Chapter 1.16 General Penalty

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1.16.010 General penalty. Every act and violation of this Code is declared unlawful. Unless another penalty is expressly provided by this Code for any particular provision or section, every person convicted of a violation of any provision of this Code or any rule or regulation adopted or issued in pursuance thereof shall be punished by a fine of not more than three hundred dollars. Every act of violation and every day upon which such violation shall occur shall constitute a separate offense. (Ord. 90-1 Section 1, 1990; Ord. 88-14 Section 4, 1988; Ord. 78-1 Sections 1 and 2, 1978; prior code Section 1-100.7).

1.16.020 Civil remedies. The city may institute a civil action against a person who violates any provision of this Code or any rule or regulation adopted or issued in pursuance thereof. In addition to injunctive and compensatory relief, a civil penalty not to exceed one thousand dollars may be imposed for each violation. An action to enjoin a violation may be brought notwithstanding the availability of any other remedy. On application for injunctive relief and a finding of a violation or threatened violation, the Superior Court shall grant the injunction. Each day that a violation continues constitutes a separate violation. (Ord. 90-1 Section 2, 1990).

1.16.030 Surcharge. In addition to any fine or other penalty prescribed by law, a defendant who pleads guilty or nolo contendere to, forfeits bail for, or is convicted of violating this Code or any rule or regulation adopted or issued in pursuance thereof shall be assessed a surcharge in the amount, if any, prescribed by AS 12.55.039. The surcharge shall be collected as provided in AS 12.55.039 and AS 29.25.075. The failure to pay the surcharge is punishable as contempt of court as provided in AS 12.55.039. (Ord 98-22, 1998).

1.16.040 Disposition of Scheduled Offenses—Fine Schedule.
(a) A person cited for an offense for which a fine is established in subsection (c) of this section may mail or personally deliver to the Finance Director the amount of the fine indicated on the citation for the offense plus any surcharge required to be imposed by AS 29.25.074, together with a copy of the citation signed by the person indicating the person’s waiver of court appearance, entry of plea of no contest, and forfeiture of the fine. A citation for a scheduled offense may be mailed or personally delivered within fifteen (15) days after the date of the citation. The payment of a fine under this subsection shall be treated as a judgment of conviction. The fine paid is complete satisfaction for the offense.
(b) If a person cited for an offense for which a fine amount is established in subsection (c) of this section appears in court to contest the citation and is found guilty, the maximum sentence which may be imposed is the scheduled fine amount plus any surcharge required to be imposed by AS 29.25.074.
(c) The following violations of this code are amenable to disposition without court appearance upon payment of a fine in the amount listed below. (Ord. 12-24(a) §1, 2012).

CODE SECTION DESCRIPTION OF OFFENSE FINE
HCC 19.20.020 General rules $300
HCC 19.20.030 Park closure $150

[1] For statutory provisions authorizing municipalities to prescribe penalties for violation of ordinances, see AS 29.35.010(7); for provisions limiting maximum penalties, see AS 29.25.070.
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