

Presented by: The Manager
Introduced:
Drafted by: A. G. Mead

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2014-35

An Ordinance Amending the City and Borough Code Relating to Penalty Classifications and the Traffic and Animal Control Fine Schedules.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City and Borough of Juneau Municipal Code.

Section 2. Amendment to Section. CBJ 01.40.010 Violations penalty, is amended to read:

01.40.010 Violations penalty.

...

(b) *Penalty classifications.*

- (1) Except as provided in CBJ 72.10.010 and CBJ 72.10.012, a defendant convicted of a Class A misdemeanor may be sentenced to pay a fine of not more than \$5,000.00, or a definite term of imprisonment of not more than one year, or both.
- (2) A defendant convicted of a Class B misdemeanor may be sentenced to pay a fine of not more than \$1,000.00, to a definite term of imprisonment of not more than 90 days, or both.

(3) A defendant convicted of an infraction may be sentenced to pay a fine of not more than ~~\$300.00~~ 500.00.

(4) A misdemeanor not identified as to type or class shall be punishable as a Class B misdemeanor.

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Section 3. Amendment to Section. CBJ 03.30.051 Traffic fine schedule, is amended to read:

03.30.051 Traffic fine schedule.

Pursuant to sections 03.30.010—03.30.015 of this chapter, those of the following traffic offenses which are amenable to disposition without court appearance may be disposed of upon payment of the fines listed to the clerk of the court. 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 in the following schedule:

TRAFFIC FINE SCHEDULE

CBJ	Offense	Fine
Chapter 72.01	Duties and Authorities	
72.01.090(b)	Pass street barricade	\$25.00 <u>\$55.00</u>
72.01.100	Restricted turn at intersection	55.00
72.01.105	Restrict street access to certain vehicles and	35.00 <u>55.00</u>

	pedestrians	
72.01.125	Curb color restrict parking	25.00 <u>55.00</u>
Chapter 72.02	Rules of the Road	
72.02.005	Disobedience to traffic control device	35.00 <u>100.00</u>
72.02.010(a)(1)(A) and (B)	FTY to vehicle in intersection after green signal	55.00 <u>150.00</u>
72.02.010(a)(1)	FTY to pedestrian in crosswalk after green signal	100.00 <u>150.00</u>
72.02.010(a)(3)(A)	Stop light	55.00 <u>200.00</u>
72.02.010(a)(3)(C)	Vehicle traffic facing steady red arrow	55.00 <u>150.00</u>
72.02.010(b)	Required stop at official traffic control signal	55.00 <u>200.00</u>
72.02.015(a)	Pedestrian signal	25.00 <u>55.00</u>
72.02.015(b)	Pedestrians prohibited on heavily traveled highways	25.00 <u>55.00</u>
72.02.020(a)(1)	Flashing signal stop	55.00 <u>150.00</u>
72.02.020(a)(2)	Flashing signal caution	55.00 <u>150.00</u>
72.02.025	Lane control signal	35.00 <u>55.00</u>
72.02.030	Unauthorized sign or signal	55.00
72.02.050	Failure to drive on right side of road	55.00
72.02.055	Improper overtaking on right	55.00 <u>75.00</u>
72.02.060	Limitations on driving on left side of road	55.00 <u>100.00</u>
72.02.065(a)	Improper overtaking on left	55.00 <u>150.00</u>

72.02.065(b)	FTY to overtaking vehicle; FTY to oncoming traffic when passing	55.00 <u>150.00</u>
72.02.070	FTY one-half of roadway to oncoming vehicle; failure to pass on right of oncoming vehicle	55.00 <u>100.00</u>
72.02.075	No-passing zone	55.00 <u>150.00</u>
72.02.080	One-way roadway and rotary traffic to the right	55.00 <u>100.00</u>
72.02.085	Driving laned roadway	35.00 <u>75.00</u>
72.02.090	Following too closely, towing vehicle, caravan motorcade	55.00 <u>90.00</u> for (a), (b) & (c)
72.02.095	Driving divided highway	55.00 <u>100.00</u>
72.02.100	Restricted access of commercial vehicles on residential streets	55.00
72.02.120	Approach - enter intersection without official traffic control	55.00 <u>90.00</u>
72.02.125	Vehicle turning left	55.00 <u>150.00</u>
72.02.130	Enter stop or yield intersection	55.00 <u>200.00</u>
72.02.135	Enter highway from place other than roadway	55.00
72.02.140	Fail to yield to authorized emergency vehicle	55.00 <u>250.00</u> (no MCA)
72.02.150	Pedestrian subject to traffic regulations, bridge signals	35.00 <u>55.00</u>
72.02.155(a)	Pedestrian right-of-way in crosswalk	100.00
72.02.155(b)	Pedestrian to exercise due caution	35.00 <u>55.00</u>

72.02.155(c)	Vehicle not to pass vehicle stopped for pedestrian	100.00
72.02.155(e)	Vehicle on safety zone	35.00 <u>55.00</u>
72.02.160	Pedestrian crossing other than in crosswalks	35.00 <u>55.00</u>
72.02.165	Driver to exercise due care	35.00 <u>55.00</u>
72.02.175	Pedestrian on roadway	25.00 <u>55.00</u>
72.02.180	Pedestrian soliciting ride, etc.	35.00 <u>55.00</u>
72.02.190(a)	Drivers yield to blind pedestrian	75.00 <u>100.00</u>
72.02.190(b)	Use of device for blind by others	35.00 <u>55.00</u>
72.02.200	Position and method of turn at intersection	35.00 <u>75.00</u>
72.02.205	U-turn on curve or hill, U-turn safely	35.00 <u>75.00</u>
72.02.210	Starting parked vehicle	55.00 <u>75.00</u>
72.02.215	Turn signals and turn movements	35.00 <u>75.00</u>
72.02.257	Entering from alley, driveway or building	35.00 <u>55.00</u>
72.02.275(a)	Basic speed	55.00 <u>90.00</u>
72.02.275(b)(1)	Speed, alley (15 mph), per mile	6.00 <u>12.00</u> per mile
72.02.275(b)(2)	Business district 20 mph	6.00 <u>12.00</u> per mile
72.02.275(b)(3)	Residential 25 mph	6.00 <u>12.00</u> per mile
72.02.275(b)(4)	Any other roadway 55 mph	6.00 <u>12.00</u> per mile
72.02.275(b)	Speed	Over 20 mph = MCA + 300.00

72.02.295	Minimum speed	35.00 <u>55.00</u>
72.02.325	School zone or playground crosswalk 20 mph	8.00 <u>18.00</u> per mile
	School zone or playground crosswalk 20 mph	Over 20 mph over posted = MCA + 300.00
72.02.330	Racing vehicles on highway	MCA + 300.00
72.02.395	Riding on bicycles	25.00 <u>55.00</u>
72.02.400	Bicycles on roadway, trail and path	25.00 <u>55.00</u>
72.02.410	Helmet required for persons under the age of 18	25.00 <u>55.00</u>
72.02.420	Bicycle parking	25.00 <u>55.00</u>
72.02.425	Riding on motorcycles and motor-driven cycles	35.00 <u>55.00</u>
72.02.430	Parental responsibility—snow vehicle	35.00 <u>55.00</u>
72.02.445	Riding on snow vehicle	25.00 <u>55.00</u>
72.02.455	Operation of snow vehicles highways and other locations	35.00 <u>55.00</u>
72.02.480	Requirements for unattended motor vehicle	35.00 <u>55.00</u>
72.02.485	Limitations on backing	35.00 <u>55.00</u>
72.02.487(a)	Driving on sidewalks	35.00 <u>55.00</u>
72.02.495(a)	Obstruction to driver's view or driving mechanism	35.00 <u>55.00</u>
72.02.495(b)	Obstruction to driver's view or driving mechanism	35.00 <u>55.00</u>
72.02.495(d)	Obstruction to driver's view or driving mechanism	55.00

72.02.497	Funerals and other processions; permits	35.00 <u>75.00</u>
72.02.505	Livestock on roadway—fence, etc.	35.00 <u>55.00</u>
72.02.515	Coasting vehicle	35.00 <u>55.00</u>
72.02.520 (a) – (c)	Following emergency vehicle	(a) 55.00 <u>100.00</u> (b) 55.00 <u>100.00</u> (c) 55.00 <u>100.00</u>
72.02.530 (a) – (c)	Littering, depositing, or dragging material on highway	(a) 100.00 (b) 55.00 (c) 100.00
72.02.545(a)	No person may drink an intoxicating beverage while driving a vehicle	100.00 300.00
72.02.545(b)	Every driver of a vehicle shall exercise care to avoid colliding with a pedestrian, animal, or another vehicle	100.00 <u>150.00</u>
Chapter 72.04	Vehicle Lighting, Brakes and Other Equipment	
72.04.002	Unlawful to drive unsafe vehicle	100.00 <u>150.00</u> + Impound
72.04.010	Illuminate lights as required	35.00 <u>55.00</u>
72.04.015	Lights in good working order/not obstructed	25.00 <u>75.00</u>
72.04.020	Headlights	Corr/ 25.00 <u>55.00</u>
72.04.025	Taillights	Corr/ 25.00 <u>55.00</u>
72.04.030	Reflectors	Corr/ 25.00 <u>55.00</u>
72.04.035	Stop lights	Corr/ 25.00 <u>55.00</u>

72.04.037	Turn lights	Corr/ 25.00 <u>55.00</u>
72.04.040	Additional lighting requirements bus, truck, trailers	Corr/ 25.00 <u>55.00</u>
72.04.070(a)	Parking lights	Corr/ 25.00 <u>55.00</u>
72.04.070(b)—(e)	Parking lights or dimmed headlights when parked on roadway; parking lights not used when in motion	35.00 <u>55.00</u>
72.04.090	Flashing red lights required	Corr/ 25.00 <u>55.00</u>
72.04.095(a)	Flashing yellow lights use	35.00 <u>55.00</u>
72.04.095(c)	Large bus, truck, trailer requirements	35.00 <u>55.00</u>
72.04.095(e)	Tow car	35.00 <u>55.00</u>
72.04.095(f)	Mail or delivery	35.00 <u>55.00</u>
72.04.097	Special school bus lighting	35.00 <u>55.00</u>
72.04.100	Improper use of flashing blue lights	55.00
72.04.145	Improper use of auxiliary/spotlights	55.00
72.04.210	Horn and audible warning devices	25.00 <u>55.00</u>
72.04.215	Muffler—noise, fumes, altered	55.00 (not correctable)
72.04.220	Mirrors	Corr/ 25.00 <u>55.00</u>
72.04.225(a), (c)—(e)	Windshield requirements	Corr/ 25.00 <u>55.00</u>
72.04.225(b)	View not be obstructed	35.00 <u>55.00</u>
72.04.230(b)(3)	Tire equipment restrictions	100.00 (not

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2	studded		correctable)
3	72.04.240	Flares/other warning devices	25.00 <u>55.00</u>
4	72.04.245	Display of warning lights/devices	25.00 <u>55.00</u>
5	72.04.255	Air-conditioning equipment	25.00 <u>55.00</u>
6	72.04.260	Restrictions on television headset	25.00 <u>55.00</u>
7	72.04.265	Anti-spray device	Corr/ 25.00 <u>55.00</u>
8	72.04.270	Seatbelts required	50.00 <u>55.00</u>
9	Chapter 72.08	Size and Weight Restrictions	
10	72.08.010	Permit required	100.00
11	72.08.010	Exceed width	50.00 per foot or fraction thereof
12	72.08.020	Exceed height	50.00 per foot or fraction thereof
13	72.08.030(a)—(e)	Exceed length	50.00 per foot or fraction thereof
14	72.08.030(f)	Overhangs, front and rear	50.00 per foot or fraction thereof
15	72.08.040	Exceed weight	0.05 per lb.
16	72.08.050	Load must be fastened or contained	100.00 <u>300.00</u>
17	72.08.080	Weighing vehicle and removal of excess load	100.00
18	72.08.090	Permit, flags and lights, etc.	100.00
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72.08.120	Load restrictions on certain streets and bridges	0.05 per lb.
Chapter 72.10	Duties and Responsibilities of Drivers and Others	
72.10.010	OMVI	MCA
72.10.015	Reckless driving	MCA
72.10.020	Negligent driving	MCA
72.10.025	Careless driving	75.00 <u>300.00</u>
72.10.026	Open container	100.00 <u>200.00</u>
72.10.026	2nd	250.00 <u>300.00</u>
72.10.026	3rd	MCA
72.10.027(e)	Overtaking and passing school bus	200.00 <u>300.00</u>
72.10.028	License violation	300.00
72.10.028	2nd & subseq.	MCA
72.10.065(b)	Drivers must be licensed	50.00 <u>55.00</u>
72.10.070	Proof of insurance to be carried and exhibited on demand	150.00 <u>500.00</u>
72.10.080	Interference with/or injury to traffic device	100.00
72.10.130	Carry animal on outside of vehicle	35.00 <u>55.00</u>
72.10.135	Deposit injurious material on highway	35.00 <u>150.00</u>
72.10.140(a)	Skateboard, roller skates, inline skates, etc., on roadway 1st	25.00 <u>55.00</u>

	2nd	35.00 <u>75.00</u>
	3rd	MCA
72.10.140(b)	Operating skateboard, roller skates, inline skates, etc., in prohibited area 1st	25.00 <u>55.00</u>
	2nd	35.00 <u>75.00</u>
	3rd	MCA
72.10.150	Sound amplifying device	35.00 <u>55.00</u>
72.10.160	Use of seat belts and child safety devices	35.00 <u>65.00</u>
Chapter 72.12	Parking	
72.12.080	Residential use of vehicles prohibited	25.00 <u>40.00</u>
Chapter 72.14	Parking Payment Equipment	
72.14.035	Tampering with parking payment equipment	MCA
Chapter 72.16	Parades	
72.16.010	Parade without permit	100.00
72.16.050(a)	Interference with parade	35.00 <u>55.00</u>
72.16.050(b)	Driving through parade	100.00 (no MCA)
72.16.050(c)	Parking on posted parade route	25.00 <u>40.00</u>
Chapter 72.17	Street Closure Permits	
72.17.010	Unlawful street closure	100.00
Chapter 72.18	Special Permits	

72.18.035	Parking in violation of a residential parking zone regulation	50.00 <u>55.00</u>
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Section 4. Amendment to Section. CBJ 03.30.054 Animal Control fine schedule, is amended to read:

03.30.054 Animal control fine schedule.

Pursuant to sections 03.30.010—03.30.015 of this chapter, those of the following animal control offenses which are amenable to disposition without court appearance may be disposed of upon payment of the fines listed to the municipal clerk of the court. 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 in the following schedule:

ANIMAL CONTROL FINE SCHEDULE

CBJ	Offense	No. of Offenses	Fine
08.15.010(a)	Failure to license	Any	* \$ 75.00
		Correctable	25.00
08.15.010(c); 08.30.090	Failure to license potentially dangerous or dangerous animal	Any	MCA
08.15.010(d)	Failure to transfer license	Any	* 75.00
		Correctable	25.00

08.15.010(e)	False evidence of license	Any	* 75.00
		Correctable	25.00
08.15.030(b)	Failure to display tag	1st	25.00
		2nd	50.00
		3rd and subseq.	100.00
08.25.010	Failure to immunize	1st	25.00 <u>75.00</u>
		2nd	50.00 <u>100.00</u>
		3rd and subseq.	MCA <u>150.00 + MCA</u>
08.25.020(b)	False evidence of rabies certificate	Any	* 75.00
		Correctable	25.00
08.25.030	Failure to report bite	<u>1st</u>	25.00 <u>100.00</u>
		<u>2nd and subseq.</u>	<u>200.00</u>
08.25.030	Failure to surrender	1st	50.00 <u>100.00</u>
		2nd	100.00 <u>200.00</u>
		3rd and subseq.	MCA
08.25.040	Failure to observe quarantine	1st	50.00 <u>100.00</u>
		2nd and subseq.	MCA
08.25.050	Improper handling of rabies cases	1st	50.00
		2nd and subseq.	MCA
08.25.060	Disposal of rabid animal	Any	75.00
08.25.070	Failure to observe areawide quarantine	1st	50.00 <u>100.00</u>
		2nd and subseq.	MCA
08.30.040	Potentially dangerous—failure to confine	1st	100.00

	on premises		
		2nd and subseq.	MCA
08.30.040	Dangerous—failure to confine on premises	Any	MCA
08.30.050	Potentially dangerous—failure to confine off premises	1st	100.00 and MCA
		2nd and subseq.	** MCA
08.30.050	Dangerous—failure to confine off premises	Any	** MCA
08.30.060	Failure to notify change of status	Any	MCA
08.30.070	Failure to post signs	1st	50.00
		2nd and subseq.	MCA
08.30.080	Failure to maintain insurance	1st	50.00
		2nd and subseq.	MCA
08.30.100	Failure to have animal altered	Any	MCA
08.35.030	Failure to report motor vehicle accident involving a domestic animal	Any	25.00 <u>75.00</u>
08.40.010	Dogs at large	1st	30.00 <u>50.00</u>
		2nd	60.00 <u>75.00</u>
		3rd and subseq.	100.00 and MCA
08.40.020	Failure to observe leash law areas	1st	20.00 <u>50.00</u>
		2nd	50.00 <u>75.00</u>
		3rd <u>and subseq.</u>	75.00 <u>100.00+MCA</u>
		4th and subseq.	100.00

08.40.030	Failure to observe dog prohibition areas	1st	25.00 <u>50.00</u>
		2nd	50.00 <u>75.00</u>
		3 rd <u>and subseq.</u>	75.00 <u>100.00+MCA</u>
		4th and subseq.	100.00
08.40.040	Failure to observe sanitary disposal requirements	1st	25.00 <u>75.00</u>
		2nd	50.00 <u>100.00</u>
		3rd and subseq.	100.00+ <u>MCA</u>
08.40.060	Female domestic animal in season— failure to confine	1st	75.00
		2nd	100.00
		3rd and subseq.	100.00 and MCA
08.40.070	Improper release from restraint	Any	25.00
08.40.080	Improper restraint	Any	25.00
08.45.010(a)	Objectionable		
(1)—(4)			
	(1) noisy		
	(2) injury to property		
	(3) access to public streets		
	(4) menacing		
		1st	50.00
		2nd	100.00
		3rd	200.00 and MCA

		4th and subseq.	MCA
08.45.010(a)(5)	Objectionable: snapping, harassing, disturbing, or injuring wildlife	1st	50.00
		2nd	100.00
		3rd	200.00
		4th and subseq.	MCA
08.45.010(c)	Hold over 24 hours, failure to notify, refuse statement	1st	20.00 <u>50.00</u>
		2nd	30.00 <u>75.00</u>
		3rd and subseq.	50.00 <u>100.00+MCA</u>
08.45.020	Improper disposal of dead animals	Any	25.00 <u>75.00</u>
08.45.030	Trapping	1st	50.00
		2nd	75.00
		3rd and subseq.	100.00 and MCA

Section 5. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2014.

Merrill Sanford, Mayor

Attest:

Laurie J. Sica, Municipal Clerk