

43 “At large” means that an animal is off the property of its owner, **and not physically**
44 **unrestrained by leash or chain**, and not under the direct control of a competent person.

45 Section 2. Homer City Code Chapter 20.08.010, entitled “Animals at large” is hereby
46 amended as follows:

47 a. No person may cause or permit an animal to be at large in a public street or alley, or on other
48 public property, **this includes such as city parks, campgrounds, parking lots, or designated**
49 **protected wildlife habitat** or on private property without the property owner’s consent.

50 Section 3. Homer City Code Chapter 20.08.040 entitled “Nuisance animals” is hereby
51 amended as follows:

52 20.08.040 Nuisance animals.

53 a. No person may cause or permit an animal that the person owns or controls to:

54 1. Annoy another person by interfering with the latter’s sleep, work or reasonable right to
55 peace and privacy by making repeated or continued noise;

56 2. Defecate, dig upon or injure private property owned by another person or a public street,
57 ~~or~~ alley, **park, campground, parking lot, designated protected wildlife habitat** or other
58 public property;

59 3. Frequently or habitually growl, snap at, jump upon or otherwise menace, injure or
60 frighten another person who is not trespassing ~~or otherwise violating the law~~; or

61 4. Chase, harass, or otherwise disturb or injure wildlife.

62 b. The Animal Control Officer or a peace officer may impound an animal that is engaging in
63 behavior described in subsection (a) of this section. A person, **in accordance with HCC**
64 **20.04.020** may restrain an animal from continuing to engage in behavior described in
65 subsection (a)(4) of this section, and shall promptly surrender any animal so restrained to the
66 Animal Control Officer for impoundment.

67 **c. A violation of subsection (a) of this section for the first conviction shall be punishable**
68 **by a fine of not less than \$50.**

69 ~~e.~~ **d.** A violation of subsection (a) of this section with three or more prior convictions shall be
70 punishable by a fine of not less than \$300.00 nor more than \$500.00, and the unsuspended
71 portion of the fine shall not be less than \$100.00. [Ord. 16-38(S)(A) § 4, 2016].

72 Section 4. Homer City Code Chapter 20.32.040 entitled “Fine schedule” is hereby
73 amended as follows:

74 20.32.020 Fine schedule.

75 Citations for offenses listed in this section may be disposed of as provided in AS 12.25.195
76 through 12.25.230, without a court appearance, upon payment of the fine amounts listed

77 below plus the State surcharge required by AS 12.55.039 and 29.25.074. Fines must be paid to
 78 the court. The Rules of Minor Offense Procedure in the Alaska Rules of Court apply to all
 79 offenses listed below. Citations charging these offenses must meet the requirements of Minor
 80 Offense Rule 3. If a person charged with one of these offenses appears in court and is found
 81 guilty, the penalty imposed for the offense may not exceed the scheduled fine amount plus any
 82 surcharge required to be imposed by AS 12.55.039 and 29.25.074. If an offense in this title is not
 83 listed in the fine schedule, the defendant must appear in court to answer the charges.

Code Section	Code Section Title	Fine per Day
HCC 20.08.010(a)	Animal at large	No prior First conviction \$50; One prior conviction \$100; Two prior convictions \$200
HCC 20.08.010(b)	Unauthorized release of animal from restraint	No prior conviction \$50; One prior conviction \$100; Two prior convictions \$200
HCC 20.08.030	Animals on harbor floats	\$25
HCC 20.08.040(a)	Nuisance animals	No prior First conviction \$50; One prior conviction \$100; Two prior convictions \$200
HCC 20.08.070	Female animals in heat	\$100
HCC 20.08.080	Abandonment of animals	\$100
HCC 20.08.090	Maintenance and sanitation	\$100
HCC 20.12.010	License required – Issuance	\$50
HCC 20.12.020	License tag to be worn and displayed	\$50
HCC 20.24.060	Furnishing false information	\$200
HCC 20.28.020	Kennel license – Required	\$100

84
 85 Section 5. This ordinance is of a permanent and general character and shall be
 86 included in city code.

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 88 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this _____th day of November,
 89 2022.

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CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

YES:

NO:

ABSENT:

ABSTAIN:

Introduction:

Public Hearing:

Second Reading:

Effective Date: