

CITY OF DILLINGHAM, ALASKA

ORDINANCE NO. 2015-07 (SUB-1)

AN ORDINANCE OF THE DILLINGHAM CITY COUNCIL AMENDING TITLE 8, HEALTH AND SAFETY, OF THE DILLINGHAM MUNICIPAL CODE TO PROHIBIT IMPROPER DEPOSIT OF FISH WASTE

WHEREAS, the City has experienced problems with people dumping fish waste on public beaches that was harvested from a sport or subsistence fishery;

WHEREAS, this practice could result in encounters or confrontations with an animal, sufficient to constitute a danger to the public;

WHEREAS, the Alaska Administrative Code 5AAC 92.230, Feeding of Game, considers it an offense to negligently leave waste in a manner that attracts animals, and carries a fine of \$300, but it does not address where the waste should be deposited;

WHEREAS, the City wishes to adopt an ordinance which would require that fish waste harvested from a sport or subsistence fishery must be discarded back in the current of the Nushagak or Wood River waters or deposited in a bear-proof receptacle;

WHEREAS, failure to comply to the proposed regulation would be considered an offense subject to a fine of ~~\$75~~ **\$300** for each offense;

BE IN ENACTED BY THE DILLINGHAM CITY COUNCIL:

Section 1. Classification. This is a code ordinance.

Section 2. Amendment of Section 8.04.020. Section 8.04.020 of the Dillingham Municipal Code is hereby amended as follows with new language underlined and **emboldened** and deleted language displayed as ~~strikethrough~~.

REFUSE COLLECTION AND DISPOSAL

Sections:

- 8.04.010 Authority and applicability.
- 8.04.020 Definitions.
- 8.04.030 Containers—Requirements.
- 8.04.040 Containers—Location.
- 8.04.050 Disposal requirements.
- 8.04.055** **Deposit of Fish Waste.**

(Items highlighted in gray shading are being introduced as SUB-1; new language is underlined and **emboldened** and deleted language displayed as ~~strikethrough~~.)

- 8.04.060 Collection and transportation requirements.
- 8.04.070 Collection intervals.
- 8.04.080 Specification—Collection vehicle bodies.
- 8.04.090 Provision of other services—Denied services list.
- 8.04.095 Violations—Penalties.
- 8.04.096 *Repealed.*
- 8.04.100 Fees.
- 8.04.110 Regulations.

8.04.020 Definitions.

The following definitions apply throughout this chapter:

“Fish waste” means the leftover parts of dead fish, including carcasses, heads, tails, and internal organs.

“Garbage” means all putrescible solid wastes, including vegetable matter, animal feces, and carcasses of small animals.

“Person” means any individual, firm, governmental unit, organization, partnership, corporation, company or other entity.

“Putrescible waste” means material that can decompose and cause obnoxious odors.

“Refuse” means any putrescible or nonputrescible solid waste, except human excreta.

“Rubbish” means nonputrescible solid wastes.

“Secured load” means a load of refuse which has been secured and covered in the vehicle in a manner that will prevent any part of the refuse from leaving the vehicle while the vehicle is moving. (Ord. 98-10 § 1 (part), 1998.)

Section 3. Amendment of Chapter 8.04. Chapter 8.04 of the Dillingham Municipal Code is hereby amended by the addition of a new section 8.04.055 to read as follows with new language underlined and **emboldened**.

8.04.055 Deposit of Fish Waste.

A. Fish waste may not be deposited in dumpsters or receptacles except in a manufactured certified bear-proof receptacle. Unless otherwise provided by law, a person who violates a provision of this section is strictly liable for the offense, regardless of that person’s intent.

B. Fish waste may be deposited into the current of the Nushagak or Wood River waters. This code provision specifically does not permit commercial fish processing operations to deposit fish waste into waters within the City of Dillingham without an applicable State or Federal permit.

C. Depositing fish waste harvested from a sport or subsistence fishery on public beaches is subject to a fine for each offense.

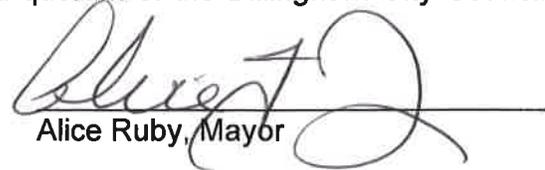
Section 4. Amendment to Title 1, Chapter 1.20, Section 1.20.040. That Dillingham Municipal Code 1.20.040 – Minor Offense Fine Schedule is hereby amended by the addition of new language to read as follows:

Code Section	Offense	Penalty/Fine
8.04.055	Improper Deposit of Fish Waste	300

Section 5. Effective Date. This ordinance is effective upon passage.

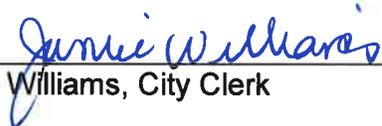
PASSED and ADOPTED by a duly constituted quorum of the Dillingham City Council on

May 14, 2015.


Alice Ruby, Mayor

ATTEST:

[SEAL]


Janice Williams, City Clerk

City of Dillingham Information Memorandum

Agenda of: May 14, 2015

Attachment to: 2015-07(SUB-1)

Ordinance No. _____ / Resolution No. _____

Subject:

An Ordinance of the Dillingham City Council Amending Title 8, Health and Safety, of the Dillingham Municipal Code to Prohibit Improper Deposit of Fish Waste

City Manager: Recommend Approval

Signature: Rose Loera

Route to	Department Head	Signature	Date
	Finance Director		
X	Dan Pasquariello	<i>[Signature]</i>	5-06-15
X	City Clerk	<i>[Signature]</i>	5/5/15

Fiscal Note: Yes No

Funds Available: Yes No

Other Attachments:

- An advertisement for a Public Hearing on Ordinance No. 2015-07 was placed in the April 30 edition of the Bristol Bay Times as required to be advertised in a local newspaper five days in advance of the public hearing. It was readvertised in the May 7 edition due to the Council meeting being rescheduled to May 14.

Summary Statement:

As noted in the preamble of Ordinance No. 2015-07, the City has experienced problems in the past with people disposing of their fish waste on the beaches. The State of Alaska considers it an offense to negligently leave waste in a manner that attracts animals, and carries a fine of \$300, but it does not address where the waste should be deposited. The City's proposed regulation would carry a fine of \$300 for not disposing the fish waste in the rivers nearby or a bear-proof receptacle. A City of Dillingham police officer would either write the state or the city's violation, but not both.

A review of the code was vetted through the Code Review Committee.



Ordinance No. 2015-07(SUB-1) / Resolution No. _____

Summary Statement continued:

HELP WANTED

Marruluit Enit ("Gramma's House") Administrator
Objective: Provide full management, operation and supervision of the Marruluit Enit assisted living center, responsible for the day-to-day administration of the program and financial operations: planning, development, implementation, evaluation and improvement of program services; management of staff and delivery of high quality services as determined by the residents and their families. The manager is responsible for ensuring operation of a program that is consistent with the philosophy of assisted living.
or an application, full job description and a list of qualifications, please contact Eileen Savo at the Bristol Bay Housing Authority at (907)842-5956. You may also call Kelly Lee at the Marruluit Enit Assisted Living Center inillingham at (907)842-4600.
Salary is D.O.E. and position is open until filled.

FOR SALE

006 - 21' Bouton Jet Boat. 350 engine Hamilton Jet. See www.alaskaboatbrokers.com for details 37,000.00 delivered to Bristol Bay. 907-516-0101

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PUBLIC NOTICE

Igiugig Village Council (IVC) hereby gives notice of its submittal of a draft license application to the Federal Energy Regulatory Commission (FERC) on April 1, 2015 for a 10-year pilot project license for IVC's Igiugig Hydrokinetic Project (Docket P-13511-001). The purpose of the Project is to demonstrate the potential for a new source of clean, locally produced, renewable electricity generated from water currents in the Kvichak River in Igiugig, Alaska, to displace high cost diesel generated power. IVC will use the Ocean Renewable Power Company RivGen® Power System. Issuance of the pilot project license will allow IVC to demonstrate that electricity can be generated from river currents and power can be transmitted directly to a remote community isolated power grid without adverse environmental effects. The project will be located in the Kvichak River at Igiugig.

The application may be accessed online at www.ferc.gov/docs-filing/elibrary.asp (Docket No. P-13511-001).



Job Opening at BBNC: Director of Land and Resources

BBNC is seeking applications for a Director of Land and Resources who will be responsible for implementing BBNC's land and resource policy and managing BBNC activities in compliance with those guidelines. Duties include serving as the liaison with land-owners and federal, state, regional and tribal organizations, and negotiating contracts with regional organizations.

Minimum Qualifications: Bachelor's degree and five years of relevant experience; a strong background in natural resources, Alaska Native law and BLM processes; and strong computer and public speaking skills.

The full job description and application can be found at www.bbnc.net. All qualified applicants should apply by **May 22, 2015**.

BBNC gives employment preference to shareholders, their spouses and descendants.



PUBLIC NOTICE Public Hearing on Ordinance Nos. 2015-04, 05, 06, 07

The City of Dillingham will hold a **Public Hearing on Thursday, May 7, 2015, at 7:00 P.M. in the City Council Chambers** for the purpose of taking comment from the public on the following ordinance:

- Ordinance No. 2015-04, An Ordinance of the Dillingham City Council Amending Dillingham Municipal Code Title 8 - Health and Welfare by the Addition of a New Chapter Providing Regulation of Marijuana in the City of Dillingham, Alaska
- Ordinance No. 2015-05, An Ordinance of the Dillingham City Council Amending Dillingham Municipal Code Chapter 6.10, Prohibition of Smoking in Public Places, Section 6.10.010 Definitions
- Ordinance No. 2015-06, An Ordinance of the Dillingham City Council Authorizing the Disposal of Municipal Property by Lease
- Ordinance No. 2015-07, An Ordinance of the Dillingham City Council Amending Title 8, Health and Safety, of the Dillingham Municipal Code to Prohibit Improper Deposit of Fish Waste

If you have any questions, please contact the City Clerk's office at 842-5212 or email cityclerk@dillinghamak.us.

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