

Presented by: The Manager
Presented: 02/05/2024
Drafted by: S. Layne

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2024-07

An Ordinance Amending the Recreation Areas Code Relating to Prohibited Uses and Providing for a Penalty.

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 of Section. CBJC 67.01.090 Prohibited uses, is amended to read:

67.01.090 Prohibited uses.

(a) *Illegal occupancy or use.* No person shall climb upon or otherwise occupy or use any portion of a building or other structure not intended for such occupancy or use. No person shall erect a table barrier or other object to any picnic shelter, building, fence, or improvement to limit public occupancy or use.

(b) *Occupancy during closed periods.* No person shall enter or occupy any portion of any recreation area during the closed period, as posted on the sign, except that the provisions of this subsection shall not apply to:

- (1) Persons occupying vehicle-mounted campers or camp trailers; and
- (2) Persons making direct trips to or from the small boat harbor or the offices of the bureau of mines.

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- 2 (c) *Firearms and other missiles prohibited.* No person shall carry or discharge an air rifle,
- 3 firearm or slingshot or throw stones or other missiles within the limits of any area
- 4 designated in section 67.01.030, and no person shall hit a golf ball or launch other missiles
- 5 within such areas other than in areas designated by the director.
- 6 (d) *Posting bills, advertisements, etc.* No person shall post any bill, notice, advertisement or
- 7 other written or printed matter in any place within the limits of any recreation area,
- 8 except upon a bulletin board provided by the City and Borough for such purpose.
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- 10 (e) *Motor-driven vehicles prohibited.* No person shall operate any motor-driven vehicle within
- 11 any recreation area except on the roadways and parking areas designated for such motor
- 12 vehicles and no person shall allow a motor vehicle owned or controlled by him or her to be
- 13 so operated.
- 14 (f) *Vehicle repairs prohibited.* No motor vehicles shall be overhauled, repaired, lubricated, or
- 15 oiled in any recreation area.
- 16 (g) *Obstructing driveways.* No person shall obstruct the driveways in any recreation area.
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- 18 (h) *Animals.* Unless otherwise posted by Juneau Parks and Recreation under regulations
- 19 issued pursuant to CBJ 01.60, dogs shall be permitted in park or recreation areas if the
- 20 dog is restrained on a leash no longer than ten feet held by a person capable of controlling
- 21 the dog, or is under competent voice control, as defined in CBJ 08.05.010.
- 22 (i) *Permit required for sales and commercial use of recreation facilities.* The permit is issued
- 23 pursuant to regulations adopted in section 67.01.045. A person shall not expose or offer for
- 24 sale any merchandise or solicit or advertise for the sale of any merchandise or service
- 25 within the limits of a recreation area or adjacent loading zone:

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- (1) If that person is not in possession of a valid permit issued for that purpose by the manager or the manager's designee; or
- (2) Other than in compliance with all conditions of a permit issued for that purpose by the manager or the manager's designee.

(j) *Fires.* No person shall make or assist in making any fire within 50 feet of any building or other improvement except in established fireplaces or barbecue pits, and no person shall allow a fire to burn in a manner dangerous to persons or property, or to be left unattended.

(k) *Glass containers prohibited.* No person may possess, carry, or use a glass beverage container of any nature within any park or recreation area owned or operated by the City and Borough; except, this prohibition does not apply to the Eaglecrest Lodge or to special events where the use of glass containers has been specifically authorized by the manager.

(l) ~~*Violations.*~~ A violation of this section is an infraction punishable pursuant to section 03.30.056. ~~Violation of regulations issued pursuant to subsection (h) of this section is an infraction.~~

(m) *Fireworks.* Except for an area specifically designated for use of fireworks by the assembly, use of a firework is prohibited within the limits of any area designated in section 67.01.030. Firework and use of firework have the same meanings as in CBJC 36.80.070. The assembly, by resolution, may designate any area designated in section 67.01.030 for use of fireworks during specific times.

(n) *Permit required for gatherings of over 100 persons in parks or recreation facilities.* The manager or designee may promulgate regulations pursuant to section 67.01.045 to permit a large gathering. A person shall not cause more than 100 people to gather within the limits of a recreation area:

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2 (1) If that person is not in possession of a valid permit issued for that purpose by the
3 manager or the manager’s designee; and

4 (2) Other than in compliance with all conditions of a permit issued for that purpose by
5 the manager or the manager’s designee.
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8 **Section 3. Amendment of Section.** CBJC 03.30.056 Parks and recreation fine
9 schedule, is amended to read:

10 **03.30.056 Parks and recreation fine schedule.**

11 Pursuant to sections 03.30.010—03.30.015 of this chapter, the following parks and
12 recreation offenses are amenable to disposition without court appearance and may be disposed
13 of upon payment of the fines listed to the municipal clerk. If a person charged with one of these
14 offenses appears in court and is found guilty, the penalty imposed for the offense may not
15 exceed the fine amount for that offense listed in the following schedule:
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17 **PARKS AND RECREATION FINE SCHEDULE**

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CBJ	Offense	No. of Offenses	Fine
67.01.050	Hours of operation	Any	\$ 25.00
67.01.090(a)	Climb on or occupy building	Any	25.00
67.01.090(c)	Firearms and other missiles prohibited	Any	150.00
67.01.090(d)	Posting bills, advertising	Any	25.00
67.01.090(e)	Motor vehicles prohibited	Any	150.00
67.01.090(f)	Vehicle repairs prohibited	Any	25.00
67.01.090(g)	Obstructing driveway	Any	25.00
67.01.090(h)	Animals in parks and recreation areas	Any	25.00
67.01.090(i)(1)	Parks and recreation permit required	Any	300.00
67.01.090(i)(2)	Violation of permit conditions	Any	200.00
67.01.090(j)	Fires	Any	50.00

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67.01.090(k)	Glass container prohibited	Any	25.00
67.01.090(n)	Large gathering permit violation	Any	200.00
67.01.095(a)	Hours of operation	Any	100.00
67.01.095(b)	Prohibited area of operation	Any	100.00
67.01.095(c)	Violation of wake restriction	Any	100.00
67.01.095(d)	Refueling prohibited	Any	250.00
67.01.095(e)	Rinsing or flushing prohibited	Any	250.00

Section 4. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____ 2024.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk