

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2012-42

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA AMENDING SITKA GENERAL CODE AT SECTION 23.30.020 ENTITLED "CONDITIONS FOR USE OF PARK AND RECREATION FACILITIES" TO PROHIBIT NON-SERVICE DOGS FROM BEING INSIDE THE FENCED MOLLER PARK BALL FIELD AND SUBJECTING THE OWNER OF SUCH A DOG TO A FINE

1. **CLASSIFICATION.** This ordinance is of a permanent nature and is intended to become a part of the Sitka General Code.

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.** This ordinance amends SGC 23.30.020 entitled "Conditions for use of parks and recreation facilities" by adding subsection G to prohibit non-service dogs from entering into the fenced Moller Park ball field. Moller Park ball field will be posted with signs about the ban regarding non-service dogs and the fine.

The purpose of this ordinance is to address problems with dogs defecating on the newly constructed and fenced Moller Park ball field that can be easily damaged. The goal is to prolong the life of the artificial turf and minimize costs that would be necessary to repair the field with damage caused by dogs (i.e., defecating, digging holes, etc.).

This ordinance subjects any owner of a non-service dog that is inside the Moller Park ball field fenced area to a fine of \$300. This fine is in addition to any other fine imposed for violating other SGC provisions, such as failing to clean up after an animal defecates or a dog being off-leash, as well as in addition to other charges, such as impound fees. This penalty is being imposed to induce dog owners to exercise better control over their animal, and protect Moller Park ball field that is particularly subject to damage from defecating animals.

4. **ENACTMENT, NOW, THEREFORE, BE IT ENACTED** by the Assembly of the City and Borough of Sitka that SGC 23.30.020 is amended to read as follows (new language underlined; deleted language stricken):

23.30.020 Conditions for use of park and recreation facilities.

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G. Notwithstanding any other provisions of this section, no dog is allowed inside the Moller Park ball field fenced area, except service dogs with the dog owner, with service dog as defined by SGC 8.04.180 or state and federal laws. Moller Park ball field will be posted with signs regarding the ban on non-service dogs and the fine.

The dog owner shall be fined three hundred dollars (\$300.00), in addition to any other applicable fine or other charges for violating any other code provisions, including for defecation or off-leash, of any non-service dog on this ball field.


5. EFFECTIVE DATE. This ordinance shall become effective within 30 days after passage by the Assembly of the City and Borough of Sitka.

PASSED, APPROVED, AND ADOPTED by the Assembly of the City and Borough of Sitka, Alaska this 11th day of December, 2012.



Mim McConnell, Mayor

ATTEST:


Sara Peterson, CMC
Acting Municipal Clerk