



Fairbanks North Star Borough

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January 21, 2014

The Honorable Senator Egan
State Capitol
Juneau, AK 99801

RE: Senate Bill Relating to Service of Citations

Dear Senator Egan:

On behalf of the Fairbanks North Star Borough, I write in support of the draft senate bill recently received by my office. This bill, amending Alaska Statute 12.25.175 and repealing Alaska Rules of Minor Offense Procedure 3(g), will enable local governments to reasonably serve code enforcement citations to violators.

A.S. 12.25.175 in its present form restricts service of a citation only to personal service. This becomes an untenable situation for instances such as zoning or parking violations, where the violator may not be readily found, and where there are limited officers for enforcement. Further difficulty is seen in circumstances such as Animal Control offenses, where a violator may be located but refuses to answer the door or to accept a citation from an Animal Control officer. Under existing law there is heightened cost to municipal governments and their residents for enforcing code violations where personal service cannot be accomplished – including court filing fees, process server fees, and staff time for filing an enforcement complaint outside of the citations process. Current Alaska law regarding citations is of particular concern to the Fairbanks North Star Borough as we move forward with possible ordinances to address compulsory attendance for students in the Fairbanks North Star Borough School District.

The proposed legislation resolves logistical and cost issues by providing for service via posting on property that is the subject of the violation, or otherwise according to the Alaska Rules of Civil Procedure. This revision provides due process regarding the offense, as well as a potentially significant cost savings to local governments enforcing their ordinances.

Thank you for bringing forward this important revision to Alaska law regarding service of citations.

Sincerely,

Luke Hopkins, Mayor
Fairbanks North Star Borough

Cc: Interior Delegation