

## **Recommendations of Minor Offenses Committee**

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

*Passed unanimously.*

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

*Passed unanimously.*

**Recommend** keeping violations in Chapter 10.

*Passed unanimously.*

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

*Passed unanimously.*

**Recommend** creating 1.24.050 “Purpose and Intent” to read:

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

*Passed unanimously.*

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

*Passed unanimously.*

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

*Vote passes 4-1.*

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

*Passed unanimously.*

**Recommend** Title 16 include wording:

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

*Passed unanimously.*

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

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

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

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

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

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

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

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Recommendations on specific chapters of offenses

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Chapter 3

No recommended changes

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Chapter 5

Adopt TAB recommendations on Chapter 5

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Chapter 6

Adopt HARK recommendations

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

- Remove skis from 10.26.300 and treat as 13 AAC 02.175 Pedestrian on highways.
  - ATVs ordinance adopted in 2014 – adopted recently enough that no changes needed – should stay as is.
  - Bicycles – 10.42 – all cited is state law. Remain as same.
  - 10.44 Parking – keep as is – was passed in 2013
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Chapter 12 – House numbers ordinance – see “*other recommendations*” at end of memo

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Chapter 13 – No recommended changes

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Chapter 14 – No recommended changes

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Chapter 15 – No recommended changes

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

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