

CITY OF GUSTAVUS, ALASKA

2008-16

TITLE 11

PUBLIC HEALTH & SAFETY

AN ORDINANCE OF THE CITY OF GUSTAVUS CREATING AND ADOPTING TITLE 11, PUBLIC SAFETY CHAPTER 11.01 SECTIONS - 11.01.010 THROUGH 11.01.050, OF THE MUNICIPALITY'S CODE OF ORDINANCE

BE IT ENACTED BY THE GUSTAVUS CITY COUNCIL AS FOLLOWS:

Section 1. Classification This ordinance is of general and permanent nature and shall become a part of the City of Gustavus Municipal Code.

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

Section 3. Enactment Now therefore, be it enacted by the Gustavus City Council that Title 11 Public Safety be created and adopted.

Section 4. Effective Date. Upon Adoption by the council this ordinance becomes effective July 10th, 2008.

TITLE 11.01

BIG GAME HUNTING WITHIN THE CITY OF GUSTAVUS

Sections:

| | |
|------------------|---------------------------|
| 11.01.010 | Purpose |
| 11.01.020 | Definitions |
| 11.01.030 | Regulations |
| 11.01.040 | Exceptions |
| 11.01.050 | Violation--Penalty |

Note:

Bolded and Italicized are additions made by amendment in the City Council General Meeting on 7-10-2008.

~~Strikethroughs~~ are deletions made by amendment in the City Council General Meeting on 7-10-2008.

11.01.010 Purpose:

The purpose of this Chapter is to provide for the protection of the lives and property of residents through identification of areas where hunting is prohibited for the taking of big game animals within the city limits of Gustavus.

11.01.020 Definitions:

The terms and phrases used in this chapter shall have the following meanings:

- a. "Big Game" refers to moose, black bear, **or** brown bear., ~~wolf, deer, mountain goat and wolverine as defined in 5 AAC 92.990 of the Alaska Administrative Code.~~
- b. "**Designated** Roadway" is any road within Gustavus City Limits which is maintained on a regular basis by the City or by Alaska Dept. of Transportation.
- c. "Hunting" or "Taking" means to chase or search for big game animals using firearms or archery equipment for the purpose of killing an animal.

11.01.030 Regulations

It shall be a violation of this ordinance for anyone to discharge a firearm or to utilize archery equipment of any kind in an attempt to kill a big game animal within 300 feet of any **designated** roadways within the city limits of Gustavus. ~~It shall also be a violation of this ordinance to hunt on private property without the expressed permission of the land owner.~~

11.01.040 Exceptions to Regulations

Hunting or taking of "big game animals" is prohibited within 300 feet of any **designated** roadways within the city limits of Gustavus except:

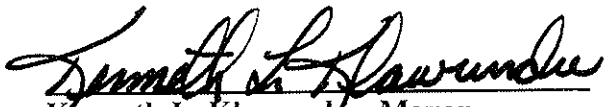
- a. The Alaska Department of Fish and Game, Alaska Department of Public Safety, U.S. Fish and Wildlife Service or their authorized agents or designees, may, upon notice to the Gustavus Mayor or designee, kill animals within the area in which hunting is expressly prohibited by this chapter.

- b. The areas of Mountain View Highway, from mile 2.2 to Glacier Bay National Park boundaries, the "Tower" Road, and Rink Creek Rd, from mile 0.0 (at the culvert which drains the gravel pit) to mile 2.0 are exempt from the 300 ft. hunting restriction.
- c. For the protection of life or personal property, the discharge of firearms to kill a big game animal is allowed. However, Alaska Dept. of Fish and Game (ADF&G) must be notified when big game is killed in self defense and the entire carcass shall be given to ADF&G as per state regulations. The killing and disposal of a sick, dangerous, or nuisance animals also demands notification to ADF&G.


11.01.050 Violation--Penalty

Violations of this chapter shall be enforceable by a fine not to exceed \$300.00. Each violation of this ordinance constitutes a separate offense.

DATE OF INTRODUCTION AND PUBLICATION: June 12, 2008
DATE OF PUBLIC HEARING & ADOPTION: July 10, 2008
PASSED and APPROVED by the Gustavus City Council this 10th day of July, 2008



 Kenneth L. Klawunder, Mayor



 Sandi Marchbanks, Vice Mayor



 Wayne Howell, Council Member



 John Nixon, Council Member




 Mike Atkins, Council Member



 William Unkel, Council Member



 Paul Berry, Council Member



 Attest:
 Kapryce Manchester, City Clerk