

Submitted by: Chair of the Assembly at the
Request of the Mayor
Prepared by: Dept. of Law
For reading: May 24, 2022

**ANCHORAGE, ALASKA
AO No. 2022-64**

**AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING ANCHORAGE
MUNICIPAL CODE CHAPTER 8.20 OFFENSES AGAINST PROPERTY TO
INCLUDE A NEW OFFENSE FOR OPEN BURNING.**

WHEREAS, the Municipality recognizes the danger posed by open fires when the community has suspended the right to have an open burn; now, therefore,

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. Anchorage Municipal Code chapter 8.20 is hereby amended to add a new section as follows:

8.20.025 Open burning when prohibited.

A. It is unlawful for any person:

- 1.** To cause open burning, as defined in AMC 15.30.020, on property of another at a time when such open burning is suspended or prohibited pursuant to AMC 15.30.080(B), or
- 2.** To permit any open burning on public land to continue in that person's presence, without calling emergency services, when such open burning is suspended or prohibited pursuant to AMC 15.30.080(B).

B. Violation of this section is a class A misdemeanor.

Section 2. This ordinance shall be effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this _____ day of _____, 2022.

Chair of the Assembly

ATTEST:

Municipal Clerk



MUNICIPALITY OF ANCHORAGE

Assembly Memorandum

No. AM 309-2022

Meeting Date: May 24, 2022

1 **From: MAYOR**

2
3 **Subject: AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING**
4 **ANCHORAGE MUNICIPAL CODE CHAPTER 8.20 OFFENSES**
5 **AGAINST PROPERTY TO INCLUDE A NEW OFFENSE FOR**
6 **OPEN BURNING.**
7

8 The Municipality frequently faces periods of high fire danger. Anchorage contains
9 many greenbelts, parks, and other public and private lands through which an
10 uncontained fire can quickly travel. Open burning during a period of high fire
11 danger creates a substantial risk to life and property.
12

13 Currently, violating an open burn ban is a civil offense. This ordinance would make:
14 (1) an open burn on property of another a crime punishable by up to a year in jail
15 and a \$10,000 fine; and (2) anyone who permits an open burn on public land to
16 continue in that person's presence, without calling emergency services, a crime
17 punishable by up to a year in jail and a \$10,000 fine. These are comparable to the
18 penalties in state law for knowingly starting fires without a permit, knowingly
19 lighting campfires and leaving them unattended, knowingly lighting a fire without
20 permission of the property owner, and damaging the property of another by fire
21 through criminal negligence. AS 41.15.060-AS 41.15.140; AS 11.46.430.
22

23 * There are no economic effects and therefore pursuant to AMC 2.30.053B.1., no
24 Summary of Economic Effects is attached to this ordinance.
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26
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28 **THE ADMINISTRATION RECOMMENDS APPROVAL.**
29

30 Prepared by: Department of Law
31 Approved by: Patrick Bergt, Municipal Attorney
32 Concur: Amy Demboski, Municipal Manager
33 Respectfully submitted: Dave Bronson, Mayor
34