Bond Case Briefs

Municipal Finance Law Since 1971

MUNICIPAL ORDINANCE - ALASKA

Alaska Trappers Association, Inc. v. City of Valdez

Supreme Court of Alaska - May 10, 2024 - P.3d - 2024 WL 2098108

State and national fur trappers associations brought action challenging city ordinance that limited trapping in certain areas, alleging that ordinance was invalid and unconstitutional, and preempted by state law.

The District Court granted summary judgment to city and denied associations' motion for summary judgment. Associations appealed.

The Supreme Court held that:

- Ordinance did not implicate area of pervasive state authority, and
- Ordinance was not impliedly prohibited by state law.

Municipal ordinance limiting trapping within certain areas in city limits did not implicate area of pervasive state authority so as to be impliedly prohibited by state law; while state's Constitution, statutes and regulations provided state with authority to regulate natural resources, ordinance was explicitly enacted pursuant to two powers granted to home rule municipalities, public safety and land use, not to exercise control over natural resource management.

Municipal ordinance of home rule city limiting trapping in certain city areas for public safety purposes was not substantially irreconcilable with state's authority to adopt hunting and trapping regulations for purposes of conservation and development and was thus not impliedly prohibited by state law; ordinance did not directly manage taking of furbearers, create open and closed seasons, limit number, size, or sex of animals taken, and though it may have had incidental effect on number of furbearers taken, it did not have substantial effect on either the wildlife resource itself or Alaskans' use of that resource that was tantamount to wildlife resource regulation.

Copyright © 2026 Bond Case Briefs | bondcasebriefs.com