

Presented by: The Manager
Introduced: 04/02/2018
Drafted by: A. G. Mead

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2018-18

An Ordinance Amending the City and Borough Code Relating to Criminal Offenses and Penalties for Criminal Mischief.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

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

Section 2. Amendment of Section. CBJ 42.15.110 Criminal mischief, is amended to read:

42.15.110 Criminal mischief.

- (a) It is unlawful for a person having no right to do so or any reasonable ground to believe the person has such a right to:
- (1) Damage tangible property of another, purposely or recklessly, or do so by negligence in the employment of fire, explosives, or other dangerous means listed in subsection 42.15.100(a);
 - (2) Intentionally or recklessly tamper or deal with tangible property of another so as to endanger or injure person or property;
 - (3) Intentionally or recklessly cause another to suffer pecuniary loss by deception or threat;
 - (4) Negligently injure or deface any public property whether owned by the government in its proprietary or governmental capacity;
 - (5) Tamper with a fire protection device in a building that is a public place;
 - (6) Knowingly access a computer, computer system, computer program, computer network, or part of a computer system or network; or
 - (7) Use a device to descramble an electronic signal that has been scrambled to prevent unauthorized receipt or viewing of the signal unless the device is used only to descramble

signals received directly from a satellite or unless the person owned the device before September 18, 1984.

(b) Criminal mischief is a:

(1) Class A misdemeanor if the value of the property or pecuniary loss, adjusted for inflation as provided in AS 11.46.982, is \$250.00 or more but less than \$750.00;

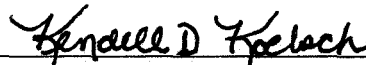
(2) Class B misdemeanor if the value of the property or pecuniary loss, adjusted for inflation as provided in AS 11.46.982, is less than \$250.00.

(c) For purposes of this section, "property of another" means property in which another person has an interest which the defendant is not privileged to infringe, whether or not the defendant also has an interest in the property, and which includes the commonly held property of a married couple or domestic partners.

(d) A person convicted under 42.15.110 of an offense involving damage to public or private property shall be required to perform at least 25 hours of community work under CBJ 01.40.080 and AS 12.55.055.

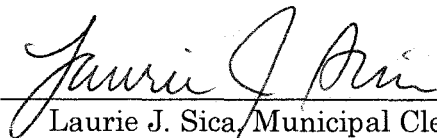
Section 3. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this 23rd day of April, 2018.



Kendell D. Koelsch, Mayor

Attest:



Laurie J. Sica, Municipal Clerk