

## Skagway Municipal Code

9.04.010 – 9.04.020

## Chapter 9.04

## TRAPPING

## Sections:

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**9.04.010** Purpose.

The purpose of this chapter is to protect the safety and welfare of the public, domesticated animals and pets by designating areas where trapping is a prohibited land use activity.

**(Ord. 15-13, Amended, 04/16/2015; Ord. 14-03, Added, 06/05/2014)**

**9.04.015** Applicability.

- A. This chapter shall apply to lands within the Skagway Borough as determined by Sections 9.04.025 through 9.04.035.
- B. For the purposes of this chapter, the assembly shall establish a list of "established trails" by resolution. These established trails will require adequate signage at the trailhead detailing each respective trail map, and signage shall be affixed along each trail route indicating the correct path.

**(Ord. 15-13, Amended, 04/16/2015; Ord. 14-03, Added, 06/05/2014)**

**9.04.020** Definitions.

The following words and phrases shall have the meanings respectively ascribed to them by this section:

- A. "Trap" means any device designated or identified by the state of Alaska in any statute or regulation as a "trap," or otherwise commonly referred to as a "trap" by the state of Alaska. "Trap" does not apply to the capturing of sea creatures through use of shrimp and crab pots.
- B. "Trapping" means the definition of "trapping" used by the state of Alaska. "Trapping" does not apply to live traps, mouse traps or to the catching of animals within a dwelling place, garage, shed, greenhouse, barn, or the ocean.
- C. "Trails" are primary and are marked and/or published as "established trails."
  1. For the purposes of this chapter, "trails" exclude current and future secondary off-shoot trails.
- D. "Off-shoot trails" are secondary and unmarked and/or unpublished trails, and are not considered to be "established trails."

**(Ord. 15-13, Amended, 04/16/2015; Ord. 14-03, Added, 06/05/2014)**

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**9.04.025 Tree trap regulations.**

Tree traps must be at least five feet (5') above the ground and/or fifty (50) yards from any public street, road or right-of-way, highway or marked/established trail within the boundaries of the Skagway Borough.

**(Ord. 15-13, Amended, 04/16/2015; Ord. 14-03, Added, 06/05/2014)**

**9.04.030 Leg-hold trap regulations.**

Leg-hold traps and other ground traps are prohibited within one-eighth (1/8) mile of any public street, road or right-of-way or highway or established/marked trail within the boundaries of the Skagway Borough.

**(Ord. 15-13, Amended, 04/16/2015; Ord. 14-03, Added, 06/05/2014)**

**9.04.035 Areas in which trapping is prohibited.**

- A. Trapping is prohibited within fifty (50) yards of any public street, road, right-of-way or highway, or established/marked trail within the boundaries of the Skagway Borough, unless the area is a designated rural trapping area per subsection (B) of this section.
- B. Rural Trapping Areas. Trapping is prohibited within twenty-five (25) yards of any public street, road, right-of-way or highway, or established trail within the designated rural trapping areas designated as follows:
  - 1. Beginning one-half (1/2) mile north of Mile Marker 3 on the Klondike Highway and extending to the north boundary of the Skagway Borough;
  - 2. Beginning one-half (1/2) mile north of the Gold Rush Cemetery on the railroad tracks on the east side of the Skagway River and extending to the north boundary of the Skagway Borough;
  - 3. Beginning at the West Creek Bridge and extending north and west (Dyea side) to the Borough boundaries;
  - 4. Alaska State Land Survey No. 97-36, which is the location of the municipal incinerator.
- C. In addition to the areas designated in subsections (A) and (B) of this section, trapping is prohibited on properties within the following parks and common use areas: Mollie Walsh Park, Pullen Creek Park, Yakutania Point and Smugglers Cove, Seven Pastures, Dyea Point, Dyea Campground and Flats and community cemeteries.

**(Ord. 15-13, Added, 04/16/2015)**

**9.04.040 Private property.**

- A. When trapping occurs on private property, "Active Trapping" signage must be prominently posted.
- B. Trappers must have permission from landowners to trap on private property.

**(Ord. 15-13, Added, 04/16/2015)**

**9.04.050 Other exceptions.**

Exceptions to this section shall be authorized by the chief of police in writing as deemed necessary to protect the public health and safety. Examples of exceptions include, but are not limited to, the following:

- A. Employees or agents of governmental units or agencies who use live traps in the course of their duties, or are required to trap animals or birds for authorized purposes.
- B. Scientists in their work identifying and studying wildlife, animals, and birds for scientific purposes.

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C. Persons who have documented in writing specific animal nuisance problems and establish to the chief of police in writing how the safety of persons shall be protected.

No employee, representative, assembly, mayor nor the chief of police has any actual or apparent authority to grant any verbal exceptions to this chapter.

**(Ord. 15-13, Amended, 04/16/2015; Ord. 14-03, Added, 06/05/2014. Formerly 9.04.060)**

**9.04.060 Fines for trapping violations.**

For violations of this chapter, refer to Chapter 1.20, General Penalty. Violations of this chapter are subject to civil fines established by resolution.

**(Ord. 15-13, Amended, 04/16/2015; Ord. 14-03, Added, 06/05/2014. Formerly 9.04.070)**

Proposed by:	Parks & Recreation Committee
Vote: 5 Aye	1 Nay 0 Absent

**MUNICIPALITY OF SKAGWAY, ALASKA  
RESOLUTION NO. 15-02R**

**A RESOLUTION OF THE MUNICIPALITY OF SKAGWAY, ALASKA ESTABLISHING A LIST OF "ESTABLISHED TRAILS" PER SMC 9.04 TRAPPING.**

**WHEREAS**, SMC 9.04 Trapping calls for the establishment of a list of "established trails" per section 9.04.015(B) to be implemented on March 31, 2015;

**NOW, THEREFORE BE IT RESOLVED**, by the Borough Assembly of the Municipality of Skagway that the following trails are considered "established trails" per SMC 9.04.015(B):

1. Lower Dewey Lake Trail System
2. Yakutania Point Trail System
3. AB Mountain Skyline Trail (beginning at the Dyea Road)

**PASSED AND APPROVED** by a duly constituted quorum of the Borough Assembly of the Municipality of Skagway this 22<sup>nd</sup> day of January, 2015.

  
 \_\_\_\_\_  
 Mark Schaefer, Mayor

ATTEST:

  
 \_\_\_\_\_  
 Michelle Gihl  
 Borough Deputy Clerk

(SEAL)



# Established Trails

Resolution No.15-02R



**Legend**

Established Trails

