

**CITY AND BOROUGH OF SITKA**

**ORDINANCE NO. 2010-25**

**AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA AMENDING  
SITKA GENERAL CODE AT TITLE 8, CHAPTER 4, ENTITLED "ANIMAL  
PROTECTION AND CONTROL," REGARDING FEES AND FINES**

1. **CLASSIFICATION.** This ordinance is of a permanent nature and is intended to become a part of the Sitka General Code ("SGC").
2. **SEVERABILITY.** If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and application to any person or circumstance shall not be affected.
3. **PURPOSE.** The ordinance would amend certain sections of SGC 8.04 regarding fines and fees. The fees and fines have not been raised for eight years. The purpose of the amendments is to remove the fee and fine amounts from the code and replace it with language allowing these amounts to be determined administratively by the Chief of Police in consultation with the Animal Hearing Board. This will allow for greater flexibility in adjusting such fees and fines.
4. **ENACTMENT.** NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that SGC Chapter 8.04 is amended as set out below (new language underlined; deleted language stricken):

**Title 8  
ANIMALS**

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**Chapter 4  
ANIMAL PROTECTION AND CONTROL**

**8.04.020 Licensing.**

A. No person shall own, keep or bring any dog over six months old within one-quarter mile of the city and borough road system unless such dog is licensed as herein provided. Application for such license shall be made to the animal control officer and shall state the name and address of the owner and the name, breed, color, age and sex of the dog. The license fee shall be paid at the time of making application, a numbered receipt given to the applicant and a numbered metallic tag

for the dog shall be issued to the owner. No license or tag shall be issued unless it is shown by a veterinarian's statement, in writing, that the dog for which the license is sought has received an immunization for rabies which shall remain effective for the licensing period. Such proof may consist of, but shall not be limited to, a statement or receipt from a veterinarian showing such immunization and the period of protection.

B. The yearly license fees shall be determined by the Chief of Police in consultation with the Animal Hearing Board ~~ten dollars per year for each neutered male dog or spayed female dog over the age of six months, and twenty dollars for each unneutered male or unspayed female over the age of six months.~~

C. A commercial kennel owner may obtain a kennel license for fifty dollars yearly in lieu of individual licenses of the dogs provided all dogs owned or kept by the kennel have been vaccinated for rabies.

D. All licenses required by subsection A, B or C of this section shall be issued for a term of one year from the date of issuance. Licenses must be renewed during the month prior to their expiration.

E. No person shall use any dog license receipt or license tag issued for another dog unless legal transfer of the dog has been made.

F. The keeper of any potentially dangerous or dangerous dog must obtain a special license as required under Section 8.04.088.

#### **8.04.030 Tag and collar.**

A. Upon complying with the provisions of Section 8.04.020, there shall be issued to the owner a metallic tag stamped with the number and the year for which it is issued.

B. Every owner is required to see that the tag is securely fastened to the dog's collar or harness, which must be worn by the dog at all times while off the keeper's property.

C. In the event that a metallic license tag issued for a dog is lost, the owner may obtain a duplicate tag upon the payment of a fee determined by the Chief of Police in consultation with the Animal Hearing Board ~~five dollars.~~

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**8.04.060 Impoundment fees.**

The impoundment fee for picking up any dog shall be determined by the Chief of Police in consultation with the Animal Hearing Board ~~twenty dollars plus five dollars per day for each day or partial day the dog is kept by the municipality or its agent.~~ The impoundment fees for cats shall be determined by the Chief of Police in consultation with the Animal Hearing Board ~~ten dollars plus three dollars per day for each day or partial day the cat is kept.~~

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**8.04.210 Penalties.**

A. The maximum penalty for violation of the provisions of this chapter is five hundred dollars. Standard penalties shall be determined by the Chief of Police in consultation with the Animal Hearing Board, ~~as follows:~~

~~1. Animals running at large and objectionable animals, as defined by subsections A, C, D, and E of Section 8.04.080, and tag and collar as defined by Section 8.04.030:~~

- ~~a. Ten dollars for the first offense;~~
- ~~b. Fifty dollars for second offense;~~
- ~~c. One hundred dollars for third offense;~~
- ~~d. Two hundred dollars for fourth offense.~~

~~2. Violations of the sanitary disposal requirements, Section 8.04.092:~~

- ~~a. Ten dollars for the first offense;~~
- ~~b. For each subsequent offense, the fine shall be increased twenty dollars.~~

~~3. For all other violations of this chapter the penalties shall be:~~

- ~~a. Twenty-five dollars for first offense;~~
- ~~b. One hundred dollars for second offense;~~
- ~~c. Two hundred dollars for third offense.~~

B. The court shall have the power to review all actions under this chapter and to fashion remedies in accordance with it.

C. For purposes of this section, prior offenses must be within the previous five years and shall be charged to the keeper and not a particular animal.

5. **EFFECTIVE DATE.** This ordinance becomes effective thirty days after the date of its passage and shall apply to all animal protection and control fines and fees that occur after the effective date.

PASSED, APPROVED, AND ADOPTED by the Assembly of the City and Borough of Sitka, Alaska this 14th day of September, 2010.

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Jack Ozment, Deputy Mayor

**ATTEST:**

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Colleen Ingman, MMC  
Municipal Clerk