contribute to the intensity of the tsunami.

Wave runup: Runup is the height that the wave extends up to on steep shorelines, measured above a reference level (the normal height of the sea, corrected to the state of the tide at the time of wave arrival).

Wave strength: Even small wave heights can cause strong, deadly surges. Waist-high surges can cause strong currents that float cars, small structures, and other debris.

Location

Tsunami Inundation Mapping for Alaska Communities

To help mitigate the risk earthquakes and tsunamis pose to Alaskan coastal communities, the Geophysical Institute of the University of Alaska Fairbanks and the Alaska Division of Geological and Geophysical Surveys participate in the National Tsunami Hazard Mitigation Program by evaluating and mapping potential inundation of selected parts of Alaska coastlines using numerical modeling of tsunami wave dynamics. The communities for inundation modeling are selected in coordination with the Alaska DHS&EM with consideration to location, infrastructure, availability of bathymetric and topographic data, and willingness for a community to incorporate the results in a comprehensive mitigation plan (AEIC).

Extent

Major tsunami effects from earthquakes near, or outside, the region is less likely due to the location of Haines at the end of a long fjord. Haines's location 100 miles up the Lynn Canal, with sheltering from the Chilkat Islands and Peninsula, will tend to dissipate the energy of distant oncoming tsunami shock waves. The Anchorage earthquake of 1964, with its destructive tsunami effects in the outside waters coastal zone, created only several additional tidal bounces in the upper Lynn Canal of magnitude close to the normal daily tidal extremes at the time.

A tsunami in Haines could be of a **limited** extent. Haines has been designated by DHS&EM and DGGs as having a low potential for a Pacific-wide tsunami. It is possible for an event that could cause injuries and property damage as defined on Table 5. Extent of Hazard Ranking, page 20.

The following factors will affect the severity of a tsunami:

Coastline configuration: Tsunamis impact long, low-lying stretches of linear coastlines, usually extending inland for relatively short distances. Concave shorelines, bays, sounds, inlets, rivers, streams, offshore canyons, and flood control channels may create effects that result in greater damage. Offshore canyons can focus tsunami wave energy, and islands can filter the energy. The orientation of the coastline determines whether the waves strike head-on or are refracted from other parts of the coastline. A tsunami wave entering flood control channels could reach a mile or more inland, especially if it enters at high tide.

Coral reefs: Reefs surrounding islands in the western North Pacific and the South Pacific generally cause waves to break, providing some protection to the islands.

Earthquake characteristics: Several characteristics of the earthquake that generates the tsunami contribute to the intensity of the tsunami, including the area and shape of the rupture zone.

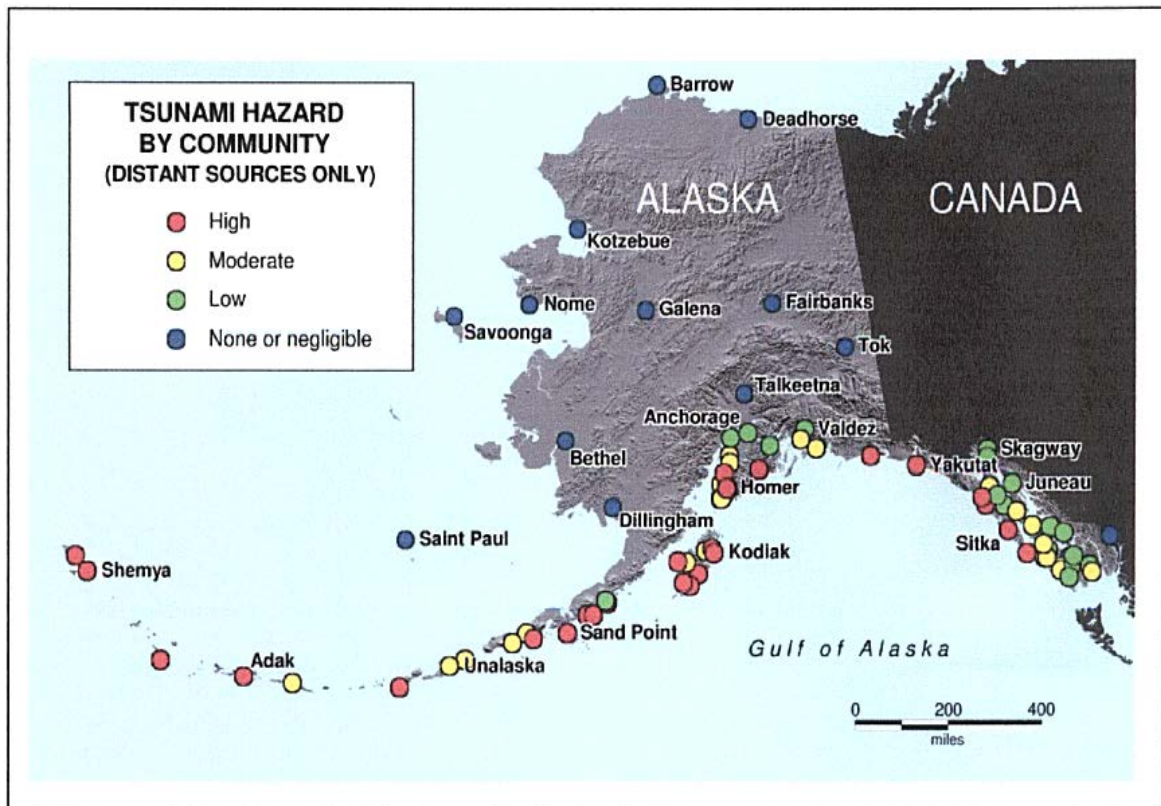
Fault movement: Strike-slip movements that occur under the ocean create little or no tsunami hazard. However, vertical movements along a fault on the seafloor displace water and create a tsunami hazard.

Magnitude and depth: Earthquakes with greater magnitude cause more intense tsunamis. Shallow-focus earthquakes also have greater capacity to cause tsunamis.

Human activity: With increased development, property damage increases, multiplying the amount of debris available to damage or destroy other structures. Additionally, loading on the delta from added weight such as trains or a warehouse or added fill can add to an area's instability.

Probability

Figure 7. Tsunami Hazard Probability by Community



Source: *State of Alaska Hazard Mitigation Plan*

Haines has a low probability of a tsunami event. The hazard is present with a low probability of occurrence with the calendar year. Event has up to 1 in 10 years chance of occurring.

Previous Occurrences

Historic tsunamis that were generated by earthquakes in the Alaska-Aleutian subduction zone have resulted in widespread damage and loss of life along the Alaskan Pacific coast and other exposed locations around the Pacific Ocean. Seismic water waves originating in Alaska can travel across the Pacific and destroy coastal towns, hours after the waves are generated. However, they are considered to be a near-field hazard for Alaska, and can reach Alaskan coastal communities within minutes after an earthquake. Therefore, saving lives and property depends on how well a community is prepared, which makes it essential to model the potential flooding area in a case of a local or distant tsunami (AEIC).

There has been at least one confirmed volcanically triggered tsunami in Alaska. In 1883, debris from the Saint Augustine volcano triggered tsunami that inundated Port Graham with waves 30 feet high.

There is no written record of a tsunami causing damage specific to the Haines Borough.

Impact

A tsunami event in Haines could damage the structures and infrastructure that are located along the shoreline in the community, and within the flood zones described above. A tsunami event in Haines could isolate the community from other areas of the state and cause widespread damage.

Tsunami Mitigation Goals and Projects:

Goals

Goal 1. Increased Public Education about Tsunamis and Seiches.

Goal 2. Consider on a community basis the benefits of participation in the Tsunami Ready Community Designation Program.

Goal 3. Develop accurate inundation maps for the Haines coastline.

Goal 4. Update Haines Emergency Operations Plan, as needed.

Projects

T-1. Siren and lights at both ends of town for Tsunami and other hazardous warnings (Goal 1)

T-2: Consider Participation in the Tsunami Awareness Programs (Goal 2)

T-3. Update Haines Emergency Operations Guide, as needed, Conduct Emergency Operation Plan Exercises (Goal 1, 4)

T-4. Inundation Mapping (Goal 3)

Obtain tsunami inundation maps for Haines. Without these maps, communities must rely on historical or estimated information for land use and evacuation route planning. Inundation maps will provide more accurate and precise information.

Section 5. Severe Weather

As a consequence of Haines's location deep within the coast mountain range, the area is influenced both by the rainforest climate of Southeast Alaska and the continental

climate typical of interior Alaska and Canada. As a result, Haines is much drier than the rest of Southeast Alaska with an average of 29 inches of precipitation annually.

Hazard Description

Weather is the result of four main features: the sun, the planet's atmosphere, moisture, and the structure of the planet. Certain combinations can result in severe weather events that have the potential to become a disaster.

In Alaska, there is great potential for weather disasters. High winds can combine with loose snow to produce a blinding blizzard and wind chill temperatures to 75°F below zero. Extreme cold (-40°F to -60°F) and ice fog may last for weeks at a time. Heavy snow can impact the interior and is common along the southern coast. A quick thaw means certain flooding.

Winter Storms

Winter storms originate as mid-latitude depressions or cyclonic weather systems. High winds, heavy snow, and cold temperatures usually accompany them. To develop, they require:

- Cold air - Subfreezing temperatures (below 32°F, 0°C) in the clouds and/or near the ground to make snow and/or ice.
- Moisture - The air must contain moisture in order to form clouds and precipitation.
- Lift - A mechanism to raise the moist air to form the clouds and cause precipitation.

Heavy Snow

Heavy snow, generally more than 12 inches of accumulation in less than 24 hours, can immobilize a community by bringing transportation to a halt. Until the snow can be removed, airports and major roadways are impacted, or even closed completely, stopping the flow of supplies and disrupting emergency and medical services.

Accumulations of snow can knock down trees and power lines and cause roofs to collapse. Heavy snow can also damage light aircraft and sink small boats. A quick thaw after a heavy snow can cause substantial flooding. The cost of snow removal, repairing damages, and the loss of business can have severe economic impacts on cities and towns. Injuries and deaths related to heavy snow usually occur as a result of vehicle accidents. Casualties also occur due to overexertion while shoveling snow and hypothermia caused by overexposure to the cold weather.

Seasonal storm winds can create wind damage, wind-driven water damage, and high runoff inundation. However, wind damage in the Haines coastal area is rare due to the semi-sheltered location of the community. Winds up to 40 knots in summer (southeasterly), and winter (northerly) can impact the community with occasional gusts to 60 knots. Related water damage is usually minor, but more frequent in areas where

human development has encroached into natural drainages, and floodplains. During periods of high seasonal rains and storm driven high tides the Haines area is subject to the effects of 100-year floods up to 25 feet above MLLW.

The following paragraphs are from the *Haines Comprehensive Plan, 2012*.

The maritime climate near the ocean inlets quickly gives way to alpine and sub-arctic conditions up the mountain valleys. Because of its distance from the exposed coast, more northerly latitude, proximity to Interior regions, and local mountains, Haines enjoys a climate which is characteristically drier than most of Southeast Alaska throughout the year. Near the coast, maximum summer highs reach into the 90s with extreme winter lows of -15 degrees Fahrenheit. Average annual precipitation is about 50 inches in the townsite area with a greater percentage falling as snow than in most other parts of Southeast Alaska. Haines receives about 12 feet of snow per year with 27 feet falling at the Canadian border.

The Haines Borough has about 18 hours of official daylight in the latter part of June diminishing to only 6 hours by December 20. The growing season is about 140 days a year.

The prevailing winds over Lynn Canal are northerly throughout much of the year except during the summer months when they are southeasterly, weaker and more variable. Throughout the year the prevailing winds bring relatively warm, nearly saturated air into Southeast Alaska. In winter, a high pressure area will frequently develop over northern British Columbia and the Yukon Territory while a strong low pressure area is centered over the western Gulf of Alaska. The resulting large pressure gradient generates extremely strong winds that blow through the mountain passes and down Lynn Canal. The funneling effect of the mountains which surround Lynn Canal causes winds to be channeled in a northerly or southerly direction. Occasionally during the winter extremely strong down slope winds occur. These winds may blow steadily at 20 to 30 miles per hour with gusts occasionally over 50 mph. The mountains around the Chilkat - Chilkoot River valleys channel surface winds up and down river.

As is characteristic of Southeast Alaska, a low cloud ceiling and/or high winds may occasionally delay flights in and out of the Haines airport. Local travel plans typically take weather patterns into account.

Existing air quality in Haines is excellent. There are no major industrial sources of air pollution and automobile traffic is light. Haines is classified as a Class II air shed by the Alaska Department of Environmental Conservation (ADEC) under the authority of the Federal Clean Air Act administered for all categories of air pollution (Class II air sheds are generally pollution free and will allow industrial development).

Location

The hazards of severe weather impact Haines on an area wide basis. A severe weather event would create an area wide impact and could damage structures and potentially isolate Haines from the rest of the state.

Extent

Extreme weather could result in a ***critical*** situation in Haines. Injuries and/or illness could result from excessive rainfall or snowfall, and with high winds, cause shutdown of critical facilities, damage property and isolate Haines.

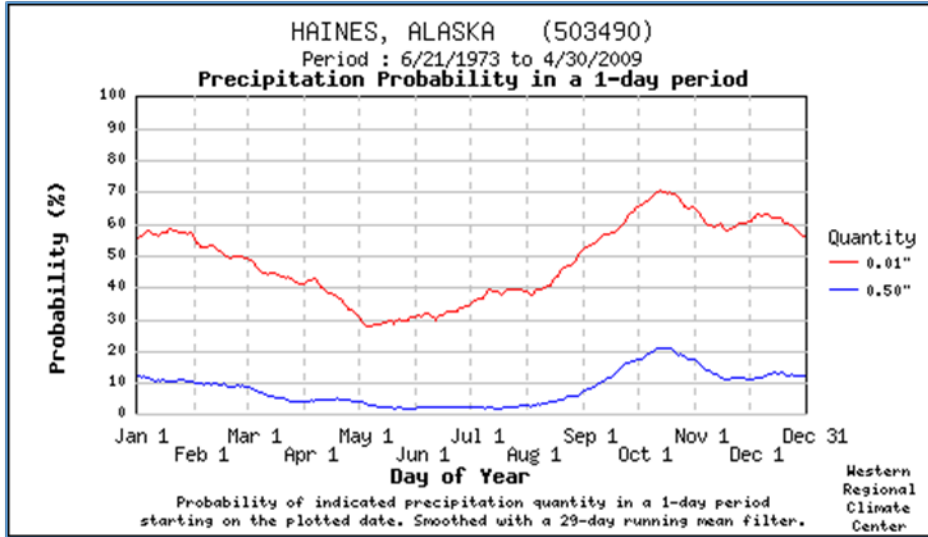
The State HMP lists severe weather as creating two limited damage events in Haines.

Probability

Haines has a **moderate** probability of severe weather, which is defined as the hazard is present with a moderate probability of occurrence within the calendar year. Event has up to 1 in 3 years chance of occurring.

Figure 8 from the Western Regional Climate Center shows that Haines has a less than 10% chance of at least a half-inch of rainfall most days.

Figure 8. Precipitation Probability in a 1-day Period



Previous Occurrences

In mid-September of 1967, 6.5 inches of rain fell in a 5-day period, and inundated the Haines Highway from mile 7 to mile 16, impacted another 35 miles of the highway damaging the roadbed and bridges, and closed the highway for two days (HCMP).

Southeast Alaska, November 26, 1984: A hurricane force windstorm and wind driven tides caused extensive damage to public and private property in five Southeast Alaskan communities. The State provided public and individual assistance grants and temporary housing in Juneau, **Haines**, Kake, Angoon and Tenakee Springs. SBA provided disaster loan assistance and the American Red Cross made grants to meet immediate needs of victims. The Governor's request for a Presidential declaration was denied.

Southeast Storm (AK-06-216) declared December 23, 2005 by Governor Murkowski: Beginning on November 18, 2005 and continuing through November 26, 2005, a strong winter storm with high winds and record rainfall occurred in the City/Borough of Juneau, the **Borough of Haines**, the City/Borough of Sitka, the City of Pelican, the City of Hoonah, and the Municipality of Skagway, which resulted in widespread coastal flooding, landslides, and severe damage and threat to life and property, with the potential for further damage. The following conditions exist as a result of this disaster: severe damage to personal residences requiring evacuation and relocation of residents; to individuals' personal and real property; to businesses; and to a marine highway system dock, the road systems eroded and blocked by heavy debris that prohibited access to communities and residents, and other public infrastructures, necessitating emergency protective measures and temporary and permanent repairs. The total estimated amount of assistance is approximately \$1.87 million. This includes the following: Individual Assistance totaling \$500,000 for 52 applicants and Public

Assistance totaling \$1.1 million for 14 applicants. There was no hazard mitigation (DHS&EM Disaster Cost Index).

Table 15. Haines Temperature Summary from the Western Regional Climate Center illustrates the temperate climate in Haines.

Table 15. Haines Temperature Summary

HAINES, ALASKA (503490)
 Period of Record Monthly Climate Summary
 Period of Record : 8/07/1911 to 1/20/2015

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
Average Max. Temperature (F)	29.7	33.5	38.8	48.8	57.4	63.5	65.2	64.5	57.1	47.4	35.6	31.6	47.8
Average Min. Temperature (F)	19.6	22.8	26.5	34.1	41.9	48.5	51.3	49.7	44.5	37.3	25.9	22.3	35.4
Average Total Precipitation (in.)	5.08	4.06	3.10	2.31	1.54	1.45	1.51	2.68	5.65	8.40	6.15	5.81	47.74
Average Total Snowfall (in.)	30.5	27.2	8.9	2.2	0.1	0.0	0.0	0.0	0.2	2.2	22.1	28.3	121.7
Average Snow Depth (in.)	0	0	0	0	0	0	0	0	0	0	0	0	0

Percent of possible observations for period of record.

Max. Temp.: 90.4% Min. Temp.: 90.6% Precipitation: 91.5% Snowfall: 90.2% Snow Depth: 88.8%

Source: Western Regional Climate Center, wrc@dr.edu

Impact

Because of its remote location, Haines must be very self-reliant. Severe weather can cut off air access limiting medevac availability and access to goods and services, including groceries and medical supplies. Severe wind and heavy snow can cause extensive damage to critical structures including residences and public facilities.

A severe weather event would create an area wide impact and could damage structures and potentially isolate Haines from the rest of the state.

Severe Weather Mitigation Goals and Projects

Goals

Goal 1. Mitigate the effects of extreme weather by instituting programs that provide early warning and preparation.

Goal 2. Educate people about the dangers of extreme weather and how to prepare.

Goal 3. Develop practical measures to warn in the event of a severe weather event.

Projects

SW-1. Research and consider instituting the National Weather Service program of “Storm Ready” (Goal 1, 2, 3)

Storm Ready is a nationwide community preparedness program that uses a grassroots approach to help communities develop plans to handle all types of severe weather—from tornados to tsunamis. The program encourages communities to take a new, proactive approach to improving local hazardous weather operations by providing emergency managers with clear-cut guidelines on how to improve their hazardous weather operations.

To be officially Storm Ready, a community must:

1. Establish a 24-hour warning point and emergency operations center.
2. Have more than one way to receive severe weather forecasts and warnings and to alert the public.
3. Create a system that monitors local weather conditions.
4. Promote the importance of public readiness through community seminars.
5. Develop a formal hazardous weather plan, which includes training severe weather spotters and holding emergency exercises.
6. Demonstrate a capability to disseminate warnings.

Specific Storm Ready guidelines, examples, and applications also may be found on the Internet at: www.nws.noaa.gov/stormready.

SW-2. Conduct special awareness activities, such as Winter Weather Awareness Week, Flood Awareness Week, etc. (Goal 1, 2, 3)

SW-3. Expand public awareness about NOAA Weather Radio for continuous weather broadcasts and warning tone alert capability (Goal 2)

SW-4. Encourage weather resistant building construction materials and practices (Goal 1, 2, 3)

Section 6. Hazards not Profiled in Plan

Volcanoes

The responsibility for hazard identification and assessment for the active volcanic Centers of Alaska falls to the Alaska Volcano Observatory (AVO) and its constituent organizations (USGS, DGGS, and UAF).

AVO, which is a cooperative program of the U.S. Geological Survey (USGS), Alaska Division of Geological & Geophysical Surveys (DGGS), and the University of Alaska Fairbanks Geophysical Institute (UAF/GI), monitors the seismic activity at 23 of Alaska's 41 active volcanoes in real time. In addition, satellite images of all Alaskan and Russian volcanoes are analyzed daily for evidence of ash plumes and elevated surface temperatures. Russian volcanoes are also a concern to Alaska as prevailing winds could carry large ash plumes from Kamchatka into Alaskan air space. AVO also researches the individual history of Alaska's active volcanoes and produces hazard assessment maps for each center.

The AVO identifies the closest active volcano to Haines as being over 200 miles away: <http://www.avo.alaska.edu/>

Wildland Fire

The soil conditions and abundant rainfall combine to make wildland fire hazard unlikely. There are areas located within the Borough that may benefit from controlled burns.

Ground Failure

Haines is absent of permafrost, although some ground heaving is present on rare occasions.

Chapter 5. Mitigation Strategy

Benefit - Cost Review

The methods for conducting a Benefit Cost Review are outlined in the FEMA *How-To-Guide Benefit-Cost Review in Mitigation Planning* (FEMA 386-5). Further information addressing HMP development may be accessed online at:

<http://www.fema.gov/media-library/assets/documents/5756>

The projects listed on the Cost Benefit Listing Table were prioritized using a listing of benefits and costs review method as described in the FEMA *How-To-Guide Benefit-Cost Review in Mitigation Planning* (FEMA 386-5).

Due to monetary as well as other limitations, it is often impossible to implement all mitigation actions. Therefore, the most cost-effective actions for implementation will be pursued for funding first, not only to use resources efficiently, but also to make a realistic start toward mitigating risks.

Due to the dollar value associated, with both life-safety and critical facilities, the prioritization strategy represents a special emphasis on benefit-cost review. The factors of life-safety and critical facilities steered the prioritization towards projects with likely good benefit-cost ratios. The following factors were used in assigning the priority on the benefit cost listing table.

1. Extent to which benefits are maximized when compared to the costs of the projects, the Benefit Cost Ratio must be 1.0 or greater.
2. Extent the project reduces risk to life-safety.
3. Project protects critical facilities or critical Borough functionality.
4. Hazard probability.
5. Hazard severity.

This method supports the principle of benefit-cost review by using a process that demonstrates a special emphasis on maximization of benefits over costs. Projects that demonstrate benefits over costs and that can start immediately were given the highest priority. Projects that the costs somewhat exceed immediate benefit and that can start within five years (or before the next update) were given a description of medium priority, with a timeframe of one to five years. Projects that are very costly without known benefits, probably cannot be pursued during this plan cycle, but are important to keep as an action, were given the lowest priority and designated as long term (FEMA 386-5).

Benefit-Cost Analysis

The following section, written by FEMA, explains how to perform a benefit –cost analysis (BCA). The complete guidelines document, a benefit-cost analysis document and benefit-cost analysis technical assistance are available online <http://www.fema.gov/benefit-cost-analysis>

Facilitating BCA

Although the preparation of a BCA is a technical process, FEMA has developed software, written materials, and training that simplify the process of preparing BCAs. FEMA has a suite of BCA software for a range of major natural hazards: earthquake, fire (wildland/urban interface fires), flood (riverine, coastal A-Zone, coastal V-Zone), hurricane wind (and typhoon), and tornado.

Sometimes there is not enough technical data available to use the BCA software mentioned above. When this happens, or for other common, smaller-scale hazards or more localized hazards, BCAs can be done with the Frequency Damage Method (i.e., the Riverine Limited Data module), which is applicable to any natural hazard as long as a relationship can be established between how often natural hazard events occur and how much damage and losses occur as a result of the event. This approach can be used for coastal storms, windstorms, freezing, mud/landslides, severe ice storms, snow, tsunami, and volcano hazards.

Applicants and sub-applicants must use FEMA-approved methodologies and software to demonstrate the cost-effectiveness of their projects. This will ensure that the calculations and methods are standardized, facilitating the evaluation process. Alternative BCA software may also be used, but only if the FEMA Regional Office and FEMA Headquarters approve the software.

The latest software for preparing Benefit-Cost Analysis is available from FEMA at <http://www.fema.gov/benefit-cost-analysis>

The BC Helpline is also available to provide BCA software, technical manuals, and other BCA reference materials as well as to provide technical support for BCA.

For further technical assistance, applicants or sub-applicants may contact their State Mitigation Office, the FEMA Regional Office, or the BC Helpline. FEMA and the BC Helpline provide technical assistance regarding the preparation of a BCA.

Mitigation Strategy Review and Update

The projects listed on Table 16. Mitigation Projects, are a comprehensive list from the original HMP, along with the progress and status of a potential project. Some projects were revised to incorporate new techniques and programs, such as Risk Map.

Table 16. Mitigation Projects

Mitigation Projects	Benefits (pros)	Progress	Status or Priority
Flood/Erosion (FLD)			
FLD-1. Identify Drainage Patterns and Develop a Comprehensive Drainage System	Benefit to entire community Property damage reduction	Engineering study needed >\$50,000 1 – 5 years	Medium
FLD-2. Structure Elevation and/or Relocation	Life/Safety project Benefit to government facilities and private properties.	Dollar cost unknown, >\$50,000 1 – 5 year implementation	Medium
FLD-3. Updated FIRM Haines Maps	Federal and/or state funding available. Benefit of protecting property values and accurate flood insurance rates.	Could be accomplished with a RiskMap study within 5 years.	High
FLD-4. Public Education	DCRA / DHS&EM funding may be available. Could be done annually. Inexpensive <\$1,000	Secure a onetime funding opportunity within 2 years.	Medium
FLD-5. Consider obtaining a CRS rating to lower flood insurance rates.	High capability by Borough to do on an annual basis Will reduce NFIP insurance for entire community. <\$1,000/year	Considered but not pursued. Action carried into 2015 update as a low priority	Low
FLD-6. Continue to obtain flood insurance for all Borough structures, and continue compliance with NFIP.	High capability by Borough to do on an annual basis. Public benefit to have all at risk buildings insured through NFIP. Inexpensive, approx.\$3,000/year.	NFIP insurance is current as of 2015 and maintained.	Complete and Continuing

Mitigation Projects	Benefits (pros)	Progress	Status or Priority
FLD-7. Require that all new structures be constructed according to NFIP requirements and set back from the rivers and shoreline to lessen future erosion concerns and costs.	High capability by Borough to do on an annual basis. Public benefit to have all at risk buildings insured through NFIP. Inexpensive, approx. \$3,000/year.	No additional construction since the previous HMP. By ordinance 18.120.060, all structures must comply with the current floodplain map.	Completed 2010
Earthquake (E)			
E-1. Identify buildings and facilities that must be able to remain operable during and following an earthquake event.	Life/Safety issue/Risk reduction Benefit to entire community Inexpensive State assistance available	Action retained for 2015 HMP. Added to EOP development. Timeline 1-5 years	High
E-2. Perform an earthquake vulnerability assessment of the identified buildings and facilities.	Benefit to entire community Risk reduction	Need to contract a specialized engineering firm. Timeline 1 – 5 years	Medium
E-3. Conduct mock emergency exercises to identify response vulnerabilities.	Life/Safety issue/Risk reduction Benefit to entire Borough State assistance available	Action retained for 2015 HMP. A funding option is to participate in the State's earthquake exercises.	High
E-4. Nonstructural mitigation projects (i.e. assessing methods for securing building contents)	Life/Safety issue/Risk reduction Benefit to entire Borough State assistance available	Staff time. Would need to first assess Borough interest.	High
Snow Avalanche (S/A)			
S/A-1. Prohibit new construction in avalanche areas. <i>*Seek possible private property buyout grants.</i>	Life/Safety issue/Risk reduction Benefit to entire community No direct cost to implement	Reviewed for 2015; may require voluntary property buyouts. Timeline 5 years or more	High
S/A-2. Utilize appropriate methods of structural avalanche control.	Life/Safety issue/Risk reduction Benefit to entire community Federal or State assistance available	An environmental study, engineering and structural design necessary to determine cost benefit. Timeline 5 years or more.	Medium
S/A-3. Determine if there are any homes in an avalanche path.	Life/Safety issue/Risk reduction Benefit to entire community	Action completed utilizing prior avalanche history and slope properties.	Completed 2012
S/A-4. Install warning signage in mapped avalanche areas.	Provides a clear warning without a language barrier.	Some signs are installed; more needed	High

Mitigation Projects	Benefits (pros)	Progress	Status or Priority
S/A-5. Educate public about avalanche hazards.	Could be a formal school presentation and community awareness campaigns.	Action reviewed and retained for 2015	High
Tsunami (T)			
T-1. Siren and lights at both ends of town for Tsunami and other hazardous warnings	Life/Safety Project Federal and State assistance available	Action retained for 2015 HMP. Timeline 3-5 years.	Medium
T-2. Consider Participation in the Tsunami Ready Community Designation	Life/Safety issue/Risk reduction Benefit to entire community State assistance available	Action removed upon 2015 review. Haines has a low risk to tsunami.	Removed
T-3. Inundation Mapping	Life/Safety issue/Risk reduction Benefit to entire community Federal/State assistance available	Action removed upon 2015 review. Haines has a low risk to tsunami.	Removed
T-4. Update Haines Emergency Operations Guide, as needed	Life/Safety issue/Risk reduction Benefit to entire community State assistance available	Action retained for 2015 HMP. Timeline 3-5 years.	Medium
Severe Weather (S/W)			
S/W-1. Research and consider instituting the National Weather Service program of "Storm Ready". * action removed	Life/Safety issue Risk reduction Benefit to entire community Inexpensive State assistance available	Action reviewed in 2015 and determined not feasible.	Completed 2010
S/W-1 formerly S/W-2. Conduct special awareness activities, such as Winter Weather Awareness Week, Flood Awareness Week, etc.	Life/Safety issue Risk reduction Benefit to entire community Inexpensive State assistance available Could be an annual event	Retained for 2015 HMP as S/W-1. Timeline 1-3 years.	High

Mitigation Projects	Benefits (pros)	Progress	Status or Priority
S/W-3. Expand public awareness about NOAA Weather Radio for continuous weather broadcasts and warning tone alert capability	Life/Safety issue Risk reduction Benefit to entire community Inexpensive State assistance available Could be an annual event	Action completed in 2010, but continues annually. Action retained for 2015 HMP.	Complete and Continuing
S/W-4. Encourage weather resistant building construction materials and practices.	Risk and damage reduction. Benefit to entire community.	Action is publicly advised but not ordered.	Complete and Continuing

High = Clearly a life/safety project, or benefits clearly exceed the cost or can be implemented 0 – 1 year.
Medium = More study required to designate as a life/safety project, or benefits may exceed the cost, or can be implemented in 1 – 5 years.
Low = More study required to designate as a life/safety project, or not known if benefits exceed the costs, or long-term project, implementation will not occur for over 5 years.

Mitigation Projects Strategy

Table 17 presents the Haines mitigation strategy and includes a brief description of the projects, lead agencies, costs, potential funding sources and an estimated timeframe for each project. The cost review method is further described in the FEMA *How-To-Guide Benefit-Cost Review in Mitigation Planning* (FEMA 386-5).

Table 17. Mitigation Strategy

Mitigation Projects	Responsible Agency	Cost	Funding Sources	Estimated Timeframe
FLD-1. Identify Drainage Patterns and Develop a Comprehensive Drainage System	Borough Mayor & Manager	N/A	FEMA NRCS USACE	1-5 years
FLD-2. Structure Elevation and/or Relocation	Borough Mayor & Manager	N/A	FEMA	1-5 years
FLD-3. Updated FIRM Haines Maps	Borough Mayor & Manager	>\$100,000	FEMA	Within 5 years
FLD-4. Public Education	Borough Mayor & Manager	Staff Time	Borough DHS&EM	2 years
FLD-6. Continue to obtain flood insurance for all Borough structures, and continue compliance with NFIP.	Borough Council	<\$1,500	Borough	Accomplished Annually
E-1. Identify buildings and facilities that must be able to remain operable during and following an earthquake event.	Borough Mayor, Council, Manager	Staff Time	State Grants FEMA	1-3 years
E-2. Perform an earthquake vulnerability assessment of the identified buildings and facilities.	Borough Council	To be Determined	State Grants FEMA	3-5 years
E-3. Conduct mock emergency exercises to identify response vulnerabilities.	Borough Manager	>\$25,000	State Grants FEMA	Within 5 years
E-4. Nonstructural mitigation projects (i.e. assessing methods for securing building contents)	Borough	Staff time	Borough	1-2 years
S/A-1. Prohibit new construction in avalanche areas. <i>*Seek possible private property buyout grants.</i>	Borough Mayor & Council	Staff Time	Borough Budget	3-5 years

Mitigation Projects	Responsible Agency	Cost	Funding Sources	Estimated Timeframe
S/A-2. Utilize appropriate methods of structural avalanche control.	Borough Manager Council	>\$25,000	State FEMA USACE	2-5 years
S/A-3. Determine if there are homes in avalanche paths.	Borough Manager	>\$25,000	State FEMA USACE	3-5 years
S/A-4. Install warning signage in mapped avalanche areas.	Borough Mayor & Manager & DOT	<\$10,000	Borough DHS&EM	1-3 years
S/A-5. Continue to educate public about avalanche hazards.	Borough Mayor Manager Council	Staff Time	Borough DHS&EM FEMA	Accomplish Annually
T-1. Siren and lights at both ends of town for Tsunami and other hazardous warnings	Borough Manager DHS&EM	To be determined	DHS&EM NOAA NTHMP	Within 5 years
T-4. Update Haines Emergency Operations Guide with current tsunami information.	Borough Manager	>\$20,000	Borough DHS&EM	Within 5 years
SW-2. Conduct special awareness activities, such as Winter Weather Awareness Week, Flood Awareness Week, etc.	Borough Mayor Council Manager	Staff Time	Borough DCRA DHS&EM	1-3 years then annually
SW-3. Expand public awareness about NOAA Weather Radio for continuous weather broadcasts and warning tone alert capability	Borough Mayor Manager	Staff Time	Borough NOAA DHS&EM	Accomplish Annually
SW-4. Encourage weather resistant building construction materials and practices.	Borough Mayor Manager Council	Staff Time	Borough	Accomplish Annually

Acronyms used on this table

NTHMP National Tsunami Hazard Mitigation Program
NOAA National Oceanographic and Atmospheric Administration

Chapter 6. Resources

6.1 Hazard Mitigation Funding

6.1.1 State Mitigation Funding

Direct State Disaster Mitigation Funding

While the State of Alaska has Public Assistance and Individual Assistance programs under State declared disasters, it does not have a State disaster mitigation program. However, there have been a few occasions in which the Governor and/or Legislature have elected to identify and fund mitigation work through the State Disaster Relief Fund (DRF). These actions were taken under discretionary authority and no permanent State mitigation program was established.

State Provision of Non-Federal Match to Federal Mitigation Programs

Many federal mitigation programs require a local match of non-federal funds. The match required varies with the program regulations and community being granted funds. There are several mitigation programs in which the State of Alaska provides the entire non-federal match for local communities resulting in 100% funds being granted to the community for mitigation. These programs, described in detail below, include the Public Assistance (406 mitigation) and Hazard Mitigation Grant Program (HMGP) which are funded under federally declared disasters. The matching funds are paid through the State DRF. Therefore, while these programs are listed below under “Federal mitigation programs” for convenience, the State provides substantial funding for these programs, sometimes in the millions of dollars. On occasion the State has likewise provided a portion of the non-Federal match for National Resource Conservation Service (NRCS) projects.

State of Alaska Supporting Mitigation Programs

Division of Homeland Security and Emergency Management Disaster Relief Fund

The State of Alaska provides State funding for Public Assistance (PA) and Individual Assistance (IA) in State declared disasters and cost share funds for federally declared disasters through the State Disaster Relief Fund.

Department of Commerce, Community & Economic Development

Community Development Block Grants

These grants fund community projects and planning activities improving health, safety and essential community services.

Alaska Regional Development Organizations

The Alaska Regional Development Organizations (ARDORs) fund cooperative economic development.

Rural Development Assistance Mini-Grants

These grants partially fund plan development, feasibility engineering studies, and capital projects. Mini-grants are awarded by the State Legislature.

Unincorporated Community Grants

These grants are awarded by the State Legislature to unincorporated communities and nonprofits for a wide range of projects and programs.

6.1.2 Federal Mitigation Funding

There are several Federal agencies and programs funding mitigation projects in the State of Alaska. Mitigation grants are administered through the DHS&EM as the grantee to local communities functioning as sub-grantees with the State providing the required matching funds for HMGP. Table 18 is an overview of grant programs and their eligible activities.

Table 18 FEMA HMA Eligible Activities

Activities	HMGP	PDM	FMA
1. Mitigation Projects	✓	✓	✓
Property Acquisition and Structure Demolition	✓	✓	✓
Property Acquisition and Structure Relocation	✓	✓	✓
Structure Elevation	✓	✓	✓
Mitigation Reconstruction			
Dry Floodproofing of Historic Residential Structures	✓	✓	✓
Dry Floodproofing of Non-residential Structures	✓	✓	✓
Minor Localized Flood Reduction Projects	✓	✓	✓
Structural Retrofitting of Existing Buildings	✓	✓	
Non-Structural Retrofitting of Existing Buildings and Facilities	✓	✓	
Safe Room Construction	✓	✓	
Infrastructure Retrofit	✓	✓	
Soil Stabilization	✓	✓	
Wildfire Mitigation	✓	✓	
Post-disaster Code Enforcement	✓		
5% Initiative Projects	✓		
2. Hazard Mitigation Planning	✓	✓	✓
3. Management Costs	✓	✓	✓

FEMA administers Hazard Mitigation Assistance (HMA) grants through Congressional authorization of the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 2000 as amended (DMA 2000). While many features of the HMA grants overlap, such as the benefit cost analysis (BCA) requirement, each grant program has specific features. Detailed guidance for these grants is provided by FEMA at <http://www.fema.gov/library/viewRecord.do?id=3649>.

Federal Disaster Mitigation Grants

406 Public Assistance Mitigation

FEMA Public Assistance repair projects are eligible for additional mitigation funds through (406 PA mitigation). Section (406) of the Stafford Act stipulates the mitigation project must relate directly to the disaster damages.

Hazard Mitigation Grant Program

In contrast, whenever there is a presidentially declared disaster in the State of Alaska, FEMA offers mitigation grant funds based on a percentage of the overall Federal share of disaster costs (15% in 2013). This program, called the Hazard Mitigation Grant Program (HMGP), was created in 1988 by the Stafford Act, Section 404 (404 mitigation) and allows HMGP funds to be used anywhere in the State if it is stipulated in the State disaster declaration to the President. While HMGP is funded through a presidentially declared disaster, HMGP funds are not used to repair disaster damage but to reduce future disaster losses through mitigation projects and planning.

Federal Unmet Needs Program

Unmet Needs is a program activated in specific disasters based upon a Congressional determination there are unmet needs following a disaster. Mitigation funds may be available for jurisdictions receiving an unmet needs allocation. Mitigation projects are specified in the Unmet Needs allocation. The Unmet Needs funds up to 75% of an approved project.

Additional Primary Federal Mitigation Programs

Pre-Disaster Mitigation Grant Program

The FEMA Pre-Disaster Mitigation (PDM) grant program funds mitigation projects and planning for State, local, and eligible tribal organizations.

The PDM program is annual, subject to Congressional appropriation, and nationally competitive. PDM sets aside a minimum monetary amount for each State and offers any remaining funds for national competition. Congress controls the PDM program and may award PDM funds in lieu of any competitive application process.

The State is the grantee of PDM funds and communities are the sub-grantees. Grant awards are a 75 % Federal/25 % applicant cost share match. Communities identified as "small and impoverished" (Appendix 10) are eligible for 90% Federal and 10% applicant match. The State of Alaska does not pay the applicant match for the PDM program.

Earthquake Hazards Reduction State Assistance Program

In 2012 and 2013 the State of Alaska received funds through the FEMA Earthquake Hazards Reduction State Assistance Program (EHRSAP). These funds were awarded through FEMA to States with earthquake hazards based upon specific Congressional authorization and are designed to support State earthquake program activities. Out of the total Congressional allocation, a portion of the funds are awarded to each state based upon a FEMA earthquake risk calculation. FEMA intends to continue this program subject to Congressional appropriation. The State of Alaska has used EHRSAP funds to support earthquake active fault mapping and earthquake/tsunami

education outreach displays. The SHMO manages and administers these funds.

Hazard Mitigation Technical Assistance Program

Through the Hazard Mitigation Technical Assistance Program (HMTAP), FEMA creates technical products for Federal, State, and local community use. FEMA administers HMTAP contracts with State advisement. HMTAPs continue to be a potential tool to accomplish specific, clearly defined mitigation planning work as identified by the SHMO.

Department of Commerce National Oceanic and Atmospheric Administration

National Tsunami Hazard Mitigation Grant Program

The National Tsunami Hazard Mitigation Grant Program (NTHMP) combines Federal and State partners involved in mitigating tsunami risk. This NOAA directed program includes Federal partners from the USGS, FEMA and NSF, and States with tsunami risk. The State of Alaska serves as a member of the Coordination Committee for the NTHMP and is the grantee for NTHMP funds allocated to Alaska. In Alaska, NTHMP funds are combined with State managed projects, local community sub-grants, and intra-state reimbursable services agreements (RSAs) for tsunami hazard mapping, outreach and warning systems. See Appendix 6 for the project selection process and prioritization criteria. In Alaska, the NTHMP is managed through the SHMO.

Remote Community Alert Systems Program

The Remote Community Alert Systems Program (RCASP) funds multi-hazard warning communication systems for remote communities with limited 911 services, cell phone access, and communications capability. Where appropriate, the State directly manages the project (Unincorporated community in the Unorganized Borough) or sub-grants the funds. To date funds have been used to install multi-hazard community warning sirens. In Alaska the RCASP is managed through the SHMO.

Small Business Administration

Business Physical Disaster Loans are available for businesses and non-profit organizations in the area of a declared Federal disaster or Small Business Administration (SBA) declared disaster. SBA often sends representatives on federally declared disasters to present their disaster loan program.

Department of Agriculture

Natural Resource Conservation Service

Emergency Watershed Protection Program

The Natural Resource Conservation Service (NRCS) is responsible for the Emergency Watershed Protection (EWP) program. EWP provides financial and technical assistance to remove debris from streams, protect destabilized stream banks, establish cover on critically eroding lands, establish conservation practices, and purchase flood plain easements.

Department of Defense

U.S. Army Corps of Engineers

The U. S. Army Corps of Engineers (USACE) has accomplished many extensive hazard mitigation studies and projects in Alaska, including the 2009 Kivalina community seawall and the Chena River flood control project in the Fairbanks North Star Borough. Funding

for USACE projects and studies is dependent on Congressional appropriation and program requirements.

Additional Federal Agencies

Department of Agriculture

U.S. Forest Service

Department of Commerce

National Oceanic & Atmospheric Administration – See above under NTHMP and RCASP.

National Weather Service

Office of Coastal Resource Management

Department of Defense

USACE Army Corps of Engineers - National Flood Proofing Committee

Department of Health, Education & Welfare

Center for Disease Control (CDC)

Department of Housing & Urban Development

Community Development Block Grant

HOME Investment Partnerships Program

Department of the Interior

U.S. Geological Survey

U.S. Fish & Wildlife Service

Bureau of Land Management

Bureau of Indian Affairs

Environmental Protection Agency

Department of Transportation

Federal Highway Administration

Federal Aviation Administration

National Trust for Historic Preservation

Additional Mitigation Grant Resources

Information about other grant programs may be found in these sources:

- FEMA Disaster Assistance: A Guide to Recovery Programs

<http://www.fema.gov/media-library/assets/documents/6341>

Glossary of Terms

A-Zones

Type of zone found on all Flood Hazard Boundary Maps (FHBMs), Flood Insurance Rate Maps (FIRMs), and Flood Boundary and Floodway Maps (FBFMs).

Acquisition

Local governments can acquire lands in high hazard areas through conservation easements, purchase of development rights, or outright purchase of property.

Asset

Any manmade or natural feature that has value, including, but not limited to people; buildings; infrastructure like bridges, roads, and sewer and water systems; lifelines like electricity and communication resources; or environmental, cultural, or recreational features like parks, dunes, wetlands, or landmarks.

Base Flood

A term used in the National Flood Insurance Program to indicate the minimum size of a flood. This information is used by a community as a basis for its floodplain management regulations. It is the level of a flood, which has a one-percent chance of occurring in any given year. Also known as a 100-year flood elevation or one-percent chance flood.

Base Flood Elevation (BFE)

The elevation for which there is a one-percent chance in any given year that flood water levels will equal or exceed it. The BFE is determined by statistical analysis for each local area and designated on the Flood Insurance Rate Maps. It is also known as 100-year flood elevation.

Base Floodplain

The area that has a one percent chance of flooding (being inundated by flood waters) in any given year.

Building

A structure that is walled and roofed, principally above ground and permanently affixed to a site. The term includes a manufactured home on a permanent foundation on which the wheels and axles carry no weight.

Building Code

The regulations adopted by a local governing body setting forth standards for the construction, addition, modification, and repair of buildings and other structures for the purpose of protecting the health, safety, and general welfare of the public.

Community

Any state, area or political subdivision thereof, or any Indian tribe or tribal entity that has the authority to adopt and enforce statutes for areas within its jurisdiction.

Community Rating System (CRS)

The Community Rating System is a voluntary program that each Borough or county government can choose to participate in. The activities that are undertaken through CRS are awarded points. A community's points can earn people in their community a discount on their flood insurance premiums.

Critical Facility

Facilities that are critical to the health and welfare of the population and that are especially important during and after a hazard event. Critical facilities include, but are not limited to, shelters, hospitals, and fire stations.

Designated Floodway

The channel of a stream and that portion of the adjoining floodplain designated by a regulatory agency to be kept free of further development to provide for unobstructed passage of flood flows.

Development

Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or of equipment or materials.

Digitize

To convert electronically points, lines, and area boundaries shown on maps into x, y coordinates (e.g., latitude and longitude, universal transverse Mercator (UTM), or table coordinates) for computer use.

Disaster Mitigation Act (DMA)

DMA 2000 (public Law 106-390) is the latest legislation of 2000 (DMA 2000) to improve the planning process. It was signed into law on October 10, 2000. This legislation reinforces the importance of mitigation planning and emphasizes planning for disasters before they occur.

Earthquake

A sudden motion or trembling that is caused by a release of strain accumulated within or along the edge of the earth's tectonic plates.

Elevation

The raising of a structure to place it above flood waters on an extended support structure.

Emergency Operations Plan

A document that: describes how people and property will be protected in disaster and disaster threat situations; details who is responsible for carrying out specific actions; identifies the personnel, equipment, facilities, supplies, and other resources available for use in the disaster; and outlines how all actions will be coordinated.

Erosion

The wearing away of the land surface by running water, wind, ice, or other geological agents.

Federal Disaster Declaration

The formal action by the President to make a State eligible for major disaster or emergency assistance under the Robert T. Stafford Relief and Emergency Assistance Act, Public Law 93-288, as amended. Same meaning as a Presidential Disaster Declaration

Federal Emergency Management Agency (FEMA)

A federal agency created in 1979 to provide a single point of accountability for all federal activities related to hazard mitigation, preparedness, response, and recovery.

Flood

A general and temporary condition of partial or complete inundation of water over normally dry land areas from (1) the overflow of inland or tidal waters, (2) the unusual and rapid accumulation or runoff of surface waters from any source, or (3) mudflows or the sudden collapse of shoreline land.

Flood Disaster Assistance

Flood disaster assistance includes development of comprehensive preparedness and recovery plans, program capabilities, and organization of Federal agencies and of State and local governments to mitigate the adverse effects of disastrous floods. It may include maximum hazard reduction, avoidance, and mitigation measures, as well as policies, procedures, and eligibility criteria for Federal grant or loan assistance to State and local governments, private organizations, or individuals as the result of the major disaster.

Flood Elevation

Elevation of the water surface above an established datum (reference mark), e.g. National Geodetic Vertical Datum of 1929, North American Datum of 1988, or Mean Sea Level.

Flood Hazard

Flood Hazard is the potential for inundation and involves the risk of life, health, property, and natural value. Two reference base are commonly used: (1) For most situations, the Base Flood is that flood which has a one-percent chance of being exceeded in any given year (also known as the 100-year flood); (2) for critical actions, an activity for which a one-percent chance of flooding would be too great, at a minimum the base flood is that flood which has a 0.2 percent chance of being exceeded in any given year (also known as the 500-year flood).

Flood Insurance Rate Map

Flood Insurance Rate Map (FIRM) means an official map of a community, on which the Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community.

Flood Insurance Study

Flood Insurance Study or Flood Elevation Study means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluations and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

Floodplain

A "floodplain" is the lowland adjacent to a river, lake, or ocean. Floodplains are designated by the frequency of the flood that is large enough to cover them. For example, the 10-year floodplain will be covered by the 10-year flood. The 100-year floodplain by the 100-year flood.

Floodplain Management

The operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

Floodplain Management Regulations

Floodplain Management Regulations mean zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

Flood Zones

Zones on the Flood Insurance Rate Map (FIRM) in which a Flood Insurance Study has established the risk premium insurance rates.

Flood Zone Symbols

A - Area of special flood hazard without water surface elevations determined.

A1-30 - AE Area of special flood hazard with water surface elevations determined.

AO - Area of special flood hazard having shallow water depths and/or unpredictable flow paths between one and three feet.

A-99 - Area of special flood hazard where enough progress has been made on a protective system, such as dikes, dams, and levees, to consider it complete for insurance rating purposes.

AH - Area of special flood hazard having shallow water depths and/or unpredictable flow paths between one and three feet and with water surface elevations determined.

B - X Area of moderate flood hazard.

C - X Area of minimal hazard.

D - Area of undetermined but possible flood hazard.

Geographic Information System

A computer software application that relates physical features of the earth to a database that can be used for mapping and analysis.

Governing Body

The legislative body of a Borough that is the assembly of a borough or the council of a city.

Hazard

A source of potential danger or adverse condition. Hazards in the context of this plan will include naturally occurring events such as floods, earthquakes, tsunamis, coastal storms, landslides, and wildfires that strike populated areas. A natural event is a hazard when it has the potential to harm people or property.

Hazard Event

A specific occurrence of a particular type of hazard.

Hazard Identification

The process of identifying hazards that threaten an area.

Hazard Mitigation

Any action taken to reduce or eliminate the long-term risk to human life and property from natural hazards. (44 CFR Subpart M 206.401)

Hazard Mitigation Grant Program

The program authorized under section 404 of the Stafford Act, which may provide funding for mitigation measures identified through the evaluation of natural hazards conducted under §322 of the Disaster Mitigation Act 2000.

Hazard Profile

A description of the physical characteristics of hazards and a determination of various descriptors including magnitude, duration, frequency, probability, and extent. In most cases, a community can most easily use these descriptors when they are recorded and displayed as maps.

Hazard and Vulnerability Analysis

The identification and evaluation of all the hazards that potentially threaten a jurisdiction and analyzing them in the context of the jurisdiction to determine the degree of threat that is posed by each.

Mitigate

To cause something to become less harsh or hostile, to make less severe or painful.

Mitigation Plan

A systematic evaluation of the nature and extent of vulnerability to the effects of natural hazards typically present in the State and includes a description of actions to minimize future vulnerability to hazards.

National Flood Insurance

The Federal program, created by an act of Congress in 1968, which makes flood insurance available in communities that enact satisfactory floodplain management regulations.

One Hundred (100)-Year

The flood elevation that has a one-percent chance of occurring in any given year. It is also known as the Base Flood.

Planning

The act or process of making or carrying out plans; the establishment of goals, policies, and procedures for a social or economic unit.

Repetitive Loss Property

A property that is currently insured for which two or more National Flood Insurance Program losses (occurring more than ten days apart) of at least \$1,000 each have been paid within any 10-year period since 1978.

Risk

The estimated impact that a hazard would have on people, services, facilities, and structures in a community; the likelihood of a hazard event resulting in an adverse condition that causes injury or damage. Risk is often expressed in relative terms such as a high, moderate, or low likelihood of sustaining damage above a particular threshold due to a specific type of hazard event. It can also be expressed in terms of potential monetary losses associated with the intensity of the hazard.

Riverine

Relating to, formed by, or resembling rivers (including tributaries), streams, creeks, brooks, etc.

Riverine Flooding

Flooding related to or caused by a river, stream, or tributary overflowing its banks due to excessive rainfall, snowmelt or ice.

Runoff

That portion of precipitation that is not intercepted by vegetation, absorbed by land surface, or evaporated, and thus flows overland into a depression, stream, lake, or ocean (runoff, called immediate subsurface runoff, also takes place in the upper layers of soil).

Seiche

An oscillating wave (also referred to as a seismic sea wave) in a partially or fully enclosed body of water. May be initiated by landslides, undersea landslides, long period seismic waves, wind and water waves, or a tsunami.

Seismicity

Describes the likelihood of an area being subject to earthquakes.

State Disaster Declaration

A disaster emergency shall be declared by executive order or proclamation of the Governor upon finding that a disaster has occurred or that the occurrence or the threat of a disaster is imminent. The state of disaster emergency shall continue until the governor finds that the threat or danger has passed or that the disaster has been dealt with to the extent that emergency conditions no longer exist and terminates the state of disaster emergency by executive order or proclamation.

Along with other provisions, this declaration allows the governor to utilize all available resources of the State as reasonably necessary, direct and compel the evacuation of all or part of the population from any stricken or threatened area if necessary, prescribe routes, modes of transportation and destinations in connection with evacuation and control ingress and egress to and from disaster areas. It is required before a Presidential Disaster Declaration can be requested.

Topography

The contour of the land surface. The technique of graphically representing the exact physical features of a place or region on a map.

Tribal Government

A Federally recognized governing body of an Indian or Alaska native Tribe, band, nation, pueblo, village or community that the Secretary of the Interior acknowledges to exist as an Indian tribe under the Federally Recognized Tribe List Act of 1994, 25 U.S.C. 479a. This does not include Alaska Native corporations, the ownership of which is vested in private individuals.

Tsunami

A sea wave produced by submarine earth movement or volcanic eruption with a sudden rise or fall of a section of the earth's crust under or near the ocean. A seismic disturbance or landslide can displace the water column, creating a rise or fall in the level of the ocean above. This rise or fall in sea level is the initial formation of a tsunami wave.

Vulnerability

Describes how exposed or susceptible to damage an asset is. Vulnerability depends on an asset's construction, contents, and the economic value of its functions. The vulnerability of one element of the community is often related to the vulnerability of another. For example, many businesses depend on uninterrupted electrical power – if an electrical substation is flooded, it will affect not only the substation itself, but a number of businesses as well. Other, indirect effects can be much more widespread and damaging than direct ones.

Vulnerability Assessment

The extent of injury and damage that may result from a hazard event of a given intensity in a given area. The vulnerability assessment should address impacts of hazard events on the existing and future built environment.

Watercourse

A natural or artificial channel in which a flow of water occurs either continually or intermittently.

Watershed

An area that drains to a single point. In a natural basin, this is the area contributing flow to a given place or stream.

**Appendix:
Public Involvement**

Community Newsletter

Email Correspondence

Krista Kielsmeier

From: Nelsen, Scott G (MVA) [scott.nelsen@alaska.gov]
Sent: Friday, August 07, 2015 10:45 AM
To: Krista Kielsmeier
Subject: RE: Haines Hazard Mitigation Plan

Thank you Krista,

The assembly may adopt the plan on August 25, if they wish. If they just want to review the plan and edit or approve it for FEMA review, that's fine too. I will coordinate with Julie and wait for the assembly's decision. If they approve or adopt the plan, I'll send it to FEMA for their formal review and approval. So far, they've not asked any Alaskan community to make any changes to their drafts. The blank pages at the end will be filled w/meeting documentation (agenda & minutes), and a back cover page.

Thank you for reviewing this draft.

Scott Nelsen
Hazard Mitigation Planner
Emergency Management Specialist GIS
State of Alaska DHS&EM
907-428-7010 office
907-343-9915 mobile

From: Krista Kielsmeier [<mailto:kkielsmeier@haines.ak.us>]
Sent: Friday, August 07, 2015 10:34 AM
To: Nelsen, Scott G (MVA) <scott.nelsen@alaska.gov>
Subject: RE: Haines Hazard Mitigation Plan

Hi Scott,

Here is my edited version. Most of the changes were to the acknowledgements page, and then references to our old website address (hainesborough.us, which is now hainesalaska.gov). I also kept the blank pages at the end, which I assume will be filled in later with additional information.

I will be out of the office when the next assembly meeting packet is being prepared. Please communicate what is needed with our Borough Clerk, Julie Cozzi, at jcozzi@haines.ak.us. Is the assembly to adopt a resolution at the August 25th meeting, or will they simply be reviewing the plan that night and then adopting a resolution later?

Thank you,

Krista Kielsmeier
Deputy Clerk
Haines Borough
Office: 907-766-2231 ext. 36

From: Nelsen, Scott G (MVA) [<mailto:scott.nelsen@alaska.gov>]
Sent: Tuesday, August 04, 2015 12:01 PM
To: Krista Kielsmeier
Subject: Haines Hazard Mitigation Plan

Hi Krista,

I have completed the details in the Haines draft plan. I just need to add the public participation element, which consists of posting a newsletter advertising the next available council meeting. The council will review the plan and adopt by resolution pending any further edits. I can draft the newsletter and send it to you; just let me know the meeting date. I can attend the meeting by telephone and answer any questions about the plan and make any necessary edits.

Thank you, I'm looking forward to your reply.

Scott Nelsen
Hazard Mitigation Planner
Emergency Management Specialist GIS
State of Alaska DHS&EM
907-428-7010 office
907-343-9915 mobile



**Haines Borough
Assembly Agenda Bill**

Agenda Bill No.: 15-597

Assembly Meeting Date: 9/8/15

Business Item Description:	Attachments:
Subject: Purchase Three Biomass Boilers and Associated Equipment from U.S. Coast Guard	1. Resolution 15-09-644 2. Draft Haines Borough Biomass Plan 3. E-mail from Engineer Regarding Installation
Originator: Borough Manager	
Originating Department: Administration	
Date Submitted: 9/4/15	

Full Title/Motion:
Motion: Adopt Resolution 15-09-644.

Administrative Recommendation:
The Borough Manager recommends adoption of this resolution.

Fiscal Impact:

Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$ 60,000	\$ 60,000	\$ 0	See attached Biomass Plan

Comprehensive Plan Consistency Review:

Comp Plan Goals/Objectives: See attached Biomass Plan	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
--	---

Summary Statement:

The Haines Borough has been appropriated an FY 2015 Alaska Energy Authority (AEA) grant in the amount of \$1,237,400 for the Haines Borough Municipal Building Biomass Project. The project includes the final design and installation of low emissions, high efficiency pellet-fired boiler systems to heat the Haines School and Pool, Chilkat Center, Sewer Treatment Plant, Water Treatment Plant, Vocational Education Building, Library, old City Shop, new City Shop, Public Safety Building, and the Sheldon Museum. The AEA grant administrator has indicated a willingness to change the scope of the project and extend the deadline. The AEA is encouraging the use of grant funds to purchase three biomass boilers that are available from the U.S. Coast Guard in Sitka. The boilers were installed in Sitka in 2012, but one was installed improperly, resulting in a fire, and the boilers were pulled from service. The boilers have been fully rebuilt and are now for sale. The Borough Manager recommends offering \$60,000 for the three boilers and all associated equipment. The original cost of the boilers was approximately \$450,000.

Referral:

Referred to:	Referral Date:
Recommendation:	Meeting Date:

Assembly Action:

Meeting Date(s): 9/8/15	Public Hearing Date(s):
	Postponed to Date:

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a purchase order with the U.S. Coast Guard in Sitka to purchase three biomass boilers and all associated equipment for an amount not to exceed \$60,000.

WHEREAS, the Haines Borough has been appropriated an FY 2015 Alaska Energy Authority (AEA) grant in the amount of \$1,237,400 for the Haines Borough Municipal Building Biomass Project; and

WHEREAS, the project includes the final design and installation of low emissions, high efficiency pellet-fired boiler systems to heat the Haines School and Pool, Chilkat Center, Sewer Treatment Plant, Water Treatment Plant, Vocational Education Building, Library, old City Shop, new City Shop, Public Safety Building, and the Sheldon Museum; and

WHEREAS, the AEA grant administrator has indicated a willingness to change the scope of the project and extend the deadline; and

WHEREAS, the AEA is encouraging the use of grant funds to purchase three biomass boilers that are available from the U.S. Coast Guard in Sitka; and

WHEREAS, the boilers were installed in Sitka in 2012, but one was installed improperly, resulting in a fire, and the boilers were pulled from service; and

WHEREAS, the boilers have been fully rebuilt and are now for sale; and

WHEREAS, the Borough Manager recommends offering \$60,000 for the three boilers and all associated equipment; and

WHEREAS, the original cost of the boilers was approximately \$450,000,

NOW, THEREFORE, BE IT RESOLVED that the Haines Borough Assembly authorizes the Borough Manager to execute a purchase order with the U.S. Coast Guard in Sitka to purchase three biomass boilers and all associated equipment for an amount not to exceed \$60,000.

Adopted by a duly-constituted quorum of the Haines Borough Assembly this ____ day of _____, 2015.

Janice Hill, Mayor

Attest:

Julie Cozzi, MMC, Borough Clerk

Draft Haines Borough Biomass Plan Darsie Culbeck 9/1/15

Introduction

I have been tasked by the Haines Borough Manager to; “Develop a coherent plan and timeline for the Borough Biomass Project that is linked to priorities in the Haines Borough Comprehensive Plan and which will receive support and acceptance from the various stakeholders tracking the project.” The following tasks were outlined.

- 1) Provide grant oversight and administration for the funds associated with this project.
- 2) Communicate with the Alaska Energy Authority to determine existing timelines, extension possibilities, grant reporting requirements, etc.
- 3) Work with the Director of Public Facilities to determine which buildings are best suited for co heating (biomass and diesel) systems
- 4) Research supply chain for a sustainable pellet supply.
- 5) Determine if surplus Coast Guard boilers are available and suitable for Haines Borough use.
- 6) Create a one year plan for installation of pellet boilers in two Haines Borough Municipal Buildings.
- 7) Create a three year timeline for installation of boilers in Haines Borough municipal buildings
- 8) Research latest technology to determine if wood pellets, wood chips or a combination are the best option for the Haines Borough.

Background History

For the past decade the Haines Borough has seriously looked into sustainably issues starting with The Peak Oil Task Force, which led to the Energy Sustainability Commission. The top priorities identified through these efforts were *Energy and Food Security* for the Haines Borough. Biomass energy came out of this effort and led to two wood heat studies and eventually the installation of a biomass boiler in the Haines Senior Center in 2012.

On July 1, 2014 the Haines Borough was awarded \$1,237,400 by the

Alaska Energy Authority Renewable Energy Fund to install biomass boilers in numerous municipal buildings. The scope of work from the grant agreement is below:

The Haines Borough will complete the final design and installation of low emissions, high efficiency pellet-fired boiler systems to heat the Haines School and Pool, Chilkat Center, Sewer Treatment Plant, Water Treatment Plant, Vocational Education Building, Library, old City Shop, new City Shop, Public Safety Building, and the Sheldon Museum. This project is estimated to displace a total of 80,000 gallons per year of fuel oil using 695 tons of pellets per year.

The Haines Borough is required to contribute \$86,448 in cash and \$51,000 in kind.

Grant Status

Currently all grant reporting is up to date and very little of the grant funds have been spent. I am working closely with Jim Vail, grant administrator on system design and grant management. He has indicated a willingness to change the scope of the project and extend the deadline. We are currently waiting for news regarding the acquisition of the Coast Guard Boilers to revise scope and expect this to be complete in the 4th quarter 2015.

Compliance with the Haines Borough 2025 Comprehensive Plan

Biomass heating is consistent with the 2025 Haines Borough Comprehensive Plan. See relevant sections below:

Economic Development, Objective 3M: *Continue sustained yield timber harvest from Haines State Forest, increase value added wood and forest product use, support use of local wood for biomass heating.*

Utilities, Objective 15L:
Haines Borough should work with local electric utilities to achieve a rate of 15 cents per Kwh or lower. Support actions to reduce power, heating, and fuel costs.

Utilities, Objective 15M:
Develop renewable energy sources sufficient to meet current and future

year round residential, institutional, commercial, and industrial needs in the Haines Borough.

Land Use and Future Growth, Goal 10.

Support responsible development of renewable and non-renewable resources within Haines Borough.

Why move toward biomass and renewable energy?

The 2025 Haines Borough Comprehensive Plan direct the Haines Borough to research and move toward renewable energy sources and take action to reduce the cost of power. Biomass energy does both.

- Biomass fuel is less expensive than comparable heating fuel at current prices and the difference in price is expected to grow due to the historic rates of inflation for heating oil (6%) verses the historic biomass inflation rate of 3%.
- Biomass energy is renewable.
- Biomass energy is close to carbon neutral, so helps with climate change. It is also possible that biomass use will earn carbon credits as fossil fuels are assessed a carbon tax.
- Biomass can be locally sourced which adds to energy security. This could make Haines less vulnerable to world events and interruptions in the heating oil supply chain.
- Locally sourced biomass also keeps some of our heating dollars in the community. In 2014 the Haines Borough spent approximately \$300,000 on heating oil. Locally sourced biomass could keep this money in Haines and using a conservative 4X multiplier, puts \$1.2M into the economy.

Economics

The Haines Borough currently pays around \$3.50 per gallon for heating oil. Pellets can be delivered to the dock for \$315 plus the cost of delivery.

One ton of pellets has an energy (BTU) equivalent to 118 gallons of diesel. The following table shows price equivalents.

Pellet price	\$325	\$350	\$375	\$400	\$425
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/ton					
Equivalent diesel price/gallon	\$2.75	\$2.96	\$3.17	\$3.38	\$3.60

Pellet Supply options: Two vendors have said they can provide pellets to the Haines dock for \$315 per ton in bulk, 40 lb. bags, or super sacks. Doug Olerud and Al Roskum with Alaska Pellet Supply

Coast Guard Boilers:

The Alaska Energy Authority is encouraging the use of grant funds to purchase three biomass boilers that are available from the Sitka Coast Guard. These boilers were installed in Sitka in 2012, but an explosion occurred during initial testing and the boilers were pulled from service. Bob Deering, an engineer who worked on the project, summarizes the details of the explosion below.

The combustion chamber of one of the two new pellet boilers in the AIRSTA Hangar suffered an explosion due to the buildup of the explosive gases hydrogen and carbon monoxide during testing by the installation contractor. In short, the failure of the Coast Guard boiler was primarily a flawed design of the building heat distribution system. The building's HVAC control system also played a role in this. This system was designed in-house in the USCG's Seattle design office, by an engineer unfamiliar with biomass boiler systems.

The faulty piping design fed the hot water exiting from one pellet boiler directly into the return line of the other boiler. That water should have been routed out to the building heat distribution network, where it would return at a much cooler temperature. So instead of seeing a return temperature of maybe 140F, the boiler saw an incoming water temperature of around 190F.

This return temperature 'confused' the boiler's combustion control system into thinking that it had a flame burning when it did not. The reason for this is that the temperature sensor in the boiler's exhaust flue was artificially heated up by the incoming hot water, and this sensor is what the boiler used to determine when combustion was occurring. It normally would be heated by the hot flue gases headed up the smoke stack.

Because the boiler thought combustion was occurring, it continued to feed pellets into the combustion chamber, even though combustion was not occurring. By the time the other boiler had cooled down and stopped feeding hot water into the active boiler, the combustion chamber was full of unburned pellets.

Once the sensor in the boiler cooled down, due to hot water not coming in and artificially heating it, the boiler control system concluded that it needed to re-ignite. Unfortunately, with the combustion chamber grossly overfilled with fuel, the fuel/air mixture was completely out of whack. Think of it as a flooded carburetor. But rather than just not starting like an engine would, the boiler has an electric igniter that ignited the fuel.

The chain of events in this case are somewhat more complex and novel than described above, but generally follows my description.

Under normal efficient combustion, the byproduct gases would be primarily CO₂ (carbon dioxide) and H₂O (water). But because there was an overabundance of fuel (carbon) compared to available oxygen, the exhaust gas was CO (carbon monoxide) and H₂ (hydrogen gas). Both of those gases are explosive. At some point in time, I'm not certain when, additional oxygen found its way into the combustion chamber which caused the CO and H₂ to rapidly oxidize, causing the explosion.

The result of the explosion caused some blowout plugs on the boiler to pop (as designed), some deformation of exterior non-structural panels, and the chamber door to forcefully blow open (as designed) to avoid a much more catastrophic pressure buildup (a bomb). The large steel plated door swinging open represented a serious safety threat to anyone standing directly in front of it. As it was, one of the installers was struck in the hand by it which caused some bruising but no major injury.

The water pressure vessel side of the boiler remained undamaged.

The boiler was not without some blame. The control system should have had more checks in it to detect that combustion was not happening. The components were in place, but the boiler control logic did not take

advantage of them. My understanding is that this could be addressed by a program update, but I'm not sure if that occurred or not. (This was done according to ACT)-Darsie

Properly installed into a competently designed and configured heat distribution system would prevent the sequence of events described above from ever occurring. I am not aware of any other ACT boilers suffering the same fate. While no combustion appliance, pellet, oil, or gas can be 100% risk-free, I do not believe the ACT boilers present an undue risk exposure based on past installation track records (including at the GSA Federal Building in Ketchikan).

My #1 takeaway from this incident was that any system incorporating a biomass boiler should be designed by a competent engineer with ample experience with biomass boilers. Depending on a completely inexperienced, young engineer to design the system, with no peer review by an experienced engineer, was a major mistake. This project should have been hired out to one of the many qualified engineering firms out there who specialize in this work.

Paul Bolye works for Unilux, ACT Bio Energy, he explained that ACT has repaired the damaged parts and installed new software to avoid similar problems in the future. He says the boilers are in like new condition and that ACT would be happy to assist installation in Haines. They will also provide training and diagrams for installation. They also sell and install chip feed systems if chip use is wanted.

CTA Architects of Bozman MT, provided biomass system design for the Haines School and WWTP believe the Coast Guard boilers could be used for the Haines School, Chilkat Center, or as part of a district heat system. The AEA also believes these boilers are correctly sized for Haines Borough use.

Similar ACT boilers are in use at the Ketchikan Federal Building. A recent study by United States General Services Administration "Wood Pellet Fired Biomass Boiler Project at the Ketchikan Federal Building" (attached) supports the use of these biomass boilers in public facilities and finds the system runs at 85.6% efficiency.

12 Month Plan

- Install an OkoFen or similar biomass boiler in the WWTP using one of the Chilkat Center boilers as oil backup. **Action Item:** Find out timelines for design/ construction. Meet with Jim Dorn and Scott Bradford
- Purchase and store the Coast Guard boilers if our offer is accepted and the Assembly authorizes the purchase.
- Reevaluate a district heat system with help from the Alaska Energy Authority (AEA)
- Assist the AEA in installing a thermal storage unit at the Senior Center
- Write a “Wood Innovations” grant for design to the US Forest Service
- Research pellet supply and delivery and latest technology
- Research chip supply and delivery and latest technology
- Install 500KW Coast Guard boiler or similar in Chilkat Center
- Follow up with person in charge of the boilers in the Ketchikan Federal Building to get feed back and learn from any issues.
- Visit the Tok and Delta Junction schools to learn about their chip fired heating systems.
- Consider creation of video or other media to educate public on biomass energy.
- Consider public outreach

24 Month Plan

Implement district heat system or proceed with Haines School Pool complex

36 Month plan

Install smaller pellet boilers in remaining buildings if still in revised scope of grant.

System Design notes: Create systems that can be loaded by hand via super sacs or smaller bags. Size boilers to run near full capacity. Also design pellet storage at ground level so pellets can be loaded without the use of machines. This can be done using 40 lb bags or bulk

pellets in super sacks. Pellets can be stored in 20 foot containers already written into the grant.

Key Players

Jim Vail, Alaska Energy Authority, Energy Infrastructure - Project Manager 907-771-3064 jvail@aidea.org **Action Item:** Ask about grant extension

Devany Plentovich, Alaska Energy Authority, Program Manager – Biomass and CHP (907) 771-3068 dplentovich@aidea.org

Jim Dorn, Carson Dorn Engineers, working on Water Sewer Plant jdorn@carsondorn.com

Daniel Parrent, USDA Forest Service State and Private Forestry, Alaska Region Program Manager, Biomass Utilization and Forest Stewardship 907-743-9467 djparrent@fs.fed.us

Nathan Ratz, CTA Architects and Engineers, provided designs for Haines School and Water Sewer Plant, 406.728.9522 nathanr@ctagroup.com

Doug Murray, Murray and Associates, mechanical engineer working on the WWTP

Dutch Dresser, Jr. Maine Energy Systems LLC, Managing Director, 207.824.6749, dutch@maineenergysystems.com

Ed Bryant, Haines Borough, facilities maintenance, ebryant@haines.ak.us

Paul Boyle, Unilux, ACT Bio Energy
[\(518\) 377-2349](tel:5183772349) pboyle@uniluxam.com

Kent Malone, Northern Management Services, Inc. Vice President Cell: 208-290-6799 kmalone@nmsinc.com

Krista Kielsmeier

Subject: FW: Boiler Informtion
Attachments: Fwd: Biomass Boilers_Sitka; Fwd: Biomass Boilers_Sitka; Biomass Boilers in Sitka, AK

From: David Sosa
Sent: Wednesday, September 02, 2015 8:15 AM
To: DG_AssemblyMayor
Cc: Julie Cozzi; Jila Stuart
Subject: Boiler Informtion

Attached is some information on the Pellet/Chip Boilers we are looking at. Below is some background on what caused one of them to fail. The systems have been refurbished to factory standards. Cost will be 60K (system was originally 450K) and will need to be approved by the Federal Govt.

The combustion chamber of one of the two new pellet boilers in the AIRSTA Hangar suffered an explosion due to the buildup of the explosive gases hydrogen and carbon monoxide during testing by the installation contractor. In short, the failure of the Coast Guard boiler was primarily a flawed design of the building heat distribution system. The building's HVAC control system also played a role in this. This system was designed in-house in the USCG's Seattle design office, by an engineer unfamiliar with biomass boiler systems.

The faulty piping design fed the hot water exiting from one pellet boiler directly into the return line of the other boiler. That water should have been routed out to the building heat distribution network, where it would return at a much cooler temperature. So instead of seeing a return temperature of maybe 140F, the boiler saw an incoming water temperature of around 190F.

This return temperature 'confused' the boiler's combustion control system into thinking that it had a flame burning when it did not. The reason for this is that the temperature sensor in the boiler's exhaust flue was artificially heated up by the incoming hot water, and this sensor is what the boiler used to determine when combustion was occurring. It normally would be heated by the hot flue gases headed up the smoke stack.

Because the boiler thought combustion was occurring, it continued to feed pellets into the combustion chamber, even though combustion was not occurring. By the time the other boiler had cooled down and stopped feeding hot water into the active boiler, the combustion chamber was full of unburned pellets.

Once the sensor in the boiler cooled down, due to hot water not coming in and artificially heating it, the boiler control system concluded that it needed to re-ignite. Unfortunately, with the combustion chamber grossly overfilled with fuel, the fuel/air mixture was completely out of whack. Think of it as a flooded carburetor. But rather than just not starting like an engine would, the boiler has an electric igniter that ignited the fuel.

The chain of events in this case are somewhat more complex and novel than described above, but generally follows my description.

Under normal efficient combustion, the byproduct gases would be primarily CO₂ (carbon dioxide) and H₂O (water). But because there was an overabundance of fuel (carbon) compared to available oxygen, the exhaust gas was CO (carbon monoxide) and H₂ (hydrogen gas). Both of those gases are explosive. At some point in time, I'm not certain when, additional oxygen found its way into the combustion chamber which caused the CO and H₂ to rapidly oxidize, causing the explosion.

The result of the explosion caused some blowout plugs on the boiler to pop (as designed), some deformation of exterior non-structural panels, and the chamber door to forcefully blow open (as designed) to avoid a much more catastrophic pressure buildup (a bomb). The large steel plated door swinging open represented a serious safety threat to anyone standing directly in front of it. As it was, one of the installers was struck in the hand by it which caused some bruising but no major injury.

The water pressure vessel side of the boiler remained undamaged.

The boiler was not without some blame. The control system should have had more checks in it to detect that combustion was not happening. The components were in place, but the boiler control logic did not take advantage of them. My understanding is that this could be addressed by a program update, but I'm not sure if that occurred or not.

Properly installed into a competently designed and configured heat distribution system would prevent the sequence of events described above from ever occurring. I am not aware of any other ACT boilers suffering the same fate. While no combustion appliance, pellet, oil, or gas can be 100% risk-free, I do not believe the ACT boilers present an undue risk exposure based on past installation track records (including at the GSA Federal Building in Ketchikan).

My #1 takeaway from this incident was that any system incorporating a biomass boiler should be designed by a competent engineer with ample experience with biomass boilers. Depending on a completely inexperienced, young engineer to design the system, with no peer review by an experienced engineer, was a major mistake. This project should have been hired out to one of the many qualified engineering firms out there who specialize in this work.

I hope this is what you were looking for. It's difficult to give an accurate accounting of what happened without providing the context.

If you need more, or less, or have questions, give me a shout.

Bob



**Haines Borough
Assembly Agenda Bill**

Agenda Bill No.: 15-593
Assembly Meeting Date: 9/8/15

Business Item Description:	Attachments:
Subject: Amend Code to Change Ballot Instructions Since 40% of Vote is No Longer Required for Election	1. Ordinance 15-09-419 2. Adopted Ordinance 14-07-384 & Election Tally 3. Adopted Ordinance 14-07-385
Originator: Borough Clerk	
Originating Department: Administration	
Date Submitted: 8/3/15	

Full Title/Motion:
Motion: Introduce Ordinance 15-09-419, and schedule a first public hearing for 9/22/15 and a second hearing for 10/13/15.

Administrative Recommendation:
The Borough Manager recommends adoption.

Fiscal Impact:

Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$0	\$0	\$0	N/A

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

Summary Statement:
On October 7, 2014, a majority of Haines Borough voters approved an amendment to Charter Section 16.04 to remove the requirement to receive at least 40% of the vote to be elected to office. Additionally, the assembly adopted Ordinance 14-07-385 amending HBC 11.48.050 to remove the same requirement in borough code.

While preparing the 2015 Election ballot, the borough clerk discovered another section of the Election code that refers to the old 40% requirement. It pertains to the instructions the clerk is required to place on the ballot. This is a "housekeeping" ordinance to remove the obsolete language.

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

Assembly Action:
Meeting Date(s): 9/8/15
Public Hearing Date(s): _____
Postponed to Date: _____

An Ordinance of the Haines Borough amending Haines Borough Code Title 11, Section 11.28.010 to change the ballot instructions to match the 2014 charter and code amendments that eliminated the requirement to get 40% of the vote in order to be elected.

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. Amendment of Section 11.28.010. Haines Borough Code is amended, as follows:

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

11.28.010 Form of ballot.

A. The clerk shall prepare all official ballots to facilitate fairness, simplicity, and clarity in the voting procedure, to reflect most accurately the intent of the voter, and to expedite the administration of elections.

B. The official ballot shall contain, at the top thereof, the words "Official Ballot" and the date of the election, whether such election is a general borough election or a special borough election, and such instructions to the voters as will enable them intelligently to mark their ballots for the candidates for whom they desire to vote, and to intelligently vote upon the questions which are submitted.

C. The clerk shall determine the size of the ballot, the type of print, necessary additional instruction notes to voters, and other similar matters of form not provided by law. The ballots shall be numbered in series to ensure simplicity and secrecy and to prevent fraud.

D. The title of all offices to be voted upon (mayor, assembly member, or school board member) shall be printed on the ballot. The title of each office to be filled shall be followed by the printed names of the candidates for such office in a single list arranged alphabetically, below which shall be blank lines equal in number to the candidates to be elected to such office, upon which the voter may write the names of persons not listed on the ballot. The words "Vote for not more than ___" with the appropriate number replacing the blank shall be placed before the list of candidates for each office. Instruction notes shall state that offices will be filled by the candidates receiving the greatest number of votes ~~exceeding 40 percent~~, and if terms are of different lengths, the candidate with the highest number of votes will be elected to the longest term. The names of candidates shall be printed as they appear upon the nomination petitions filed with the borough clerk except that any honorary or assumed title or prefix shall be omitted. However, the candidate's name appearing on the ballot may include a nickname or familiar form of the proper name.

E. Following the offices and candidates there shall be placed on the ballot or on separate ballots, as the clerk may determine, all propositions or questions to be voted upon. The words "Yes" and "No" shall be placed with the statement of each proposition or question for selection.

Haines Borough
Ordinance No. 15-09-419
Page 2 of 2

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS ____
DAY OF _____, 2015.

ATTEST:

Janice Hill, Mayor

Julie Cozzi, MMC, Borough Clerk

Date Introduced: 09/08/15
Date of First Public Hearing: ___/___/___
Date of Second Public Hearing: ___/___/___

An ordinance of the Haines Borough placing a proposition on the October 7, 2014 Haines Borough General Election ballot to amend Borough Charter Section 16.04 to remove the requirement for a runoff election if a candidate does not receive at least 40% of votes cast to be elected to borough office.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is a non-code ordinance authorizing placing a proposed amendment to the Haines Borough Charter on the ballot for the 2014 general municipal election.

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. Proposed Amendment of Charter Section 16.04. It is hereby determined to be for a public purpose and in the public interest of the Haines Borough to place a question on the October 7, 2014 regular Haines Borough General Election ballot that would amend the Haines Borough Charter, to delete the requirement to hold a runoff election if no candidate receives at least 40 percent of the votes cast as follows:

NOTE: STRIKETHROUGH ITEMS ARE DELETED

Charter Section 16.04 Election Procedures

All borough elections shall be nonpartisan. The assembly by ordinance shall establish procedures for regular and special borough elections, including provisions for absentee voting.

~~If no candidate receives more than 40 percent of the votes, the seat will be filled by the winner of a runoff election between the two candidates receiving the most votes.~~

In case of a tie vote for borough office, the assembly shall determine the successful candidate by lot.

Section 4. The Borough shall submit the following proposition to the qualified voters of the Haines Borough at the October 7, 2014 Haines Borough General Election:

PROPOSITION No. 1

AMEND CHARTER 16.04 TO DELETE REQUIREMENT FOR A RUNOFF ELECTION WHEN
NO CANDIDATE RECEIVES FORTY PERCENT OF VOTES CAST

Shall Section 16.04 of the Haines Borough Charter be amended to remove the requirement for a runoff election if no candidate receives 40% of the votes cast, as follows?

Charter Section 16.04 Election Procedures

All borough elections shall be nonpartisan. The assembly by ordinance shall establish procedures for regular and special borough elections, including provisions for absentee voting.

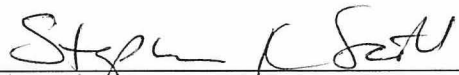
~~If no candidate receives more than 40 percent of the votes, the seat will be filled by the winner of a runoff election between the two candidates receiving the most votes.~~

In case of a tie vote for borough office, the assembly shall determine the successful candidate by lot.

Section 5. Section 3 of this ordinance shall become effective only if the proposition described in Section 4 is approved by a majority of the qualified voters voting on the proposition at the October 7, 2014 Haines Borough General Election and shall take effect thirty days after certification of the results of the election. The remaining sections of this ordinance shall become effective immediately upon adoption by the Haines Borough Assembly.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS 26th DAY OF AUGUST, 2014.




Stephanie Scott, Mayor

Attest:


Julie Cozzi, MMC, Borough Clerk

Date Introduced:	07/29/14
Date of First Public Hearing:	08/12/14
Date of Second Public Hearing:	08/26/14 - Adopted

HAINES BOROUGH

October 7, 2014 General Municipal Election
10/14/14 ELECTION CANVASS

Page 1 of 2

The tally below is a true and accurate record of all votes cast in the Haines Borough General Election held on October 7, 2014.

MAYOR

HILL	ELECTION	<u>542</u>	CANVASS	<u>9</u>	TOTAL	<u>551</u>
SCOTT	ELECTION	<u>441</u>	CANVASS	<u>32</u>	TOTAL	<u>473</u>
WRITE-IN	ELECTION	<u>7</u>	CANVASS	<u>1</u>	TOTAL	<u>8</u>

BOROUGH ASSEMBLY

BENASSI	ELECTION	<u>375</u>	CANVASS	<u>30</u>	TOTAL	<u>405</u>
CASE	ELECTION	<u>428</u>	CANVASS	<u>9</u>	TOTAL	<u>437</u>
ERNY	ELECTION	<u>361</u>	CANVASS	<u>7</u>	TOTAL	<u>368</u>
JACKSON	ELECTION	<u>516</u>	CANVASS	<u>31</u>	TOTAL	<u>547</u>
PARNELL	ELECTION	<u>181</u>	CANVASS	<u>5</u>	TOTAL	<u>186</u>
WRITE-IN	ELECTION	<u>1</u>	CANVASS	<u>0</u>	TOTAL	<u>1</u>

SCHOOL BOARD

CLAY	ELECTION	<u>655</u>	CANVASS	<u>23</u>	TOTAL	<u>678</u>
PALMIERI	ELECTION	<u>707</u>	CANVASS	<u>32</u>	TOTAL	<u>739</u>
WRITE-IN	ELECTION	<u>58</u>	CANVASS	<u>2</u>	TOTAL	<u>60</u>

PROPOSITION #1 – Charter, 40% to Win

YES	ELECTION	<u>550</u>	CANVASS	<u>17</u>	TOTAL	<u>567</u>
NO	ELECTION	<u>418</u>	CANVASS	<u>26</u>	TOTAL	<u>444</u>

PROPOSITION #2 – Bond, Voc Ed Bldg Upgrades

YES	ELECTION	<u>574</u>	CANVASS	<u>28</u>	TOTAL	<u>602</u>
NO	ELECTION	<u>397</u>	CANVASS	<u>14</u>	TOTAL	<u>411</u>

PROPOSITION #3 – Bond, HS Air Handling Unit

YES	ELECTION	<u>609</u>	CANVASS	<u>28</u>	TOTAL	<u>637</u>
NO	ELECTION	<u>369</u>	CANVASS	<u>14</u>	TOTAL	<u>383</u>

PROPOSITION #4 – Bond, HS Roof Replacement

YES	ELECTION	<u>433</u>	CANVASS	<u>18</u>	TOTAL	<u>451</u>
NO	ELECTION	<u>549</u>	CANVASS	<u>23</u>	TOTAL	<u>572</u>

HAINES BOROUGH
October 7, 2014 General Municipal Election
ELECTION CANVASS

Page 2 of 2

THE CANVASS OF VOTES WAS COMPLETED BETWEEN THE HOURS OF 5:00 P.M. AND
8:00 P.M. ON TUESDAY, OCTOBER 14, 2014.

RESPECTFULLY SUBMITTED:

Joanne L. Watrous, ASSEMBLY MEMBER
Joseph L. Lapp, ASSEMBLY MEMBER
Diane D. Dapham, ASSEMBLY MEMBER
Marko Paluchel, ASSEMBLY MEMBER
_____, ASSEMBLY MEMBER
_____, ASSEMBLY MEMBER

ATTEST:

Julie Cozzi 10/14/14
Julie Cozzi, MMC, Borough Clerk

An ordinance of the Haines Borough to amend Borough Code Section 11.48.50 to provide that candidates receiving the greatest number of votes cast shall be declared the winners of an election even if the greatest number of votes cast is less than 40% of the total votes cast and to eliminate the requirement for a runoff election.

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 Charter.

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. Amendment of Code Section 11.48.050. Section 11.48.050 of the Haines Borough Code is amended, as follows:

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

11.48.050 Votes required to elect —Runoff elections.

A. ~~Votes Required to Elect. To be elected to office, a candidate must receive at least 40 percent a simple majority of the votes cast for the office, determined by dividing the total number of legal votes cast for the office by the number of vacancies being filled.~~ **The candidate for mayor receiving the most votes shall be elected. The candidates receiving the most votes for borough assembly or school board shall be elected based on the number of votes received starting with the candidate receiving the most votes until all seats to be filled at any election have been filled.**

~~B. Runoff Elections. If in a borough election an office is not filled because candidates received fewer than 40 percent of the votes cast, the borough shall hold a runoff election between the top two unseated candidates on the first Tuesday in November following the canvass and certification as in HBC 11.48.040. There shall be two runoff candidates for each office to be filled. Notice of the runoff election shall be published at least 10 days before the election date. The person(s) receiving the highest number of votes shall be elected following canvass and certification of the election as provided in HBC 11.48.040.~~

Section 4. Effective Date. This ordinance shall become effective only if the proposition described in Ordinance No. 14-07-384 is approved by a majority of the qualified voters voting on the proposition at the October 7, 2014 Haines Borough General Election in which case this ordinance shall take effect thirty days after certification of the results of the 2014 election.

Haines Borough
Ordinance No. 14-07-385
Page 2 of 2

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS 26th
DAY OF AUGUST, 2014.



Stephanie K. Scott
Stephanie Scott, Mayor

Attest:

Julie Cozzi
Julie Cozzi, MMC, Borough Clerk

Date Introduced:	07/29/14
Date of First Public Hearing:	08/12/14
Date of Second Public Hearing:	08/26/14 - Adopted



**Haines Borough
Assembly Agenda Bill**

Agenda Bill No.: 15-595

Assembly Meeting Date: 9/8/15

Business Item Description:	Attachments:
Subject: Allow a nonconforming lot when purchased by the borough exclusively for public utility purposes	1. Ordinance 15-09-420 2. Plat showing nonconforming lot 3. Adopted Resolution 15-04-625 authorizing property purchase
Originator: Borough Manager	
Originating Department: Administration	
Date Submitted: 8/31/15	

Full Title/Motion:
 Motion: Introduce Ordinance 15-09-420, and schedule a first public hearing for 9/22/15 and a second hearing for 10/13/15.

Administrative Recommendation:
 The Borough Manager recommends adoption.

Fiscal Impact:

Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$0	\$0	\$0	N/A

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

Summary Statement:
 The borough plans an important upgrade to the Piedad Springs water source, including a collection gallery, a new treatment building, and a storage tank. In order to proceed with the project, the borough needs to purchase a small portion of property, and on 4/28/15, the assembly adopted a resolution authorizing it. The purchase will result in the creation of a nonconforming lot, which is less than one acre (0.74).

 Staff recommends the best solution is for the assembly to amend code to allow a very limited exception to the minimum lot size when the property will be owned by the borough and used exclusively for public utility purposes and provide a benefit to the community. The planning commission is being provided an opportunity on 9/10/15 to review this draft ordinance and make a recommendation prior to the first public hearing.

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

Assembly Action:
 Meeting Date(s): 9/8/15 Public Hearing Date(s): _____
 Postponed to Date: _____

An Ordinance of the Haines Borough amending Haines Borough Code Title 18 Section 18.100.025 to allow a nonconforming lot when it is created as a result of the borough acquiring a portion of a lot to be used exclusively for public utility purposes in the best interest of the borough.

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. Amendment of Section 18.100.025. Section 18.100.025 of the Haines Borough Code is hereby amended as follows:

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

HBC 18.100.020 Platting of subdivision, lot line adjustment and lot consolidation required.

Any division of land within the borough which results in a subdivision, or any shifting or eliminating of property lines resulting in a lot line adjustment or lot consolidation shall be surveyed and a plat thereof approved and recorded, pursuant to the provisions of this chapter, HBC 18.60.010 through 18.60.020, and AS 29.40 and 40.15, as amended from time to time.

A. Subdivision Defined. "Subdivision" means a division of a tract or parcel of land into two or more lots, sites, or other divisions and includes re-subdivisions and, when appropriate to the context, relates to the process of subdividing or to the land or areas subdivided.

B. Lot Line Adjustment Defined. "Lot line adjustment" is defined as the shifting of a property line that does not result in:

1. The creation of additional lots.
2. The creation of new nonconforming lots, including:
 - a. A lot of less than 65 feet of width.
 - b. A lot of less than the minimum size applicable to the zoning district.
 - c. A lot where development or utility becomes located within the setback as a result of the lot line adjustment.
3. The increase of nonconformity of an existing nonconforming lot.
4. The newly adjusted lot exceeding 200 percent of the area of the original lot, with the exception of lots less than the minimum lot size, in which case the newly adjusted lot shall not exceed 150 percent of the minimum lot size specified for the zone.

C. Lot Consolidation Defined. "Lot consolidation," also referred to as "lot line vacation," is the elimination of a lot line or lines that divide multiple lots and results in the consolidation of multiple lots into fewer lots or one lot.

1. The result shall not impair adequate access, access easements or rights-of-way to existing lots.

2. The result shall not create a nonconforming lot or increase the nonconformity of an existing nonconforming lot.

HBC 18.100.025 Exceptions.

A. The provisions of this chapter shall not apply to transfers of interest in land pursuant to court order.

B. The manager shall have the authority to waive the surveying requirement for a lot consolidation if it is determined that the surveyor can prepare plat documents from accurate and current data for the properties being consolidated.

C. HBC 18.100.020(B) and (C) do not apply to **the following:**

a. Lot line adjustments and lot consolidations between two or more nonconforming lots, as long as no additional nonconforming lots are created, and the proposed lots as adjusted will comply with other requirements, including but not limited to setbacks and parking as prescribed by the applicable use zone; **or**

b. A nonconforming lot created as a result of the borough acquiring a portion of a lot to be used exclusively for public utility purposes in the best interest of the borough.

All lot line adjustments involving nonconforming lots shall be reviewed and approved by the planning commission.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS _____ DAY OF _____, 2015.

Janice Hill, Mayor

ATTEST:

Julie Cozzi, MMC, Borough Clerk

Date Introduced: 09/08/15
Date of First Public Hearing: ___/___/___
Date of Second Public Hearing: ___/___/___

LEGEND

- ⊕ PRIMARY MONUMENT RECOVERED THIS SURVEY
- SECONDARY MONUMENT SET THIS SURVEY BY J.W. BEAN
- SECONDARY MONUMENT RECOVERED THIS SURVEY

— SURVEYED
 - - - - - UNSURVEYED
 - - - - - CENTERLINE



TYPICAL SECONDARY MON.
 2" ALUM. CAP
 5/8" REBAR, 36" LONG

RECORD DIMENSIONS DIFFERENT FROM MEASURED OR CALCULATED DIMENSIONS ARE SHOWN IN PARENTHESES. ALL RECORDED INFORMATION THIS SURVEY FROM PLAT NO. 2001-15 UNLESS OTHERWISE NOTED.

BASIS OF BEARING

BASIS OF BEARING FOR THIS PLAT IS THE RECORD BEARING OF S89°58'40"E TO A FOUND REBAR AND CAP BEING THE NORTHWEST CORNER CORNER OF LOT 5, REBAR AND CAP BEING THE NORTHEAST CORNER CORNER OF LOT 5, AS SHOWN ON RECORD PLAT NO. 2009-10.

STATEMENT OF OWNERSHIP:

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAT OF SUBDIVISION WITH OUR FREE CONSENT, AND THAT WE DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

Date: _____, 2015

Owner:
 ARTHUR MEACOCK
 PO BOX 457
 HAINES, ALASKA 99827

NOTARY'S ACKNOWLEDGEMENTS:

UNITED STATES OF AMERICA)
 STATE OF ALASKA) S.S.

THIS IS TO CERTIFY THAT ON THIS _____ DAY OF _____, 2015 BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED:

KNOWN TO ME TO BE THE PERSON (PERSONS) DESCRIBED IN AND WHO EXECUTED THE ABOVE AND FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE (SHE) (THEY) SIGNED AND SEALED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN MENTIONED.

WITNESS MY HAND AND OFFICIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

Notary Public for Alaska _____
 My Commission Expires _____

CERTIFICATE BY THE HAINES BOROUGH

THE REPLAT OF LOT 1, MEACOCK SUBDIVISION, PLAT NO. 2001-15, AS DESCRIBED HEREON HAS BEEN FOUND TO COMPLY WITH THE PROVISION SET FORTH IN HC. 18.100 AND IS APPROVED FOR RECORDING WITH THE HAINES RECORDERS OFFICE DATED:

_____, 2015.

LEE HENNINGER
 PLANNING COMMISSION CHAIR

DATE

JAN HILL
 MAYOR
 HAINES BOROUGH

DATE

CERTIFICATE OF REGISTERED LAND SURVEYOR

I HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, LICENSED AND REGISTERED IN THE STATE OF ALASKA, AND THAT THIS PLAT WAS PREPARED UNDER MY DIRECT SUPERVISION, THAT ALL DIMENSIONAL DETAILS AND RELATIVE BEARINGS ARE CORRECT AS SHOWN AND THAT ALL EASEMENTS AND RIGHT OF WAYS APPEARING ON THE LAND ARE AS SHOWN.

Date: _____



DRAWN BY: GCM Graphics
CHECKED BY: J.W.B.
DRAWING DATED: 7-24-2015
FIELD BOOK:
SCALE: 1"=100'
JOB NO.: 1915-2000-MEACOCK-L071A-4&5
REVISED:
GRID:



J.W. BEAN
 INC.
 PROFESSIONAL SURVEYOR

1070 AUTO CIRCLE
 JUNEAU - ALASKA
 (907) 789-0555
 SURVEYOR - PLANNER

CERTIFICATION OF BOROUGH ASSESSOR

I HEREBY CERTIFY THAT THE APPLICANTS ARE NOT DELINQUENT ON PROPERTY TAXES FOR THE PROPERTY SPECIFIED ON THE SUBDIVISION PLAT SHOWN HEREON.

Dated: _____, 2015.

Haines Borough Assessor _____

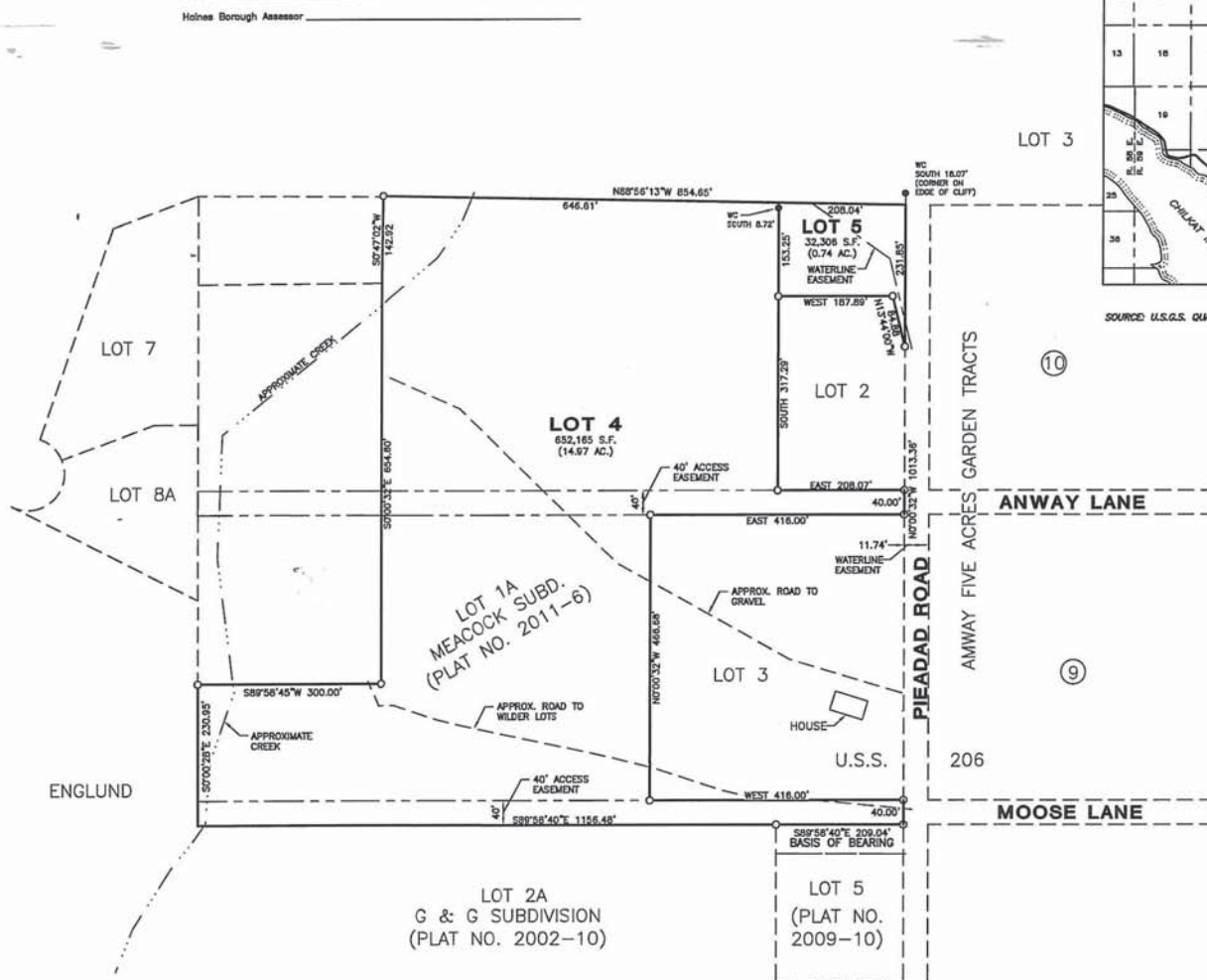
NOTE:

THIS PLAT IS IN THE RURAL RESIDENTIAL LAND USE ZONE



VICINITY MAP

SOURCE: U.S.G.S. QUADS "ROADWAY A-2 & B-2, ALASKA" SCALE: 1" = 1 MILE



LOT 3

10

9

ANWAY LANE

MOOSE LANE

PIEDAD ROAD

AMWAY FIVE ACRES GARDEN TRACTS

206

ENGLUND

LOT 2A
 G & G SUBDIVISION
 (PLAT NO. 2002-10)

LOT 5
 (PLAT NO.
 2009-10)

NOTES:

1. ALL PLAT BEARINGS SHOWN ARE TRUE BEARINGS AS ORIENTED TO THE BASIS OF BEARINGS.
2. ALL DISTANCES SHOWN ARE REDUCED TO HORIZONTAL.
3. LOTS WITHIN THIS SUBDIVISION ARE SERVED BY THE HAINES BOROUGH MUNICIPAL WATER AND SEWER SYSTEMS.

A PLAT OF
MEACOCK SUBDIVISION III
 A RE-PLAT OF
 LOT 1A
MEACOCK SUBDIVISION II
 WITHIN U.S. SURVEY NO. 206
 WITHIN CITY OF HAINES, ALASKA
 HAINES RECORDING DISTRICT - HAINES, ALASKA

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A Resolution of the Haines Borough Assembly supporting the proposed Piedad Springs Water Source Upgrades and authorizing the Borough Manager to acquire, in the best interests of the community, a portion of the property legally described as Lot 1A, Meacock Subdivision for use in that project.

WHEREAS, the Haines Borough's Piedad water system has been in use since 1951 and provides 20 percent of the townsite drinking water; and

WHEREAS, in early 2010 the Alaska Department of Environmental Conservation (DEC) determined that the Piedad water system was under the direct influence of surface water; and

WHEREAS, additional testing resulted in DEC making the determination that there may be surface water contamination to the Piedad Springs water source; and

WHEREAS, proposed upgrades to protect the Piedad Springs water source include a collection gallery, a new treatment building, and a storage tank; and

WHEREAS, the Piedad Springs Water Source Upgrades project would be funded with the \$353,775 remaining from a DEC Municipal Matching Grant (MMG) that pays up to 70 percent of the cost for selected projects, and a DEC loan of \$338,760 that includes a \$137,792 subsidy; and

WHEREAS, the design for required upgrades is currently at 65 percent and will need to go out to bid this summer to fully use the MMG funding that will expire June 30, 2016; and

WHEREAS, the design intrudes on a portion of the Arthur Meacock property legally described as Lot 1A, Meacock Subdivision; and

WHEREAS, Mr. Meacock is willing to sell the property for fair market value; and

WHEREAS, the land has been surveyed and the asking price is \$40,000 for 0.75 acres; and

WHEREAS, the Borough Assessor has determined this price to be in line with property values in the area; and

WHEREAS, the Borough Manager recommends proceeding with the Piedad Springs Water Source Upgrades project and acquisition of the Meacock property in the best interests of the community because losing the Piedad water source would lead to treating 20 percent more water at the treatment plant; and

WHEREAS, the proposed 2016 chemical budget is \$34,700, and the chemical cost would increase more than \$6,000 per year if Piedad water were treated at the plant, surpassing the proposed cost of the Meacock property acquisition within seven years; and

WHEREAS, the closing of this transaction is subject to, and dependent upon, the Haines Borough Assembly's appropriation of funds in the amount required for closing this transaction, pending approval of a budget amendment to appropriate \$40,000 of water fund user fees for the purchase; and

WHEREAS, Haines Borough Code Section 14.04.030 states that "[o]nly upon a specific resolution of the assembly, the manager may act on its behalf in the acquisition of real property or interest in real property when the property to be acquired is for a valuable consideration."

NOW, THEREFORE, BE IT RESOLVED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. The Borough Manager is hereby authorized to acquire the real estate property as described above, from Arthur Meacock for the price hereinabove mentioned; and

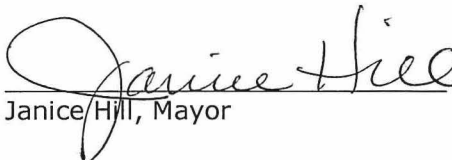
Section 2. Effective Date. On or before the date of closing this transaction, non-code Ordinance 15-04-408 shall be adopted by the borough assembly appropriating sufficient funds for the acquisition.

Adopted by a duly-constituted quorum of the Haines Borough Assembly this 28th day of April, 2015.

Attest:


Julie Cozzi, MMC, Borough Clerk




Janice Hill, Mayor



DATE: 8 September 2015

To: Borough Assembly

From: David B. Sosa, Borough Manager

Subject: **RECOMMENDATION TO APPROVE MR. BRAD RYAN AS THE FACILITIES & PUBLIC WORKS DIRECTOR**

1. The Borough Manger forwards a recommendation that the Assembly approve the hire of Mr. Brad Ryan for the position of Facilities & Public Works Director.
2. The Borough received sixteen applications for the position and elected to interview four individuals. On 19 and 21 September the Hiring Committee comprised of the Manager, Harbormaster, and Interim Facilities & Public Works Director convened and over the two days interviewed four individuals via Skype. Following the interviews the Hiring Committee reviewed all candidates and selected Mr. Ryan as the preferred candidate.
3. Mr. Ryan, a Haines resident, has worked with the Chilkat Indian Association, Takshanuk Watershed Council, and the Southeast Alaska Watershed Coalition providing project management for a variety of construction projects. Mr. Ryan strengths include project management, a long history of work with state and federal regulatory agencies, a detailed understanding of mitigation issues, a commitment to public outreach, and exceptional knowledge of using technology to convey information. He has a sound background in construction and a good understanding of construction management. He is also very familiar with the issues concerning our community and, in the past, has worked with many of the contractors and organizations that he will engage with as the Facilities & Public Works Director for Haines.
4. The committee acknowledged that Mr. Ryan has limited exposure to municipal public works and water & sewer operations but noted that he was very intelligent and can aquire the necessary knowledge he needs. Additionally, the committee felt that his strengths, particularly those in areas where the Borough is historically weak, outweighed the gaps in certain areas.
5. Mr. Ryan is a highly qualified applicant who possesses the skills we need in a department head. He earned his BS degree at the University of Portland and subsequently attained a PhD in Environmental Science and Resources from Portland State University.

Subject: **RECOMMENDATION TO APPROVE MR. BRAD RYAN AS THE FACILITIES & PUBLIC WORKS DIRECTOR**

Comments from the Hiring Committee describe Mr. Ryan as an intelligent, outgoing and community focused individual while his personal and professional references all vouched for his integrity and work ethic.

6. It is the Manager's recommendation that the Assembly approve the hire of Mr. Ryan.

Respectfully,

D.B. Sosa

David B. Sosa
Haines Borough Manager



BRIAN LEMCKE



155 Charles Roberts Road
Sequim, WA
98382
Home 360-683-4446
Cell 360-460-1050

September 1, 2015

Julie Cozzi
Haines Borough Clerk
P.O. Box 1209
Haines, AK 99827

Hello Julie,

Since I no longer work for the Haines Borough but I was involved in the process of short listing, interviewing and selecting my replacement Mr. Sosa asked me to send a note explaining how I arrived at my choice of Mr. Ryan. The selection process as laid out by Mr. Sosa was, in my opinion, thorough, revealing and fair. I was impressed with the number of well-qualified applicants and the choice was not that easy. Mr. Ryan rose to the top of the group for some of the following reasons:

1. Mr. Ryan's education is impressive.
2. Although Mr. Ryan's background is not that heavy in construction I think his experience in grant writing , grant management and organizational skills will make up for that. This position, which I held for several years, evolved more and more from construction management towards grant related administration, Mr. Ryan's skills in this area will be valuable.
3. I worked with Mr. Ryan on several wetland mitigation and culvert installation projects and found him easy to work with; he always demonstrated a realistic approach to problem solving that the Borough crew and I appreciated.
4. Clear communication skills on many levels, he should be able to keep a good flow of information to the assembly, administration and other department heads.
5. Being an established and respected citizen in Haines (At least by everyone representing different segments of the community that I spoke to) was a big factor in making my choice.

I wish Mr. Ryan and Haines good luck.

Thanks