

An Ordinance of the Haines Borough amending Haines Borough Code Title 8 to Extend the Prohibition on Littering Borough-wide.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is of a general and permanent nature and the adopted amendment shall become a part of the Haines Borough Code.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance is effective upon adoption.

Section 4. Amendment of Chapter 8.08.020: Chapter 8.08.020 of the Haines Borough Code of Ordinances is amended to read as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
~~STRIKETHROUGH~~ ITEMS ARE DELETED

8.08.020 Litter unlawful.

It is unlawful for any person to do any of the following within the ~~townsite-service-area~~ **Haines Borough**:

- A. Cause or allow litter to be collected, deposited, or to remain in any place under the person's control, and/or possession, other than in an appropriate refuse container, designed for such purpose;
- B. Deposit litter in or upon any street, sidewalk, or other public place except in a public refuse container, authorized private trash receptacle, or in a disposal area designated by the borough;
- C. Sweep or deposit into any gutter, street, or other public place the accumulation of litter from any residence, building, lot, public or private sidewalk, or driveway. Persons owning or occupying property shall keep the sidewalk in front of their premises free of litter;
- D. Drive or move any vehicle that is carelessly loaded or not constructed to prevent its load from falling upon any street, alley, or public place;
- E. Deposit any litter on private property, whether owned by the person or not;
- F. Possess or control private property that is not maintained in a litter-free condition;
- G. Place, post, or deposit any handbill, poster, or other device calculated to attract the public unless permitted under HBC Title 18;
- H. Deposit litter in a lake, river, stream, or other body of fresh or salt water; ~~within or adjacent to the townsite-service-area~~;
- I. Deposit litter generated in a person's household, property, or business in a refuse container not owned, leased, designated, or otherwise intended to be used by that person. This prohibition does not include the deposit of incidental amounts of litter or refuse in refuse containers designated for public use in parks, campgrounds, and other such facilities by users of that public facility;
- J. Deposit litter that may be offensive, noxious, or otherwise dangerous to the public health or safety on any public or private property, alley, street, or other roadway within the ~~townsite-service-area~~ **Haines Borough**.

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Section 5. Amendment of Chapter 8.08.030: Chapter 8.08.030 of the Haines Borough Code of Ordinances is amended to read as follows:

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~~STRIKETHROUGH~~ ITEMS ARE DELETED

8.08.030 Notice to abate – Removal by borough.

A. The abatement official is authorized to notify the responsible party of a violation of HBC 8.08.020 and to require the correction or abatement of the violation by said party. The notice shall specify the violation and required abatement or corrective action and shall be given by certified mail, addressed to the responsible party at the party's reasonably ascertainable last known address. As circumstance may warrant, ~~the chief of police is authorized to issue~~ a citation **may be issued** for a violation pursuant to HBC 1.24.010.

B. Upon the failure, neglect, or refusal of the party so notified to take the required responsive action within 10 days of receipt of the notice, or upon return of the notice if, though properly addressed, it is returned as undeliverable, the abatement official may take such action as the official deems necessary to correct or abate the violation.

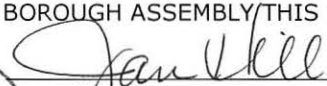
C. The cost of such action taken by the abatement official under subsection (B) of this section, including process fees and incidental administrative costs, shall be charged to the responsible party and shall be due and payable within 30 days of the completion of the action, with interest accruing at a rate of 12 percent per year, until paid in full.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS 10th DAY OF JULY, 2018.

ATTEST:


Alekka Fullerton, Borough Clerk




Jan Hill, Mayor

Date Introduced: 06/12/18
Date of First Public Hearing: 06/26/18
Date of Second Public Hearing: 07/10/18