

ANCHORAGE, ALASKA
AO No. 2025-74(S-2), As Amended

**(NOTE: this substitute version is presented without legislative drafting markup, except to the title, from the text of the original AO or any subsequent substitute version. It is written as a new ordinance. See the AM for a summary of changes.)*

AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE CHAPTER 8.45 [05] [AND SECTIONS 8.45.015 AND 15.20.020] TO PROHIBIT CAMPING ON PROTECTED [PUBLIC] PREMISES AND PROHIBIT CONSTRUCTION ON PUBLIC LAND BY PROVIDING CRIMINAL PENALTIES [AND ENFORCEMENT PROTOCOLS CONSISTENT WITH CITY OF GRANTS PASS V. JOHNSON AND OTHER LAW].

WHEREAS, Anchorage Municipal Code prohibits unauthorized camping on public property, and provides for a civil abatement process to remove prohibited campsites;

WHEREAS, pursuant to AMC 15.20.020B.15.b., certain protected land uses such as schools, childcare centers, and major trail systems receive priority in the abatement process;

WHEREAS, in the past year, the Municipality has abated 28 prohibited encampments, including several large encampments that had become entrenched over the course of several years, such as the encampment at Davis Park and adjacent snow dump site in the Mountain View neighborhood;

WHEREAS, in the past year, the Municipality has increased staff capacity, improved inter-departmental coordination, and dedicated significant resources to addressing the root causes of homelessness; this includes making it easier to build housing, funding year-round shelter, increasing access to appropriate care to people in crisis, as well as holding people accountable for illegal and dangerous behavior;

WHEREAS, entrenched camps are not safe or beneficial for the people in them (who are often victimized) or the people around them (who suffer increased rates of crime and reduced access to public spaces);

WHEREAS, clearing these entrenched camps involves significant coordination between municipal departments, costs significantly more (in terms of municipal time, resources, and funds) and takes longer to complete;

WHEREAS, there are certain places within the Municipality where camping is always inappropriate or unsafe, such as playgrounds, schools, and other areas frequented by children; as well as streets, sidewalks, snow disposal sites, and trails;

1 **WHEREAS**, the Municipality has a strong interest in ensuring the safety of its
2 residents by reducing pedestrian injury and death in and along roadways;
3

4 **WHEREAS**, there is certain conduct that is always inappropriate and unsafe,
5 including the unauthorized construction of structures with hard sides, roofs, or walls
6 on public property;
7

8 **WHEREAS**, encampments near waterways are known to pose significant
9 environmental and ecological threats; for example, accumulations of trash and
10 human waste contaminate waterways, and illegal fishing threatens fish returns;
11

12 **WHEREAS**, instituting criminal penalties for the most unsafe and inappropriate
13 camping activity and locations (1) sends a clear message to the community that
14 such unsafe and inappropriate activities will not be tolerated and (2) allows for more
15 rapid enforcement action where appropriate, while (3) managing the risk of litigation
16 challenges that would be expected to arise from broader legislation;
17

18 **WHEREAS**, instituting criminal penalties for camping in unsafe and inappropriate
19 locations does not diminish the Municipality's ability to abate unsafe and
20 inappropriate camps in other locations, and in fact increases the Municipality's ability
21 to use civil abatement tools effectively and efficiently;
22

23 **WHEREAS**, the Alaska Court System has a robust therapeutic court program, which
24 is an alternative justice model in which a collaborative team oversees and closely
25 monitors participants who choose a treatment program in lieu of incarceration;
26

27 **WHEREAS**, successful completion of treatment through the therapeutic courts can
28 result in the reduction or dismissal of criminal charges, which allows first-time
29 offenders to maintain a clean criminal history;
30

31 **WHEREAS**, recognizing that many misdemeanor offenses relate to underlying
32 behavioral health issues, in late 2024, Municipal Prosecution adopted a new policy
33 making all categories of offenses eligible for therapeutic courts;
34

35 **WHEREAS**, the administration has also been planning a pre-charging diversion and
36 treatment program that would provide another pathway to address underlying
37 behavioral health issues that contribute to criminal conduct and reduce recidivism;
38

39 **WHEREAS**, the Anchorage Police Department has trained its officers to identify
40 situations where behavioral health intervention may be more appropriate than a
41 traditional law enforcement response, and to connect unhoused individuals with
42 social services where appropriate; and has dedicated officers to this effort as part
43 of its Homeless Outreach Prevention Engagement (HOPE) Team;
44

45 **WHEREAS**, quickly clearing camps through criminal warnings and enforcement
46 action will reduce the number of camps that become entrenched, thereby increasing
47 public safety for vulnerable individuals as well as the surrounding neighborhoods,
48 and reducing the drain on municipal resources; now, therefore,
49

50 **THE ANCHORAGE ASSEMBLY ORDAINS:**

Section 1. Anchorage Municipal Code 8.45 is hereby amended to add the following new section of code (*requiring no legislative formatting*):

8.45.015 – Prohibited camping on protected premises.

A. In addition to any other provision of this code, a person commits the offense of prohibited camping on protected premises if the person knowingly camps without permission or authority to do so on public or private land under the following circumstances:

1. On or within 200 feet of the Coastal Trail, Chester Creek Trail, Ship Creek Trail, Fish Creek Trail, and Campbell Creek Trail; or any other paved trail; measured from the paved edge of the trail;
2. On or within 200 feet of any portion, fork, or tributary of Campbell Creek, Chester Creek, Fish Creek, Ship Creek; or any other water body (including lakes, rivers, and streams); measured from the edge of the water;
3. On or in any street, road, highway, sidewalk, bridge, tunnel, railroad track, snow disposal site, or runway;
4. Within 200 feet of the outer edge of:
 - a. any street, road, or highway, if the street, road, or highway has a speed limit of 35 miles per hour or greater; or
 - b. any railroad track or runway; or
5. On or within 500 feet of:
 - a. The edge of any playground area;
 - b. The edge of any athletic field or other maintained (such as groomed or mowed) field on parkland;
 - c. The lot line of any parcel containing any school or licensed childcare center; or
 - d. The lot line of any parcel containing any neighborhood recreation center as defined in Title 21, licensed homeless shelter as defined in chapter 16.125, or permit-based campground.

B. For purposes of this section, distance shall be measured from the nearest edge of the protected premises enumerated above to any portion of the prohibited campsite.

C. Violation of this section is a class B misdemeanor, with the following exceptions:

1. Violation of section 8.45.015A.5.a, 8.45.015A.5.c, or 8.45.015A.3 is a class A misdemeanor; and
2. Where a person is in violation of this section and refuses to immediately comply with a warning from someone with apparent authority, the violation is a class A misdemeanor.

D. Notwithstanding AMC 8.05.020H.1-2, the maximum fines that may be imposed by a court for conviction of a class A misdemeanor under this section is \$500, and the maximum fine that may be imposed by a court for conviction of a class B misdemeanor under this section is \$250. All other provisions of AMC 8.05.020H.1-2 remain applicable.

Section 2. Anchorage Municipal Code section 8.45 is hereby amended to add the following new section (*requiring no legislative formatting*):

8.45.017 Prohibited construction on public land.

A. A person commits the offense of prohibited construction on public land if the person:

1. knowingly engages in the construction, in whole or in part, of any hard-walled, hard-roofed, or hard-floored structure of any kind on land owned or controlled by the Municipality of Anchorage or the State of Alaska without permission or authority to do so; or knowingly camps in any such structure; or
2. in a manner designed to facilitate camping, knowingly excavates, removes, relocates, or adds dirt, sand, gravel, rocks, or similar material on land owned or controlled by the Municipality of Anchorage or the State of Alaska without permission or authority to do so.

B. A person attempts to commit the offense of prohibited construction on public land if the person:

1. knowingly possesses, with the intent to construct in whole or in part any hard-walled, hard-roofed, or hard-floored structure of any kind, on or in undeveloped land, snow disposal sites, or parks owned or controlled by the Municipality of Anchorage or the State of Alaska, without permission or authority to do so, materials that could be used to construct such a structure~~[in whole or in part any hard-walled, hard-roofed, or hard-floored structure of any kind]~~, such as but not limited to lumber, pallets, boards, logs, bricks, cinder blocks, or any other hard construction material.

C. **For the purposes of this section, the term "construction" means the erection, rehabilitation, alteration, or extension of a permanent or temporary structure for the purpose of camping, shelter or storage of personal property.**

D[C]. Violation of subsection A is a class A misdemeanor.

E[D]. Violation of subsection B is a class B misdemeanor.

F[E]. Notwithstanding AMC 8.05.020H.1-2, the maximum fines that may be imposed by a court for conviction of a class A misdemeanor under this section is \$500, and the maximum fine that may be imposed by a court for conviction of a class B misdemeanor under this section is \$250. All other provisions of AMC 8.05.020H.1-2 remain applicable.

Section 3. Anchorage Municipal Code section 8.05.015 is hereby amended to read as follows:

8.05.015 Definitions.

*** **

2. *Camping* means the use of space for the purpose of overnight sleeping (or the substantial equivalent at any time of day) or establishing temporary living quarters, including, but not limited to, erection of a tent or other shelter.

*** **

(AO No. 2014-42, § 1, 6-21-14; AO No. 2024-20(S-1), § 1, 4-9-24)

Section 4. Anchorage Municipal Code section 8.05.025 is hereby amended to add as follows (*the remainder of the section is not affected and therefore not set out*):

8.05.025 Minor offense fine schedule; misdemeanor penalty reference table; and state surcharge.

*** **

B. *Misdemeanor offenses reference table.*

Section	Description	Penalty	Penalty Section
*** **			
Chapter 8.45 TRESPASS			
8.45.010(A)(1)—(4)	Trespass	Class A	8.05.020H.1.
8.45.015(A)(1), (2), (4); 8.45.015(A)(5)(b), (d)	Prohibited camping on protected premises	Class B	8.05.020H.2.

8.45.015(A)(5)(a), (c); 8.45.015(A)(3)	Prohibited camping on protected premises	Class A	8.05.020H.1.
8.45.017A	Prohibited construction on public land	Class A	8.05.020H.1.
8.45.017B	Prohibited construction on public land- attempt	Class B	8.05.020H.2.
8.45.020(A)(1), (2)	Unauthorized entry	Class B	8.05.020H.2.
* * * * *			

* * * * *

(AO No. 2014-42, § 1, 6-21-14; AO No. 2015-7, § 2, 2-24-15; AO No. 2015-84, § 2, 9-24-15; AO No. 2015-87, § 2, 9-24-15; AO No. 2015-123(S), § 2, 11-10-15; EO No. 2016-1, § 1, 7-12-16; AO No. 2016-83(S), § 1, 7-26-16; AO No. 2016-114, § 1, 12-15-16; AO No. 2017-156, § 1, 12-5-17; AO No. 2018-34(S), § 4, 7-26-18; AO No. 2019-25, § 2, 3-5-19; AO No. 2023-100(S), § 1, 11-7-23)

Section 5. Anchorage Municipal Code section 15.20.020 is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

15.20.020 Public nuisances prohibited; enumeration.

* * * * *

B. Public nuisances include, but are not limited to, the following acts and conditions:

* * * * *

15. *Prohibited campsites.* A prohibited campsite is an area where one or more persons are camping on public land in violation of **chapter[SECTION] 8.45[.010]**, chapter 25.70, or any other provision of this Code. A prohibited campsite is subject to abatement by the municipality. The municipal official responsible for an abatement action may accomplish the abatement with the assistance of a contractor, association or organization. Notwithstanding any other provision of this Code, the following procedure may be used to abate a prohibited campsite:

* * * * *

(GAAB 16.68.110, 18.15.020, 18.15.030, 18.20.030, 18.20.060; CAC 8.10.020, 8.10.050; AO No. 113-76; AO No. 78-48; AO No. 79-63; AO No. 93-173(S), § 3, 2-24-94; AO No. 95-42, § 3, 3-23-95; AO No. 2001-145(S-1), § 12, 12-11-01; AO No. 2003-130, § 4, 10-7-03; AO No. 2009-83(S), § 2, 7-7-09; AO No. 2010-43(S), § 1, 6-22-10; AO No. 2010-63, § 1, 9-14-10; AO No. 2011-52, § 1, 4-26-11; AO No. 2016-81(S), § 2, 8-25-16; AO No. 2017-119(S), § 2, 11-9-17; AO No. 2017-130(S), § 1, 12-5-17; AO No. 2018-53(S), § 1, 6-26-18; AO No. 2018-61, § 1, 7-31-18; AO No. 2018-118, § 2, 1-1-19; AO No. 2019-94(S), § 2, 8-6-19; AO No. 2024-55(S), § 1, 5-21-24)

Section 6. This ordinance shall be effective 7 days from the date of passage and approval by the Assembly.

Section 7. Within 12 months of the effective date of this ordinance, the administration shall submit a report to the Assembly via AIM to an Assembly agenda which provides sufficient information to the Assembly and public to judge the efficacy of this ordinance.

PASSED AND APPROVED by the Anchorage Assembly this 15th day of July, 2025.

Christopher Constant

Chair

ATTEST:

Janie Stum

Municipal Clerk



MUNICIPALITY OF ANCHORAGE

Assembly Memorandum

No. AM 548-2025

Meeting Date: July 11, 2025

From: MAYOR

Subject: AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE CHAPTER 8.45 [05] [AND SECTIONS 8.45.015 AND 15.20.020] TO PROHIBIT CAMPING ON PROTECTED [PUBLIC] PREMISES AND PROHIBIT CONSTRUCTION ON PUBLIC LAND BY PROVIDING CRIMINAL PENALTIES [AND ENFORCEMENT PROTOCOLS CONSISTENT WITH CITY OF GRANTS PASS V. JOHNSON AND OTHER LAW].

This ordinance provides a targeted legal mechanism that will allow the Municipality to rapidly intervene and help prevent the most unsafe and inappropriate camping on public land. This version takes a balanced, practical approach that minimizes legal risks to the Municipality and can be implemented effectively with the existing resources.

At the very beginning of my term as Mayor, I asked the Municipal Attorney and Anchorage Police Department Chief to identify any legal changes they needed to protect public safety. This ordinance aligns with other public safety improvements we've made, including recruitment efforts that produced the first full Police Academy in many years, fully staffing the Municipal Prosecutor's office, and recently passed legislation that imposed meaningful penalties for unsafe fires.

This ordinance adds criminal penalties for certain camping activity and locations, giving us the ability to more quickly and efficiently deploy the Police Department to address camping in unsafe and inappropriate areas. It supplements existing legal tools, including the civil abatement process, which will still apply Muni-wide, as well as trespass law.

It is never appropriate for someone to set up a prohibited campsite near playgrounds, schools, childcare centers, neighborhood recreation centers, and other areas frequently occupied by children. It is also critical to keep streets and trails clear. Anchorage has recently seen record numbers of pedestrian deaths, emphasizing the importance of keeping a safe buffer zone on and around our roadways and other frequently traveled thoroughfares. Watersheds also merit protection: the Anchorage Police Department and Alaska Department of Fish & Game (ADFG) report that camps near waterbodies result in unacceptable levels

1 of trash and human waste that contaminate the watershed, and that camps near
2 waterbodies are further associated with illegal and destructive fishing. For
3 example, during a recent fish count on Campbell Creek (which supports all
4 species of salmon), ADFG observed a gillnet strung across the entire width of the
5 creek in a king salmon spawning habitat, during king salmon spawning season.
6 This ordinance will help deter people from setting up camps in or near these
7 safety zones, and it will allow for swifter intervention to prevent large
8 encampments from taking root.

10 And it is never appropriate for individuals to claim an area of public land
11 indefinitely with the unauthorized construction of structures. No one has the right
12 to build semi-permanent and dangerous buildings on public land. This ordinance
13 makes clear that hard-sided, hard-walled, and hard-roofed structures will not be
14 tolerated on public property.

16 This new law will help prevent camps in the Municipality from becoming
17 entrenched. Entrenched camps, like the encampments at Davis Park and the
18 nearby snow dump, become dangerous, and they are significantly more
19 expensive to clear, requiring substantial cross-departmental coordination and
20 lengthy clean-ups. By preventing camps from becoming entrenched in priority
21 areas, this ordinance will help to reduce the costs of abatement.

23 Recognizing that many misdemeanor offenses relate to underlying behavioral
24 health issues and that addressing those issues can help reduce recidivism, in
25 late 2024, Municipal Prosecution adopted a policy making all categories of
26 offenses eligible for therapeutic courts. The Alaska Court System has a [robust
27 therapeutic court program](#), which is an alternative justice model in which a
28 collaborative team oversees and closely monitors participants who choose a
29 treatment program in lieu of incarceration. Successful completion of treatment
30 through the therapeutic courts can result in the reduction or dismissal of criminal
31 charges, which can enable first-time offenders to maintain a clean criminal
32 history. In addition, the Anchorage Police Department has trained its officers to
33 identify situations where behavioral health intervention may be more appropriate
34 than a traditional law enforcement response, and to connect unhoused
35 individuals with social services where appropriate. It has dedicated officers to this
36 effort as part of its [Homeless Outreach Prevention Engagement \(HOPE\) Team](#).
37 The administration has also been planning a pre-charging diversion and
38 treatment program that would provide another pathway to address underlying
39 behavioral health issues that contribute to criminal conduct and reduce
40 recidivism.

42 The ordinance caps the maximum financial penalties that may be imposed by a
43 court for violation of the new offenses, reducing the maximum from \$10,000 to
44 \$500 for a class A misdemeanor and from \$2,000 to \$250 for a class B
45 misdemeanor.

47 This ordinance supports the administration's balanced approach toward
48 addressing homelessness: The Municipality is providing a safety net of shelter

1 and services, enhancing crisis care and outreach efforts, enforcing laws and
2 removing unsafe and unauthorized camps, and improving access to housing.

3
4 Public parks, trails, and spaces must be safe and accessible for all.
5 Encampments are not safe – not for the people living in them, and not for people
6 nearby. This ordinance, like the civil abatement process, is not a solution to
7 homelessness, but it is a necessary means to protect public safety.

8
9 A map is attached for informational purposes only. It has not been verified for
10 completeness or accuracy and has no legal effect.

11
12 **Summary of changes:** This substitute version (1) replaces the whereas clauses
13 of the original ordinance, (2) creates two different new misdemeanor offenses
14 (prohibited camping on protected premises and prohibited construction on public
15 property), instead of creating a single new misdemeanor offense in Title 8
16 (prohibited camping on public premises), and (3) reduces the maximum fines for
17 the new offenses.

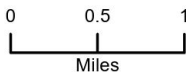
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19 **There are no anticipated economic effects because enforcement of these**
20 **new offenses can be accomplished within the existing operational capacity**
21 **of the Anchorage Police Department and Municipal Prosecution. Therefore**
22 **pursuant to AMC 2.30.053B.1., no Summary of Economic Effects is**
23 **attached to this ordinance.**

24
25 Prepared by: Department of Law
26 Approved by: Eva R. Gardner, Municipal Attorney
27 Concur: Ona R. Brause, Director, Office of Management and
28 Budget
29 Concur: Brian Wilson, Acting Chief, Anchorage Police
30 Department
31 Concur: William D. Falsey, Chief Administrative Officer
32 Concur: Rebecca A. Windt Pearson, Municipal Manager
33 Concur: Dennis A. Wheeler, Municipal Prosecutor
34 Respectfully submitted: Suzanne LaFrance, Mayor

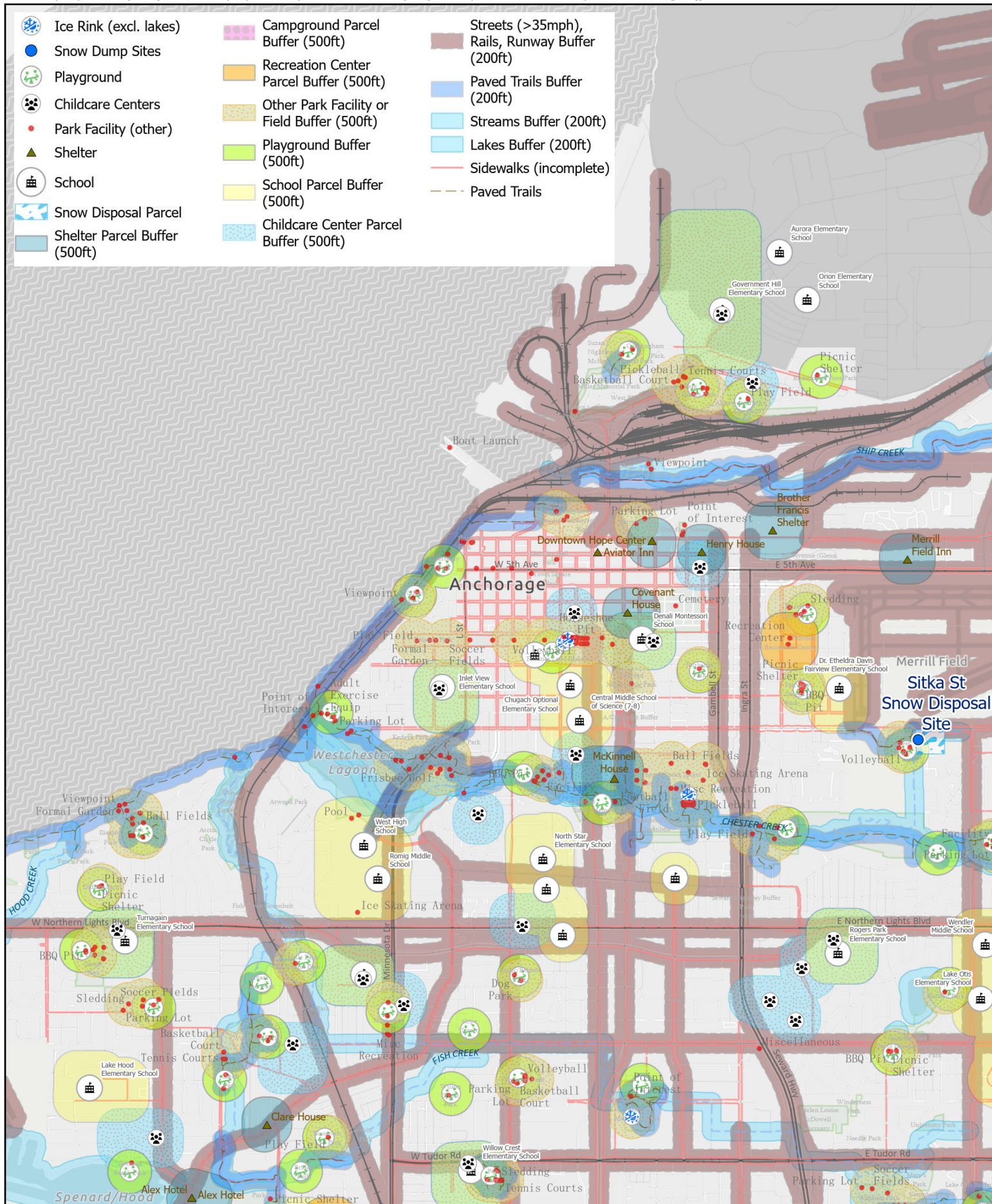
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36 Attachment: Map

Proposed Title 8 Restricted Camping Areas

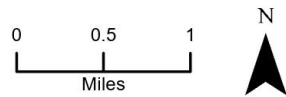
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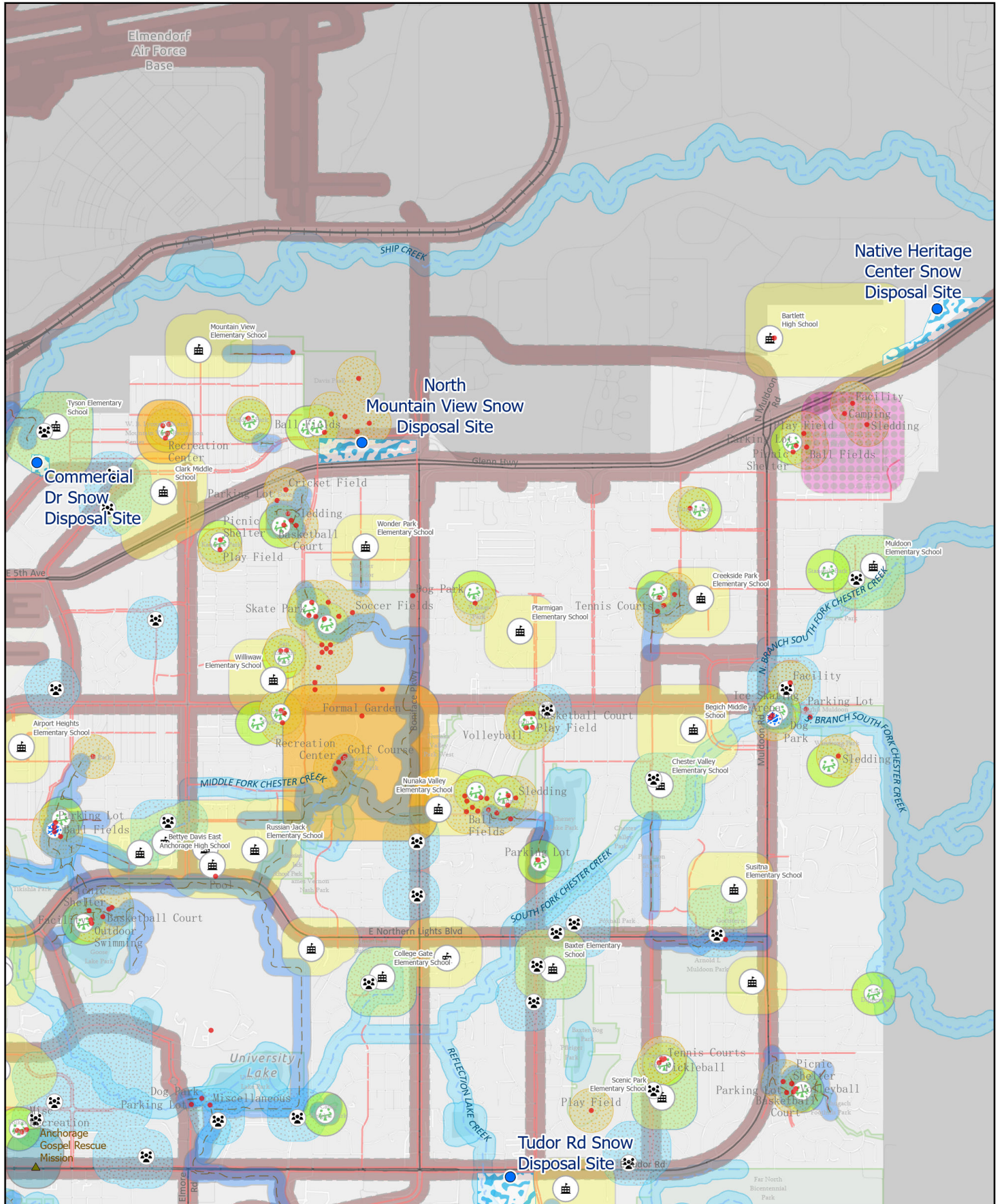
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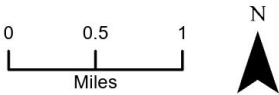
AO 2025-74(S-2)
Proposed Title 8 Restricted Camping Areas



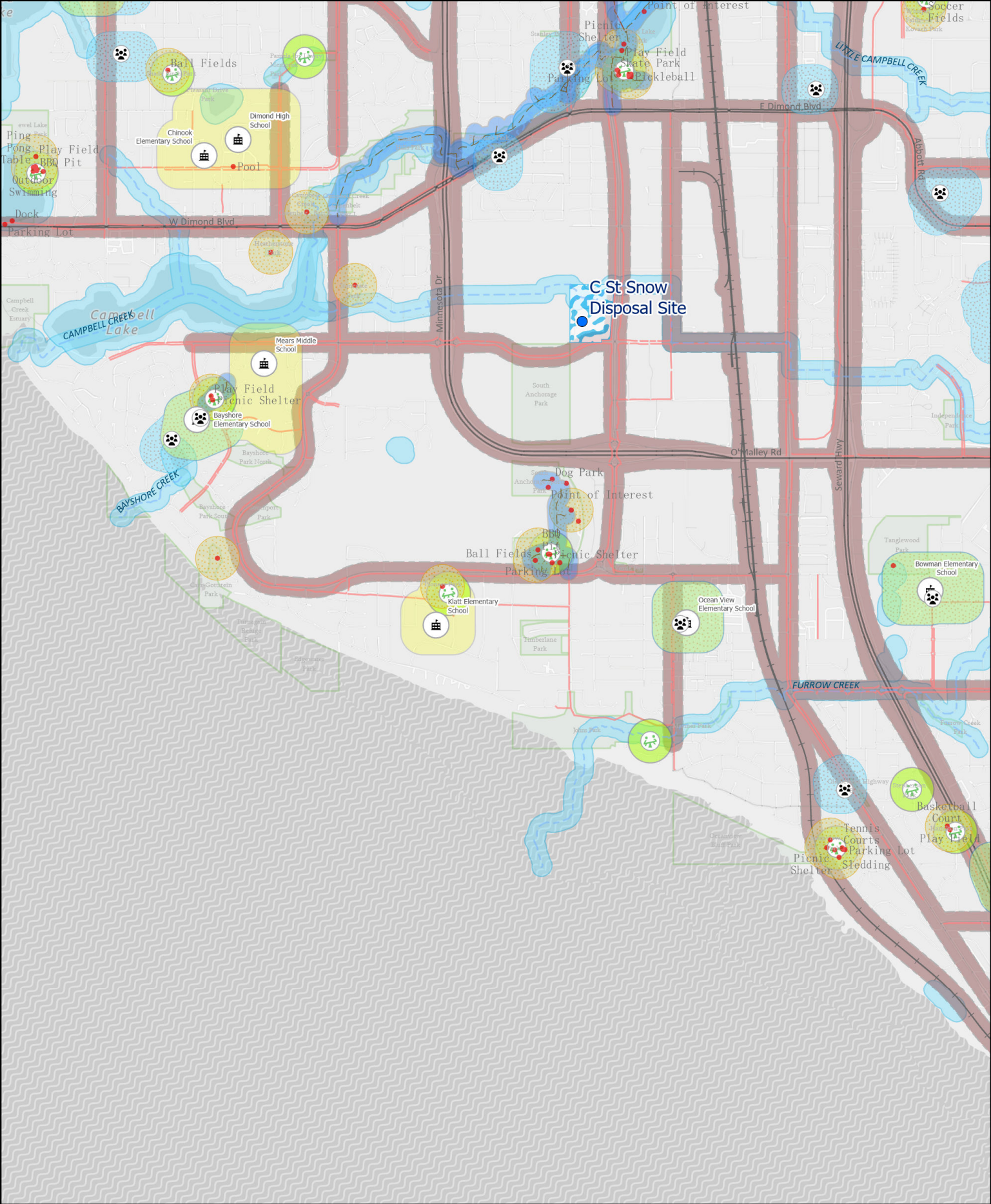
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AO 2025-74(S-2)
Proposed Title 8 Restricted Camping Areas



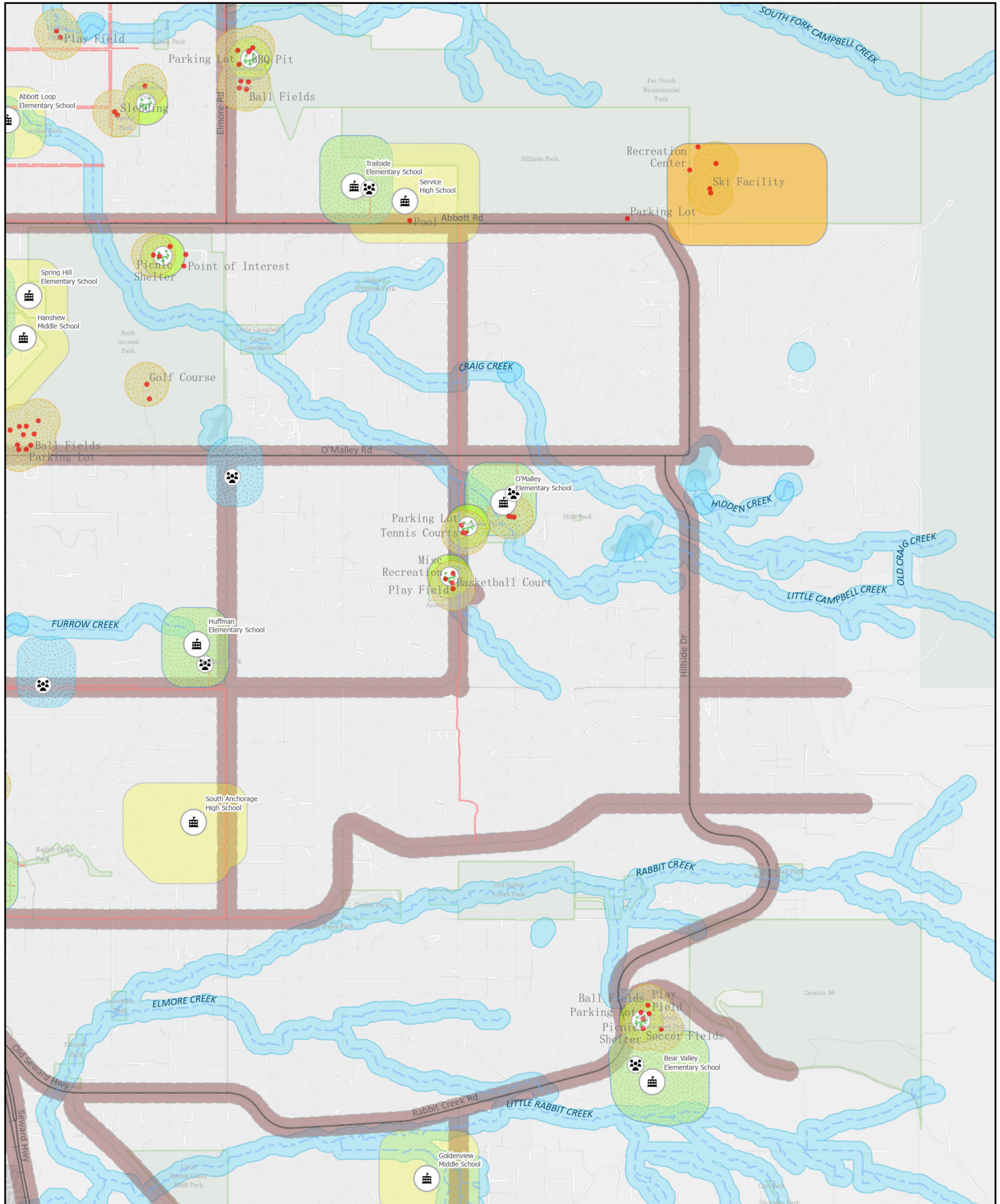
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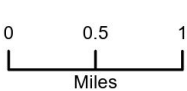
AO 2025-74(S-2) Proposed Title 8 Restricted Camping Areas



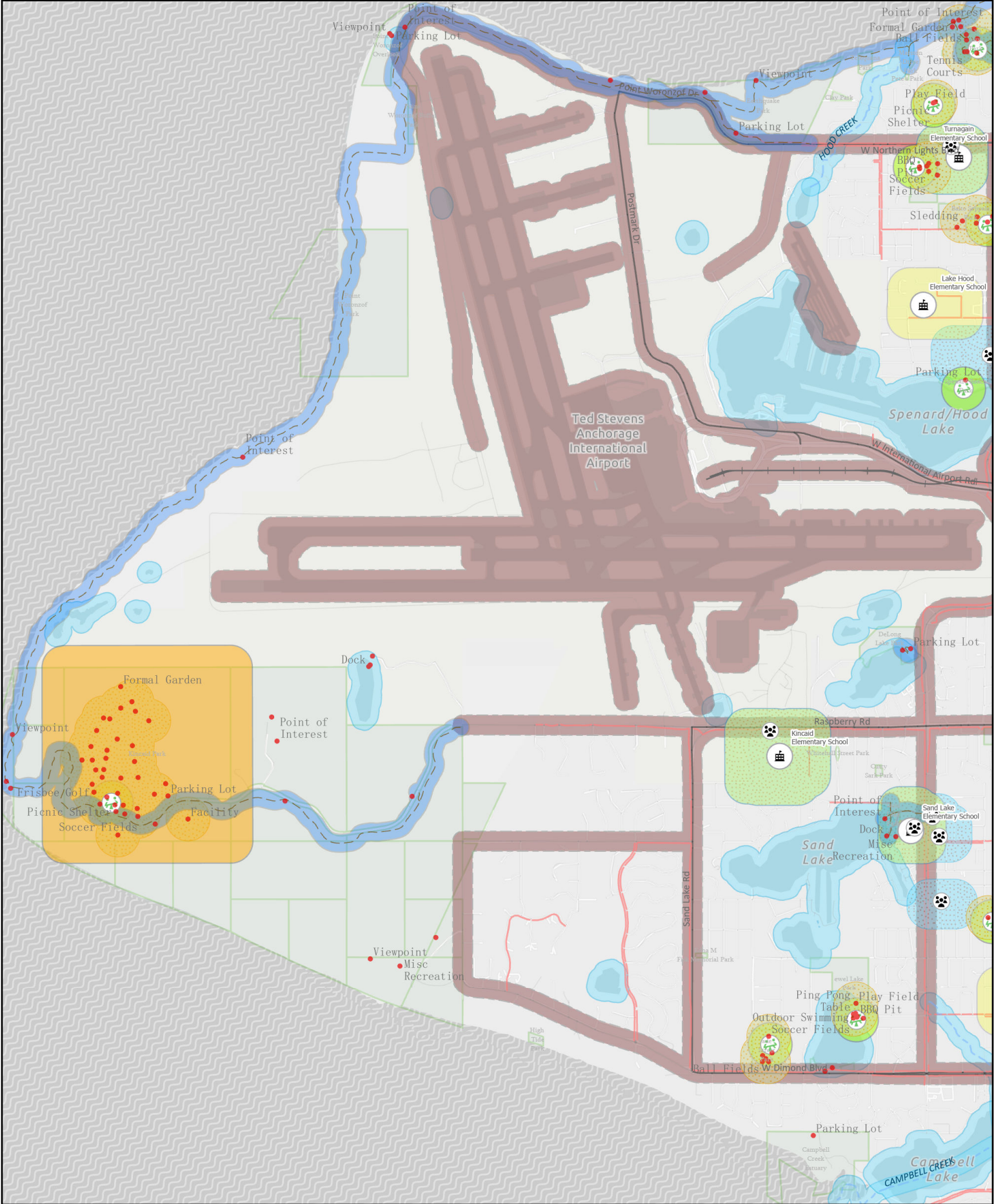
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AO 2025-74(S-2)
Proposed Title 8 Restricted Camping Areas



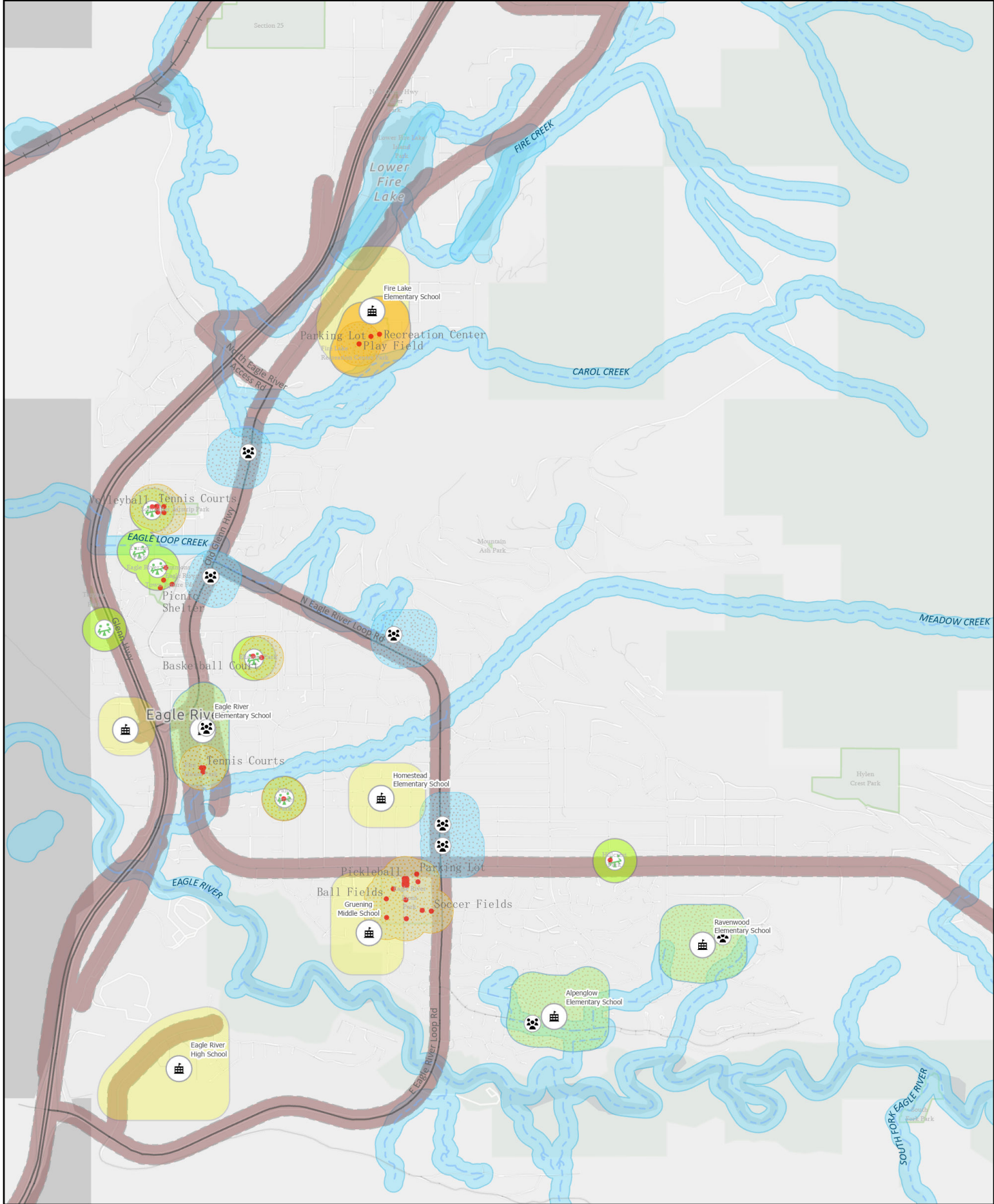
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AO 2025-74(S-2)
Proposed Title 8 Restricted Camping Areas



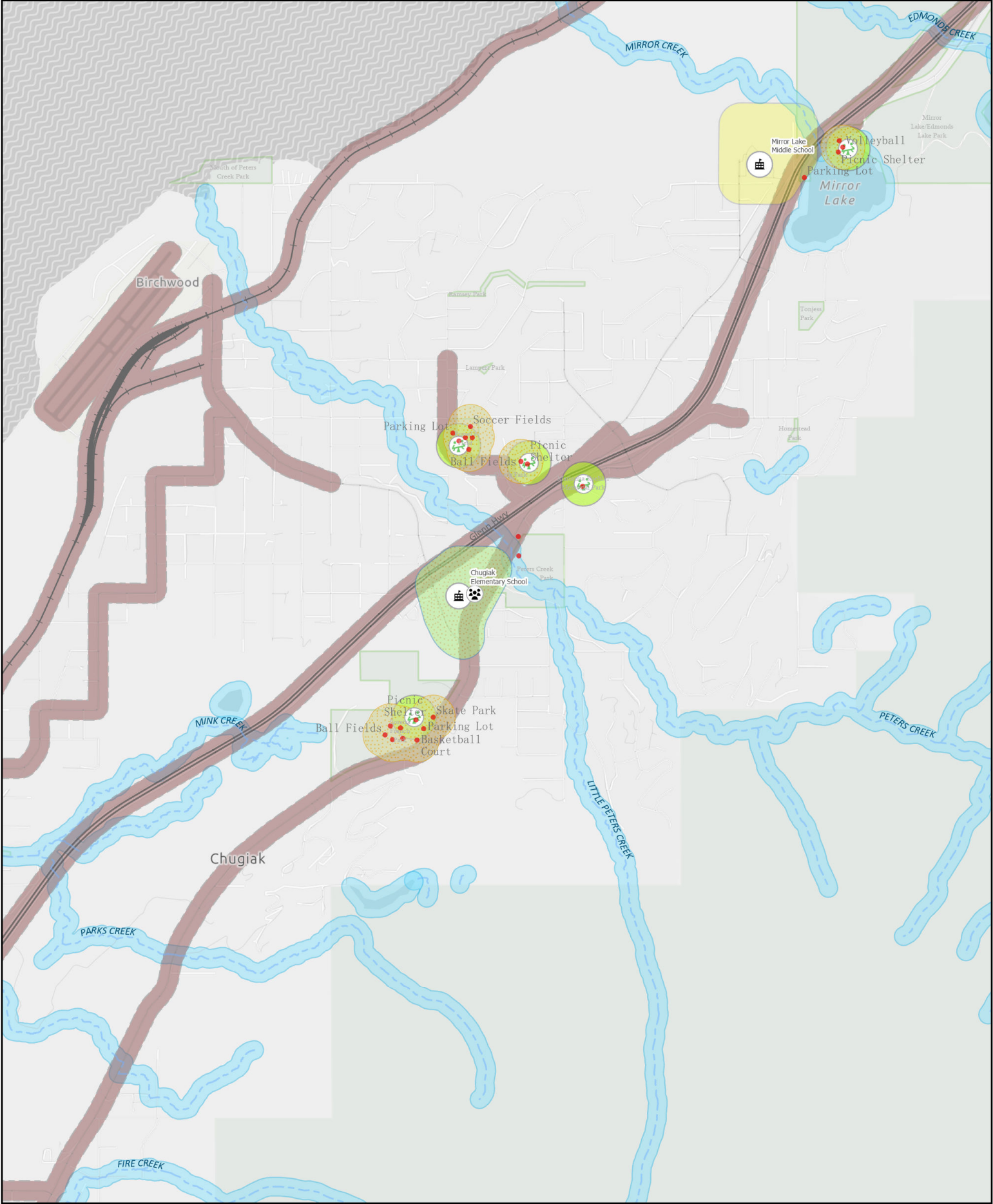
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AO 2025-74(S-2)
Proposed Title 8 Restricted Camping Areas



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This map illustrates the Girdwood and Alyeska region, highlighting various water bodies and recreational areas. Key features include:

- Water Bodies:** California Creek, Girdwood Creek, Moose Meadows Creek, Alyeska Creek, Glacier Creek, Tide Water Slough, and Virgin Lake.
- Landmarks and Facilities:** Girdwood (K-8), Girdwood Town, Girdwood Park, Girdwood Tennis Courts, Picnic Shelter, Priscilla Golf, and Alyeska.
- Trails:** Several trails are marked, including the Alyeska Trail, Girdwood Trail, and Moose Meadows Trail.
- Other Features:** A sewage treatment plant is located near the bottom left, and a parking lot is situated near the center.



MUNICIPALITY OF ANCHORAGE

Assembly Memorandum

No. AM 556-2025

Meeting Date: July 11, 2025

From: MAYOR

Subject: AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE CHAPTER 8.45 [05] [AND SECTIONS 8.45.015 AND 15.20.020] TO PROHIBIT CAMPING ON PROTECTED [PUBLIC] PREMISES AND PROHIBIT CONSTRUCTION ON PUBLIC LAND BY PROVIDING CRIMINAL PENALTIES [AND ENFORCEMENT PROTOCOLS CONSISTENT WITH CITY OF GRANTS PASS V. JOHNSON AND OTHER LAW].

The chart on the next page of this memorandum compares the S-1 version that was laid on the table for the assembly meeting of June 24, 2025 and the S-2 version that has been submitted for consideration on the special assembly meeting scheduled for July 11, 2025.

Feature	S-1	S-2
Whereas clauses		6 new whereas clauses addressing ecological effects on waterways, therapeutic courts, pre-charging diversion, and behavioral health interventions. Pg. 2, lines 9-11, 24-44.
Covered trails	"paved greenbelt and major trail systems"	list of specific major trails and "any other paved trail" Pg. 3, lines 12-15.
Waterways	Not covered	200 foot buffer Pg. 3, lines 17-20.
High-speed roads, railroads, and runways	100 foot buffer	200 foot buffer Pg. 3, line 25.
Fields	"athletic field or other maintained (such as groomed or mowed) open field on parkland"	"athletic field or other maintained (such as groomed or mowed) open field on parkland" -- omitting "open" to cover maintained fields that may be fenced Pg. 3, line 37
Maximum fines	\$10,000 for Class A and \$2,000 for Class B	\$500 for Class A and \$250 for Class B Pg. 4 lines 11-15; pg. 5 lines 1 – 5.
Camping in prohibited structures on public land	Prohibited construction of unauthorized structures but did not specifically address camping in such structures	Prohibits both constructing and camping in unauthorized structures on public land Pg. 4, line 29
Refined definition of "sleeping" in the definition of "camping"	Used existing AMC 8.05.025 definition of "camping" as "the use of space for the purpose of sleeping or establishing temporary living quarters, including, but not limited to, erection of a tent or other shelter"	Amends definition of camping to further refine definition of "sleeping": "the use of space for the purpose of <u>overnight</u> sleeping (or the substantial equivalent at <u>any time of day</u>) or establishing temporary living quarters, including, but not limited to, erection of a tent or other shelter Pg. 5, lines 15-18.

Prepared by: Department of Law
Approved by: Joseph F. Busa, Acting Municipal Attorney
Respectfully submitted: Suzanne LaFrance, Mayor

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