



**CITY OF KOTZEBUE
NOTICE**

MAYOR SAIMA CHASE WILL INTRODUCE

ORDINANCE 24-01

ENTITLED: "A CODE ORDINANCE REMOVING ALL SPECIFIC FEE REFERENCES FROM THE KOTZEBUE MUNICIPAL CODE AND PLACING SAME IN THE ANNUALLY ADOPTED FEE SCHEDULE"

**DURING THE REGULAR
KOTZEBUE CITY COUNCIL MEETING
ON**

JANUARY 18, 2024 at 5:15 p.m.

AT THE COUNCIL CHAMBER LOCATED AT

258 A THIRD AVENUE

**THE PUBLIC IS INVITED TO ATTEND
TELEPHONICALLY**

1-800-315-6338 / 49401#

For further information or a copy of this ordinance
contact the City Hall at 442-3401

posted: 01-11-2024

KOTZ.RADIO
BANK
AC
P.O
DEPARTMENT HEAD
CITY HALL



**CITY OF KOTZEBUE, ALASKA
ORDINANCE NO. 24-01**

ENTITLED: "A CODE ORDINANCE REMOVING ALL SPECIFIC FEE REFERENCES FROM THE KOTZEBUE MUNICIPAL CODE AND PLACING SAME IN THE ANNUALLY ADOPTED FEE SCHEDULE"

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF KOTZEBUE, ALASKA:

- Section 1.** This is a Code Ordinance.
- Section 2.** The current version of the Kotzebue Municipal Code ("KMC") contains many fee references and penalty provisions that have not been revised or updated in decades. See, the KMC e-version at https://library.municode.com/ak/kotzebue/codes/code_of_ordinances.
- Section 3.** The City Council for the past several years has adopted a comprehensive fee and penalty schedule that updates, *inter alia*, the fees and penalties found in the current version KMC. These updated fees and penalties conflict with the fees and penalties in the current KMC.
- Section 4.** All the fees and penalties in the current KMC shall be replaced with an appropriate reference to the fee and penalty schedule that is adopted annually. A non-exclusive exemplar of the KMC fees and penalties to be repealed and replaced with an appropriate reference to the annually adopted fee schedule is attached hereto as Exhibit "A" and incorporated by reference herein. This will be an on-going process until all such fees and penalties references in the KMC are replaced accordingly.
- Section 5.** Pursuant to the Kotzebue Municipal Code, Section 1.12.030(B), this Ordinance shall become effective on February 1, 2024.

ENACTED this 18th day of January 2024.

CITY OF KOTZEBUE

Saima Chase, Mayor

[SEAL]

ATTEST:

Rosie Hensley, City Clerk

ATTESTATION: I, Rosie Hensley, Clerk for the City of Kotzebue, hereby attest that the above Ordinance, No. 24-01, was duly presented to the Kotzebue City Council, duly published and that a valid public hearing was held and that it was duly enacted on February 1, 2024.

Published/Posted: January 11, 2024
Introduction: January 18, 2024
First Public Hearing: February 1, 2024
Passage: February 1, 2024

Attachments:

Exhibit "A" -- Exemplar of fees and penalties to be replaced in KMC [22]

**KMC
Citations
from
City Planner
for
Ordinance
24-01**

Exemplar of KMC sections to be amended by Ordinance 24-01 [non-exclusive]

11.04.650 Appraisal—Deposit.

Each class III preference right claimant shall deposit with the city clerk ~~the~~ **an amount as set forth in the annual fee schedule adopted by the City Council** ~~sum of fifty dollars~~ to cover the cost of appraisal. Any amount exceeding this shall be charged to the applicant, and any surplus shall be returned to him.

(Prior code Ch. 14 § 13-31).

15.08.080 Permit—Application—Fees.

Application for a permit shall be made upon suitable form provided by the city building official. Such application shall be accompanied by fees as follows:

Unit	Amount
Soil or vent stack (per stack per floor on 1st floor)	\$1.00
Soil or vent stack (per above 1st floor)	.25
Each inside conductor	1.00
Each house or building cover	1.00
Each water closet	1.00
Each bathtub	1.00
Each shower bath	1.00
Each sink	1.00
Each drinking fountain	1.00
Each refrigerator	1.00
Each sanitary cuspidor	1.00
Each urinal	1.00
Each slop sink	1.00
Each floor drain	1.00
Each sand trap	1.00
Each bar connection	1.00
Each soda fountain	1.00
Each wash rack	1.00
Water distribution pipes	1.00
Each lavatory	1.00
Each water softener	1.00
Each boiler	1.00
Each plumbing fixture, receptacle, device, or appliance which is supplied with water or which receives or discharges liquids or liquid-borne wastes, with or without discharge into any drainage system with which they may be directly or indirectly connected; or any rough opening for future connection	1.00
Each sewer permit	1.00
Each sewer saddle installation	50.00
Each head of sprinkler system	.25.

**KMC Chapter 15.08
Plumbing Code
Suspended
by Ordinance 92-04**

15.08.090 Permit—Term.

All permits issued under this chapter shall expire by limitation and become null and void one year from date of issue. A permit may be renewed for an additional period of twelve months for the **sum of one dollar**, provided

Exemplar of KMC sections to be amended by Ordinance 24-01 [non-exclusive]

**Suspended
by Ordinance 92-04**

that no changes have been made or are planned to be made in the original plans and specifications. All permits, regardless of other provisions, will expire automatically after a period of two years. After such period of time, a new permit shall be required.

(Prior code § 10.10.050(a)(part)).

(Prior code § 10.10.050(c)).

15.08.190 Violation—Penalty.

Any person violating any provision of this chapter is guilty of a misdemeanor and upon conviction shall be punishable by a fine of not more than one hundred dollars or by imprisonment of not more than ten days, or by both fine and imprisonment.

(Prior code § 10.10.080).

17.48.040 Building permit fees.

A. The building permit fee shall be as shown in Table 3-A on page 16 of the Uniform Building Code, 1985 Edition, published by the International Conference of Building Officials (ICBO), 5360 South Workman Mill Road, Whittier, California 90601, subject to the following modifications:

1. That the first one hundred thousand dollars of any new construction project will be exempt from consideration;
2. That the first fifty thousand dollars of any renovation, remodel, repair or restoration will be exempt from consideration;
3. That any project for which the fee is determined by Table A(1) or (2) of this section shall be subject only to a ten percent fee.

B. At the time of application for a building permit fee, the applicant shall pay a fee of sixty-five percent of the total building permit fee.

C. At the time of application for a building permit fee, the applicant shall pay twenty-five percent of the total building permit fee. The remaining thirty-five percent shall be made of the remaining thirty-five percent of the total building permit fee in payments for utility charges or deposits.

D. Any applicant who is in the plan review process may do so upon payment of the plan review fee. The plan review fee will be made by the applicant for the percentage of the work completed of the plan review. The administrative charge shall be final.

E. Following issuance of a building permit, an applicant who decides to abandon the work for which the permit was intended prior to the start of construction shall apply to the administrative official for refund of the thirty-five percent of the building permit fee and the twenty-five dollar administrative charge.

(Ord. 85-11, 1986).

17.56.010 Misdemeanor penalty.

A person who violates any provision of this title is guilty of a misdemeanor and upon conviction is punishable by a fine of not more than an amount as set forth in the annual fee schedule adopted by the City Council. five hundred dollars.

(Ord. 80-14 § 1 (part), 1980: prior code § 13.10.050(a)).

**Covered in
Sections/citations
from
Public Works Director**

Exemplar of KMC sections to be amended by Ordinance 24-01 [non-exclusive]

17.56.020 Civil action.

- A. The city or any aggrieved person may bring a civil action to enjoin any violation of this title, and the violation of any term or condition of any entitlement approved under this title, and to obtain damages for any injury the plaintiff suffered as a result of the violation.
- B. In addition to injunctive and compensatory relief, each violation shall be subject to a civil penalty not to exceed an amount **as set forth in the annual fee schedule adopted by the City Council.** ~~five hundred dollars.~~
- C. An action for injunction under this section may be brought notwithstanding the availability of any other remedy.
- D. Upon application for injunctive relief and

the finding of an existing or threatened violation, the Superior Court shall enjoin the violation.

(Ord. 80-14 § 1 (part), 1980: prior code § 13.10.050(b)).

18.05.130 Enforcement, violations and penalties.

- A. General.
 - 1. It shall be the duty of the public works director, city planner and the planning commission to apply these requirements and to bring to the attention of the city manager, city attorney, or their designated agents, any violations of these regulations.
 - 2. No owner, or agent of the owner, of any parcel of the land located in a proposed subdivision shall transfer or sell any part of the parcel before a final plat of the subdivision has been approved by the planning commission in accordance with the provisions of this title and the regulations adopted under this title.
 - 3. No building permit shall be issued for the construction of any building or structure located on a lot or plat subdivided or sold in violation of the provisions of these regulations, nor shall the city have any obligation to issue a certificate of occupancy, if applicable, or to extend utility services to any parcel created in violation of these regulations.
- B. Violations and Penalties. Any person who violates any provision of this title or the regulations adopted pursuant to this title shall be subject to a fine of not more than five thousand dollars, for each separate violation. Each day a violation continues shall be deemed a separate violation and will be subject to the fine on a per day basis, not to exceed **an amount as set forth in the annual fee schedule adopted by the City Council** ~~five thousand dollars per day~~, per violation. The amount of the penalty shall be set by the city manager after consultation with the city attorney. The amount of any fine imposed shall be based upon the nature of the violation, the public interest sought to be protected and after taking into account the ability of the person to pay the fine imposed. Any person to whom a fine is assessed may appeal the assessment and/or amount of the fine to the planning commission.
- C. Civil Enforcement. Appropriate actions and proceedings may be taken in law or in equity to prevent any violation of these regulations to prevent unlawful construction, to recover damages, to restrain, correct or abate a violation and to prevent illegal occupancy of a building, structure or premises. These remedies shall be in addition to the penalties described above. Full, actual, reasonable, attorney's fees and costs for such civil enforcement shall be paid to the city by the offending party.

(Ord. No. 10-03, § 3(Exh. A), 1-21-2010)

Exemplar of KMC sections to be amended by Ordinance 24-01 [non-exclusive]

18.014 Fees.

Fees charged for the review and recording of plats shall be non-refundable and shall be paid in full when an application is submitted to the City. The schedule of fees required by the City of Kotzebue shall be as follows:

Major Subdivision Preliminary Plat: as set forth in the annual fee schedule adopted by the City Council. **\$250.00**

Major Subdivision Final Plat: as set forth in the annual fee schedule adopted by the City Council. **\$100.00**

Minor Subdivision Preliminary Plat: as set forth in the annual fee schedule adopted by the City Council. **\$150.00**

Minor Subdivision Final Plat: as set forth in the annual fee schedule adopted by the City Council. **\$100.00**

Alteration or Replat, including Vacation of Right-of-Way: as set forth in the annual fee schedule adopted by the City Council. **\$150.00**

Minor Lot Consolidation & Exempted Replats: as set forth in the annual fee schedule adopted by the City Council. **\$150.00**

Abbreviated Plats & Waivers: as set forth in the annual fee schedule adopted by the City Council. **\$150.00**

Variance Applications—Regular Meeting: as set forth in the annual fee schedule adopted by the City Council. **\$200.00**

Variance Applications—Special Meeting: as set forth in the annual fee schedule adopted by the City Council. **\$300.00**

Vacation: as set forth in the annual fee schedule adopted by the City Council. **\$200.00**

In addition, the applicant shall pay the actual, full costs of any recording fees/expenses, professional advice fees, required under these regulations, and all other fees and expenses incurred in the application process. If a special or emergency meeting of the Planning Commission is requested or required for the processing of a major subdivision application, pursuant to Chapter 18.200 of these Regulations, the applicant shall pay any costs incurred as a result of scheduling and conducting such a special/emergency meeting including, but not limited to, those expenses mandated by KMC § 17.36.050. Failure to pay or pre-pay these fees/expenses, if so required, shall result in denial of any related application(s) or revocation of previously-approved application(s).

**KMC
Citations
from
KPD Chief
for
Ordinance
24-01**

Exemplar of KMC sections to be amended by Ordinance 24-01 [non-exclusive]

6.04.020 - License—Required—Fee.

A. Every dog within the city of Kotzebue over six months old or weighing over twenty pounds shall be subject to a one-time license fee of ~~five dollars~~ as set forth in the annual fee schedule adopted by the City Council.

B. Persons owning five dogs or less shall obtain a license in the sum of ~~five dollars~~ as set forth in the annual fee schedule adopted by the City Council per dog.

C. Persons owning six dogs or more shall obtain a kennel license from the city for ~~thirty dollars~~ in an amount as set forth in the annual fee schedule adopted by the City Council.

6.04.030 - Penalty for violation—No license.

Failure to have the license referenced above, in Section 6.04.020, shall result in a civil fine as set forth in the annual fee schedule adopted by the City Council of ~~twenty dollars~~, in addition to the ~~five dollar~~ license fee as set forth in the annual fee schedule adopted by the City Council. After ninety days, the city shall start the collection process to secure a judgment and the monies due the city with all fees and costs for such action to be borne by the dog owner.

6.04.050 - Unattended animals prohibited—Animals prohibited at schools or parks—Immediate destruction of loose animals—Destruction of mad or vicious animals.

A. No animal may run at large within the city. No person having charge or control of an animal may permit the animal to run at large within the city.

B. The owners of animals shall not permit the animals to be present outdoors, whether at large or restrained, within the boundaries of any school or any playground owned or maintained by the city.

C. No animal shall be tethered outside any place open to the public, such as stores, public facilities or buildings open to the public.

D. If, after diligent effort, the animal control officer, as defined in Section 6.04.010.B., is unable to capture an at large animal, whether licensed or unlicensed, the animal control officer may immediately destroy the animal. If an animal so destroyed is found to be licensed, the owner shall be promptly notified.

E. Any person wishing to have his animal(s) destroyed by the animal control officer may do so upon payment of ~~fifty dollars~~ as set forth in the annual fee schedule adopted by the City Council to the animal control officer, accompanied by a signed affidavit stating that the animal to be destroyed has not bitten a human or another animal within ten days.

F. The animal control officer is authorized to destroy, summarily, any dog loose and at large in the city if the dog does not carry and exhibit a current license tag.

G. The animal control officer is authorized to destroy, summarily, any dog loose and at large in the city if said dog is escaping from a reasonable attempt by said officer to capture said dog, or if said dog shows signs of aggression toward the animal control officer sufficient to place said officer in reasonable apprehension of bodily injury.

Exemplar of KMC sections to be amended by Ordinance 24-01 [non-exclusive]

H. Upon delivery of a dog to the City Pound when no additional facilities exist for the confinement of more animals, the animal control officer shall destroy, summarily, whichever dog has been confined at the City Pound for the longest period of time, for purposes of providing a place to confine the newly-captured dog. Said summary destruction shall occur notwithstanding the provisions for otherwise allowing a period for redemption.

I. Nothing in this section is intended to restrict the animal control officer from immediately destroying animals that pose a menace or immediate danger to inhabitants of the city.

J. To the extent this section may conflict with other sections of this chapter, the provisions of this section shall govern.

6.04.051 - Penalties for violations.

Unless specified otherwise in this chapter, violations of any provisions of this chapter shall be subject to the following penalties within any given twelve-month period:

A. First offense: ~~fifty dollars~~ as set forth in the annual fee schedule adopted by the City Council.

B. Second offense: ~~one hundred dollars~~ as set forth in the annual fee schedule adopted by the City Council.

C. Third offense: ~~one hundred and fifty dollars~~ as set forth in the annual fee schedule adopted by the City Council.

D. Fourth and subsequent offenses: seizure of animal and humane disposal, if necessary.

The owner shall be responsible for all fines, including fees and costs for collection procedures if pursued by the city.

6.04.080 - Redemption by owner—Fees.

Any animal impounded hereunder may be reclaimed as provided in this chapter upon payment by the owner to the animal control office or his subordinates, the sum of ~~fifty dollars~~ as set forth in the annual fee schedule adopted by the City Council in the case of each animal having been properly licensed or vaccinated under this chapter, plus the additional sum of ~~ten dollars~~ as set forth in the annual fee schedule adopted by the City Council for each day or part of a day such animal is kept. Second or subsequent impoundment of an animal shall require an enhanced penalty as set out in Section 6.05.051 in addition to the impound fees listed above. Fifty percent of the fees of this section may be waived if the owner of the animal at large contacts the animal control officer prior to impound and informs the officer that the animal is loose.

6.04.100 - Surrender of dogs by owner for disposal.

The animal control officer may accept dogs from their owners for humane disposal. The wishes of the owner as to disposal shall be followed and no dog delivered for disposal shall be released. Animals so left with the animal control officer shall require payment of a ~~fifty-dollar fee~~ as set forth in the annual fee schedule adopted by the City Council for one dog and a ~~ten-dollar fee~~ as set forth

Exemplar of KMC sections to be amended by Ordinance 24-01 [non-exclusive]

in the annual fee schedule adopted by the City Council for each additional dog left at the same time.

6.04.230 - Immunization—False proof.

It is a violation subject to a ~~three hundred dollar~~ civil fine as set forth in the annual fee schedule adopted by the City Council for any veterinarian or other person to give, issue or transmit any purported proof, tag or certificate for rabies immunization not actually given to the dog for which proof, tag or certificate is given.

6.04.300 - Penalties for violations regarding vicious animals and animals that attack other animals and people.

A. Any vicious animal:

1. Whose owner or keeper does not secure and/or keep in place the liability insurance coverage required in accordance with Section 6.04.045.A.1. of this chapter; or

2. Which is not maintained on property with an enclosure; or

3. Which shall be outside of the dwelling of the owner or keeper, or outside of any enclosure except as provided in Section 6.04.240, shall be confiscated by an animal control officer and destroyed in an expeditious and humane manner. In addition, the owner or keeper shall pay all monies due for violations as required by this chapter.

B. If any animal shall, when unprovoked, kill, wound or worry or assist in killing or wounding any animal the owner or keeper of said dog shall pay all monies due for violations as required by this chapter and the animal control officer shall confiscate and humanely destroy said animal.

C. If any animal shall, when unprovoked, attack, assault, wound, bite or otherwise injure or kill a human being, the owner or keeper shall pay all monies due for violations as required by this chapter, an additional fine of ~~three hundred dollars~~ as set forth in the annual fee schedule adopted by the City Council and the animal shall be humanely destroyed by the animal control officer.

10.12.010 - Impoundment—Release.

A. Whenever any vehicle is located or left standing upon any street or alley right-of-way in violation of the provisions of this title or any rule or regulation adopted pursuant thereto, or whenever any vehicle is found to be mechanically unfit to operate upon the street or alley, or whenever the driver of any vehicle is impaired or is taken into custody by an officer for an offense involving either driving while under the influence of intoxicating liquor, reckless driving, negligent driving, or any felony, such vehicle may be removed from the city streets or alleys and may be impounded at a place to be designated by the police chief. The police shall in the proper case and whenever any other provision of this code is violated, cause a complaint to be filed against the person committing such offense.

B. When the owner or authorized representative of the owner of the vehicle claims the same, he shall be informed of the nature and circumstances causing the impoundment of such vehicle and to obtain release thereof shall pay all towing charges actually incurred and in addition shall pay a

Exemplar of KMC sections to be amended by Ordinance 24-01 [non-exclusive]

storage fee of ~~one dollar~~ as set forth in the annual fee schedule adopted by the City Council per day or fraction thereof that such vehicle remains impounded after the first twenty-four hours. If the operator or owner of the vehicle, upon hearing before the court, is found not guilty of the violation of which he is charged, or if the case is dismissed, the impounded vehicle shall be released immediately to the owner or operator of such vehicle, released from the charges, and if the charges have been paid they shall be refunded. If found guilty by the court, any fine imposed under the provisions of the appropriate section of this title shall be in addition to the towing and storage charges herein prescribed.

10.04.030 - Infraction.

A violation of the traffic code of the city pursuant to any local traffic ordinance and pursuant to Section 10.05.010.A., above, is an infraction within the terms of AS 28.90.010 and is punishable by a fine not to exceed ~~three hundred dollars~~ an amount as set forth in the annual fee schedule adopted by the City Council.

9.03.010 - Monthly monitoring fees.

A. City police department shall monitor fire alarms and burglar/intrusion alarms.

B. Fire alarms and burglar/intrusion alarms shall be monitored for a fee of ~~fifty dollars~~ as set forth in the annual fee schedule adopted by the City Council a month for each station.

9.03.020 - False alarms fee.

A charge of ~~one hundred dollars~~ an amount as set forth in the annual fee schedule adopted by the City Council shall be made to the occupant of any dwelling or owner of any commercial building or other structure for every response to a false alarm in excess of two per calendar quarter for any residence, building, structure, or lot.

5.08.110 - City issued chauffeur's permit.

A. No person shall drive a taxicab or motor bus, and no person shall permit any person to drive any such vehicle within the city, unless such driver shall first have obtained a city issued chauffeur's permit as defined under the provisions of this chapter.

B. Each applicant for a chauffeur's permit shall comply with the following conditions prior to the issuance of such a license:

1. The applicant must possess a valid motor vehicle driver's license issued by the state of Alaska;
2. The applicant must furnish proof that he/she is eighteen years of age or older;
3. Each applicant shall fill out a form for a chauffeur's permit provided by the city. This sworn statement will be kept on file by the chief of police and may be inspected at any reasonable time by an interested party;

Exemplar of KMC sections to be amended by Ordinance 24-01 [non-exclusive]

4. Each applicant for a chauffeur's permit shall file a full set of his/her fingerprints with the chief of police, together with two photographs of himself /herself taken within thirty days prior to the date of the application, and one of such photographs shall be filed by the chief of police with the application as provided in subsection (B)(3) of this section, and the other shall be affixed to any chauffeur's permit issued by the city to the applicant;

5. Each applicant for a chauffeur's permit as defined in Section 5.08.005 shall at the time of making his/her application or at such time as may be designated by the chief of police, undergo an examination by the chief of police, or by his/her designee, concerning the traffic laws of the state of Alaska, rules of the road, the operation of motor vehicles and the geography of the city, including the location of streets and well-known buildings. Such examination may be oral or in writing, or partly oral or partly in writing, as the chief of police may designate. The applicant may, likewise, at the discretion of the chief of police, be required to undergo an actual road test to determine his/her driving ability, and to demonstrate his/her skill and ability to safely handle a motor vehicle, such test to be given under the supervision of the chief of police or his/her designee;

6. The applicant shall deposit a fee of ~~ten dollars~~ as set forth in the annual fee schedule adopted by the City Council with the city clerk.

4.06.040 - Penalty.

A. Persons found in violation for the first time shall be provided a one-time, written warning with conditions in lieu of a citation. The warning shall be conditioned on such person attending and successfully completing an alcohol education program approved by the city. All costs and expenses for such alcohol education program shall be paid by the person committing the violation. Failure to timely complete the city-approved, alcohol education program shall result in the issuance of a citation. Successful and timely completion of the alcohol education program shall result in no further enforcement of the violation giving rise to the warning. Successful and timely completion shall be done within ninety days of the warning.

B. Any person violating the provisions of this section shall pay a fine of ~~one hundred fifty dollars~~ as set forth in the annual fee schedule adopted by the City Council for the first offense. A second violation will be assessed a fine of ~~three hundred dollars~~ as set forth in the annual fee schedule adopted by the City Council and result in suspension of the person's permit, if any, issued pursuant to Chapter 4.02 and/or Chapter 4.03 for a period of six months and payment of ~~a two hundred dollar~~ of an administrative fee as set forth in the annual fee schedule adopted by the City Council before a permit is reissued. A third violation will be assessed a fine of ~~five hundred dollars~~ as set forth in the annual fee schedule adopted by the City Council and result in a five-year revocation of the person's permit, if any, issued pursuant to Chapter 4.02 and/or Chapter 4.03 and payment of ~~a three hundred dollar~~ of an administrative fee as set forth in the annual fee schedule adopted by the City Council before a new permit is issued. These fines and administrative fees are separate and apart from any fines and fees set out in Chapter 4.02 and/or Chapter 4.03 and the regulations adopted pursuant thereto.

Exemplar of KMC sections to be amended by Ordinance 24-01 [non-exclusive]

10.13.020 - Penalties.

A. Vehicles remaining within a limited parking zone beyond the specified limitation shall constitute a violation. Owners of vehicles left in a limited parking zone beyond the parking limit may be cited and fined **as set forth in the annual fee schedule adopted by the City Council** ~~up to twenty-five dollars~~ per violation. This section shall apply whether or not the owner was responsible for parking the vehicle.

B. Vehicles parked in violation of this section shall be subject to impoundment as provided in Section 10.12.010 et seq.

10.22.050 - Fines.

A. Any minor and/or the minor's parent or guardian cited for a violation of KMC Section 10.22.010 is guilty of an infraction and is punishable by a fine of:

1. **As set forth in the annual fee schedule adopted by the City Council** ~~Twenty-five dollars~~ for a first offense;
2. **As set forth in the annual fee schedule adopted by the City Council** ~~Fifty dollars~~ for a second offense;
3. **As set forth in the annual fee schedule adopted by the City Council** ~~Seventy-five dollars~~ for a third offense;
4. **As set forth in the annual fee schedule adopted by the City Council** ~~One hundred dollars~~ for a fourth offense, and each one thereafter.

**KMC
Citations
from
City Manager
for
Ordinance
24-01**

3.20.170 Sales tax licensing.

- A. No person may engage in any retail sales transaction as a seller within the city without first procuring an annual sales tax license from the city finance department. A new business shall apply for a sales tax license not later than ten days after the date of commencing business or opening additional places of business. Existing businesses which have sales tax licenses shall apply for renewal of their sales tax licenses by June 30th of each year.
- B. An application for a sales tax license shall include the name of the applicant; the mailing, residential, and business addresses of the applicant; certification by the applicant that he or she has not had any business license or tax license suspended or revoked within six months prior to the date of the application; proof of compliance with all applicable state and federal licensing and registration requirements; and such other information as the finance director may deem reasonably necessary for the proper administration of this chapter. The information contained in the application shall be submitted under oath or affirmation of the applicant.
- C. No sales tax license shall be issued to or renewed for a person who is required to have a state business license registration or permit, until that applicant submits evidence (1) that he or she has in his or her possession, or has applied for, the state business license, registration or permit; and, (2) that all license, registration and permit fees have been paid current. A licensee, registrant or permittee whose fee falls due annually shall have thirty days after the due date in which to submit proof that the state license, registration or permit has been obtained. No sales tax license may be issued to or renewed for a person owing a judgment, delinquent taxes or a utility bill to the city, except by terms and conditions established in each such case by the finance director, with approval of the city manager.
- D. There shall be a fee **as set forth in the annual fee schedule adopted by the City Council**, ~~of fifty dollars~~ with the original application for the sales tax license. The license shall be renewed annually upon payment of a fee **as set forth in the annual fee schedule adopted by the City Council** ~~of fifty dollars~~ and completion of a renewal form, as provided by the finance director. The sales tax license shall be non-transferable and non-assignable and must be surrendered to the finance director by the holder of the sales tax license when the business ceases to do business at the location named therein. If the business is continued at the same location but there is a change in its form of organization, such as from a single proprietorship to a partnership or a corporation, the admission or withdrawal of a partner, or any other change, the seller making such change shall surrender his old city sales tax license to the city for cancellation. The successor seller is required to file a new application for a city sales tax license, and, upon receipt of a proper application properly executed, a new city sales tax license will issue to such successor seller. When there is a change of location for the seller's place of business, a new sales tax license is required, showing the new address.
- E. The business license of any seller will be suspended when such seller fails to pay delinquent taxes, penalties, administrative costs, and interest within thirty days after notice of delinquency is given or mailed, or if the seller has failed to comply with the seller education requirements of this chapter, provided such seller shall be afforded due process before license suspension. It is an ordinance violation for a seller to engage in sales without a current city business license or to engage in sales when such license is suspended. Each seller who obtains or should obtain a city business license in accordance with this chapter and this code consents to the inspections of his state business license tax returns and so much of his federal income tax returns as necessary in order to facilitate the accomplishment of the provisions and objectives of this chapter.
- F. The city sales tax license must be prominently displayed at the place of business of every seller. Any seller who has no regular place of business shall display such license on request.
- G. Before issuing, or re-issuing, a sales tax license to a seller, the city may require the applicant to post a bond, furnish a statement of net worth, or furnish additional security to insure the full and prompt payment of taxes to be collected under this chapter.

(Ord. 04-10 § 2 (part), 2004).

Exemplar of KMC sections to be amended by Ordinance 24-01 [non-exclusive]

3.40.080 License fee [Excise tax on cigarettes and tobacco products]

For each license issued under this chapter and for each renewal, the fee is as set forth in the annual fee schedule adopted by the City Council is ~~one hundred dollars per year~~, except for calendar year 2015, for which the fee is fifty dollars.

(Ord. No. 15-11 , § 1(Exh. A), 6-4-2015)

5.08.130 Renewal or cancellation of a chauffeur's permit.

- A. Chauffeur's permits must be renewed each year, and such renewed permits shall cover the period from January 1 to December 31. Such renewal of permits shall be granted upon payment of a fee **as set forth in the annual fee schedule adopted by the City Council of five dollars** and without further re-examination, unless provided as follows: the chief of police may require that any applicant for a renewal permit, as provided here, be re-examined upon any or all of the matter as set forth in Section 5.08.110 of this code prior to the issuance of a renewal permit.
- B. Should the holder of a chauffeur's permit fail to renew such permit for a period of one year after the expiration date of the previously issued permit, then such holder, in order thereafter to receive a chauffeur's permit, shall be re-examined as provided in Section 5.08.110 of this code, and pay the fee **as set forth in the annual fee schedule adopted by the City Council of ten dollars** as hereinabove provided.
- C. Any chauffeur's permit issued by the city may be revoked by the chief of police after a hearing held before the city manager and finding by such city manager that the applicant has:
 - 1. Made willful, false statement when applying for a chauffeur's permit;
 - 2. Been found to have been under the influence of drugs or intoxicating liquor while on duty as a driver or chauffeur of any taxicab or motor bus within the city; or
 - 3. Been convicted in any court in the state of Alaska for operating a motor vehicle while under the influence of intoxicating liquor or of reckless driving, or boot-legging while engaged in the operation of any taxicab or motor bus.
- D. Upon any revocation of a chauffeur's permit, the permittee shall not be entitled to apply for another chauffeur's permit for at least six months after the date of revocation and shall pay the same fee and undergo the same examination as a new applicant.

(Ord. 03-11 § 3 (part), 2003).

**KMC
Citations
from
Public Works Director
for
Ordinance
24-01**

12.12.030 Fee—Deposit [Excavations]

In addition to paying a fee as set forth in the annual fee schedule adopted by the City Council of ten dollars the applicant shall deposit with the city, in cash, certified check or other security acceptable to the director of public works, a sum equal to the contract plus fifteen percent, including excavation costs, costs of installing the underground utility line, backfilling, compaction of backfill, inspection and testing. Such sum shall be deposited to the city clerk and shall be held by the city until all work is accepted by the director of public works or his authorized representative; provided, however, that the city manager, on the recommendation in writing of the director of public works, may waive the requirement of security deposit for such persons, firms or corporations who have during the previous year promptly performed all the work required in Section 12.12.040 in a manner satisfactory to the director of public works.

(Prior code § 12.05.090(c)).

Exemplar of KMC sections to be amended by Ordinance 24-01 [non-exclusive]

12.20.070 Fees [Camping]

- A. Camping permit fees shall be as set forth in the annual fee schedule adopted by the City Council ~~one hundred dollars~~, except that senior citizens qualifying for tax exempt status under Section 3.20.050 shall be charged as set forth in the annual fee schedule adopted by the City Council. ~~fifty dollars~~.
- B. In the event the city is required to move personal property from the camping area the permit holder shall be charged for the actual costs incurred. If charges are not paid prior to the beginning of the next camping season, the permit holder will not be entitled to utilize the camping area.

(Ord. 96-13 § 1, 1996: Ord. 91-8 § 2, 1991: Ord. 90-8 § 3, 1990: Ord. 78-98 § 1 (part), 1978: prior code § 3.15.100).

Exemplar of KMC sections to be amended by Ordinance 24-01 [non-exclusive]

15.04.130 Violation—Penalty [Dangerous structures]

Any person who is the owner of, or is in possession of, or in responsible charge of any building or structure which is a fire hazard, a health hazard or a public nuisance within the city, and who knowingly suffers or permits any such building or structure to be or remain a fire hazard, a health hazard or a public nuisance shall, upon conviction thereof, be fined not to exceed **an amount as set forth in the annual fee schedule adopted by the City Council** ~~one hundred dollars~~ or imprisoned not to exceed ten days, or both fined and imprisoned, in the judgment of the court. Each day on which any violation is allowed to continue shall be considered a separate offense and is punishable as such.

(Prior code § 10.05.090).

Exemplar of KMC sections to be amended by Ordinance 24-01 [non-exclusive]

15.28.190 Violation—Penalties [Flood Plain Management]

- A. A person who violates any provision of this chapter is guilty of a misdemeanor and upon conviction is punishable by a fine of not more than **an amount as set forth in the annual fee schedule adopted by the City Council.** ~~five hundred dollars;~~
- B. 1. The city or any aggrieved person may bring a civil action to enjoin any violation of this chapter, and the violation of any term or condition of any entitlement approved under this chapter, and to obtain damages for any injury the plaintiff suffered as a result of the violation. In addition to injunctive relief, each violation shall be subject to a civil penalty not to exceed **an amount as set forth in the annual fee schedule adopted by the City Council.** ~~five hundred dollars.~~
2. An action for injunction under this section 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 Superior Court shall enjoin the violation.
- C. Each act or condition violation this chapter or any term or condition of any entitlement approved under this chapter and every day during which the act or condition occurs, shall constitute a separate violation under this section.

(Ord. 87-2 § 5 (part), 1987; Ord. 83-13 § 6.3, 1983).

Exemplar of KMC sections to be amended by Ordinance 24-01 [non-exclusive]

17.48.040 Building permit fees.

- A. The building permit fee shall be as shown in Table 3-A on page 16 of the Uniform Building Code, 1985 Edition, published by the International Conference of Building Officials (ICBO), 5360 South Workman Mill Road, Whittier, California 90601, subject to the following modifications:
1. That the first one hundred thousand dollars of value of any new construction project will be exempt from consideration;
 2. That the first fifty thousand dollars of value of any renovation, remodel, repair or restoration will be exempt from consideration; and
 3. That any project for which the full value is exempt under subsection A(1) or (2) of this section shall be subject only to a ~~ten dollar~~ application fee **as set forth in the annual fee schedule adopted by the City Council.**
- B. ~~At the time of application there shall accompany the application payment of sixty-five percent of the total building permit fee and this payment shall be known as the "plan review fee."~~
- C. ~~At the time of actual issuance of the building permit, payment shall be made of the remaining thirty-five percent of the building permit fee in addition to any required payments for utility charges or deposits.~~
- D. ~~Any applicant who desires to withdraw his application while it is in the plan review process may do so upon notification of the administrative official. Any refund of the plan review fee will be made by the administrative official based upon his determination of the percentage of the work completed of the plan review. The administrative official's decision shall be final.~~
- E. ~~Following issuance of a building permit, any applicant who decides to abandon the work for which the permit was intended prior to the start of work, may apply to the administrative official for refund of the thirty-five percent of the building permit fee, less a twenty-five dollar administrative charge.~~

[Note: sections B, C, D and E suspended by Ordinance 02-05]

(Ord. 85-11, 1986).