

Code Ordinance

By: Office of the City Clerk
Introduced: April 27, 2020
Public Hearing: May 11, 2020
Amended: May 11, 2020
Adopted: May 11, 2020
Yes: Graham, Harvey, Ledford, Velock
No: Burney
Absent: Dryden

**City of Wasilla
Ordinance Serial No. 20-22(AM)**

An Ordinance Of The Wasilla City Council Amending Wasilla Municipal Code Section 1.20.030, Disposition of Scheduled Offenses – Fine Schedule And Amending Section 7.32.040, Civil Penalty And Statutory Injunction.

Section 1. Classification. This ordinance is of a general and permanent nature and shall become part of the city code.

Section 2. Amendment of subsection. WMC 1.20.030(C), Disposition of scheduled offenses – Fine schedule, is hereby amended to read as follows:

CODE SECTION	DESCRIPTION OF OFFENSE	FINE
WMC 5.16.190(A)(1)– (A)(10)	Sales Tax Violations	\$250
<u>WMC 5.16.190(A)(1)</u>	<u>A buyer failing to pay sales tax to a seller</u>	<u>\$550</u>
<u>WMC 5.16.190(A)(2)</u>	<u>A Seller failing to collect sales tax from a buyer.</u>	<u>\$500</u>
<u>WMC 5.16.190(A)(3)</u>	<u>A seller failing to file a sales tax return.</u>	<u>\$50</u>
<u>WMC 5.16.190(A)(4)</u>	<u>A seller failing to remit sales tax collected on sales.</u>	<u>\$500</u>
<u>WMC 5.16.190(A)(5)</u>	<u>A buyer or seller knowingly submitting false information in a document filed with the city.</u>	<u>\$500</u>
<u>WMC 5.16.190(A)(6)</u>	<u>A seller falsifying or concealing information related to its business activities in the city for the purpose of avoiding payment of sales tax.</u>	<u>\$500</u>
<u>WMC 5.16.190(A)(7)</u>	<u>A seller failing to permit the city to inspect records of the seller.</u>	<u>\$500</u>
<u>WMC 5.16.190(A)(8)</u>	<u>A seller failing to maintain records.</u>	<u>\$500</u>

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<u>WMC 5.16.190(A)(9)</u>	<u>A buyer giving false information when applying for a certificate of exemption or using a certificate of exemption in a transaction that was not exempt.</u>	<u>\$500</u>
<u>WMC 5.16.190(A)(10)</u>	<u>A seller failing to notify a transferee of the seller's business of the transferee's withholding obligation or the transferee failing to withhold the amount required under WMC 5.16.130(C).</u>	<u>\$500</u>
<u>WMC 5.16.190(A)(11)</u>	<u>An officer, member, manager, partner or owner causing or permitting a business to commit a violation of WMC(A)(1)-(A)(10)</u>	<u>\$500</u>
WMC 6.04.015	Business License Required	\$250
WMC 6.04.085	Business License Violations	\$250
WMC 6.08.020	Permit Required for Public Vending	\$100
WMC 6.08.030	Single Location Vendor Permit	\$100
WMC 6.08.040	Mobile Vendor Permit	\$100
WMC 6.08.050	Short-Term Vendor Permit	\$100
WMC 6.08.060	Application for Vendor Permit	\$100
WMC 6.08.070	Permit Conditions for Vendors	\$100
WMC 6.08.080	Operating Requirements for Vendors	\$100
WMC 6.08.090	Revocation or Suspension of Vendor Permit	\$100
WMC 6.20.030 – 6.20.080	Taxicab Violations	\$100
WMC 8.04.030	Sale of Fireworks <u>Prohibited</u>	\$100
WMC 8.04.040	Use of Fireworks <u>Prohibited</u>	\$100
WMC 8.08.010	Refuse Enclosure Required	\$100
WMC 8.08.020	Refuse Unauthorized Use	\$100
WMC 8.08.030	Refuse Collection and Transportation	\$100
WMC 8.08.040	Litter Unlawful	\$100
WMC 8.12.060	<u>Public</u> Nuisance	\$300
WMC 8.16.030	Failure to Properly Dispose of Animal Solid Waste – 1st Offense	Warning

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WMC 8.16.030	Failure to Properly Dispose of Animal Solid Waste – 2nd Offense	\$100
WMC 9.04.020	Lewd Conduct	\$200
WMC 9.08.025	Petty Theft in the First Degree	\$300
WMC 9.08.035	Petty Theft in the Second Degree	\$100
WMC 9.12.010	<u>Unlawful</u> Discharge of Firearm	\$300
WMC 9.12.030	Concealed Weapons	\$300
WMC 9.16.020	Curfew for Minors Age 17 or Less – 1st Offense	Warning
WMC 9.16.020	Curfew for Minors Age 17 or Less – 2nd Offense or More	\$100
WMC 9.20.010	Trespassing	\$100
WMC 9.24.020	Vandalism per Violation	\$300
WMC 9.24.030	Vandalism – Parent Civil Liability	\$300
WMC 9.28.030	Prohibition of Illicit Synthetic Drugs	\$500
WMC 9.28.040	Sale of Certain Products for Human Consumption Prohibited	\$500
WMC 9.32.020 – 9.32.030	Panhandling – 1st Offense	Warning
WMC 9.32.020 – 9.32.030	Panhandling – 2nd Offense	\$100 or eight hours of community service
WMC 9.32.020 – 9.32.030	Panhandling – 3rd and Subsequent Offenses	\$200 or 16 hours of community service
WMC 9.36.020 – 9.36.060	Excessive Police Responses	\$500
WMC 9.40.030(A)	Marijuana Manufacture – For Sale or Commercial Use	\$750
WMC 9.40.030(B)	Marijuana Manufacture – Using Volatile or Explosive Gas	\$750
WMC 9.40.040	Marijuana Transport	\$750
WMC 9.40.050	Marijuana Use	\$100
WMC 9.40.060	Marijuana Clubs Prohibited	\$1,000

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WMC 9.40.062	Retail Marijuana Stores Prohibited	\$1,000
WMC 9.40.064	Marijuana Cultivation Facilities Prohibited	\$1,000
WMC 9.44.030	Distribution of Single-Use Plastic Disposable Shopping Bag – 1st Offense	Warning
WMC 9.44.030	Distribution of Single-Use Plastic Disposable Shopping Bag – 2nd Offense	\$100
WMC 9.44.030	Distribution of Single-Use Plastic Disposable Shopping Bag – 3rd Offense	\$300
WMC 10.08.020	Obstruction of Right-of-Way	\$50
WMC 10.08.030	Unlawful Use of Two-Way Left Turn Lane	\$100
WMC 10.12.020	Prohibited Operation of Off-Road Vehicles	\$50
WMC 10.12.030	Operation of Off-Road Vehicle by a Minor	\$100
WMC 10.12.040	Operation of Off-Road Vehicle Without Helmet	\$100
WMC 10.12.050	Off-Road Vehicles – Parent Responsibility	\$100
WMC 10.12.060 <u>(A)(1)</u>	Speeding of Off-Road Vehicle <u>in parking lot, business area, or near Pedestrian Traffic</u>	\$100
<u>WMC 10.12.060(A)(2)</u>	<u>Speeding of Off-Road Vehicle in City Rights-of-Way</u>	<u>\$100</u>
WMC 10.12.080	Off-Road Vehicle Equipment <u>Violation</u>	\$100
WMC 10.12.090	Off-Road Vehicle Towing	\$100
WMC 10.20.010 <u>(C)</u>	Stopping, Standing or Parking Where Prohibited	\$50
WMC 10.20.020	Parking to Display Vehicle for Sale	\$50
WMC 10.20.030 <u>(C)</u>	Stopping, Standing or Parking at Prohibited Time	\$50
WMC 10.20.040 <u>(B)</u>	Stopping, Standing or Parking Beyond Time Limit	\$50
WMC 10.20.050(B)	Unauthorized Use of Parking Reserved for Persons with Disabilities – 1st Offense	\$125
WMC 10.20.050(B)	Unauthorized Use of Parking Reserved for Persons with Disabilities – 2nd Offense	\$250
WMC 10.20.050(C)	Unauthorized Use of Parking Reserved for Persons with Disabilities, Use of Permit or Plate – 1st Offense	\$250
WMC 10.20.050(C)	Unauthorized Use of Parking Reserved for Persons with Disabilities, Use of Permit or Plate – 2nd Offense	\$500

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WMC 12.08.090	Posting of Assigned Street Addresses	\$50*
WMC 12.12.030	Driveway Permits	\$250
WMC 12.16.040	Recovered Sign Fee	\$10
WMC 12.20.020	<u>Limitation of</u> Motorized Uses on Lakes	\$100
WMC 12.20.030	Prohibition of Motorized Uses on Lakes	\$100
WMC 12.24.025	Violation of Park Rules	\$250
WMC 12.24.030	Park Use Permits	\$250
WMC 12.28.020	Skate Devices – 1st Offense; device may be confiscated for 10 days	Warning
WMC 12.28.020	Skate Devices – 2nd Offense; device may be confiscated for 30 days	\$50
WMC 12.28.020	Skate Devices – 3rd Offense; device may be permanently confiscated	\$100
WMC 13.08.020	Sewage Disposal	\$300
WMC 13.08.030	Use of Public Sewer Required	\$300
WMC 13.08.050	Sewer Connection Permits	\$300
WMC 13.08.110	Control of Wastewater	\$300
WMC 13.08.120	Prohibitions Sewer and Wastewater	\$300
WMC 13.12.030	Wastewater Pretreatment Violations	\$300
WMC 13.12.050	Excessive or Accidental Discharges	\$300
WMC 13.20.060	Airport Violations	\$300
WMC 13.20.200(D)(3)	Airport Fees and Charges	\$300
WMC 13.20.270	Airport Animal Violations	\$300

Section 3. Amendment of section. WMC 7.32.040, Civil penalty and statutory injunction, is hereby amended to read as follows:

7.20.060(C) <u>7.20.025(B)(4)(c)</u>	Owning a Level 5 classification animal	\$300.00
7.20.070	Failure to notify of running at large classified animal	

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	First offense	\$100.00
	Second offense, same person (within 12 months)	\$200.00
	Third offense, same person (within 12 months)	\$300.00

Section 4. Effective Date. This ordinance shall take effect upon adoption.

ADOPTED by the Wasilla City Council on May 11, 2020.


 Bert L. Cottle, Mayor

ATTEST:


 Jamie Newman, MMC, City Clerk

[SEAL]

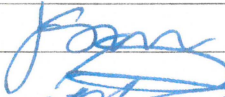

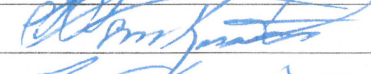
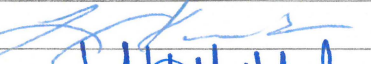
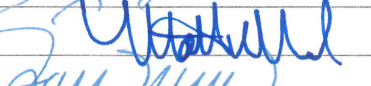


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**City of Wasilla
Legislative Staff Report
Ordinance Serial No. 20-22
(Code Ordinance)**

Amending Wasilla Municipal Code Section 1.20.030, Disposition of Scheduled Offenses – Fine Schedule And Amending Section 7.32.040, Civil Penalty And Statutory Injunction.

Originator: Jamie Newman, City Clerk
Date: 4/15/2020

Agenda of: 4/27/2020

Route to:	Department Head	Signature	Date
X	Chief of Police		4/15/20
X	Public Works Director		4/16/20
X	Finance Director		4-14-20
X	Deputy Administrator		4/16/2020
X	City Attorney		4-17-20
X	City Clerk		4/15/2020
X	Mayor		4/16/2020

Fiscal Impact: yes or no

Attachments: Ordinance Serial No. 20-22 (6 pages)

Summary Statement: Ordinance Serial No. 20-22 seeks to update the fine schedule as follows:

- Removes fees because fees are not collected by the court system (Example: WMC 12.16.040, Recovered Sign Fee).
- Removes references to code sections that have been repealed (Example: WMC 10.12.090, Off-Road Vehicle Towing).
- Separates and increases sales tax violations to confirm with the remote sellers sales tax code. (The court recommends separating offenses that describe different conduct constituting an offense.) (Example: Sales Tax Violations).
- Updates the description of offenses to mirror corresponding code sections (Example: WMC 8.12.060).

Proposed Action: Introduce and set the Ordinance for public hearing.