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
From: MAYOR

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

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

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

* There are no economic effects and therefore pursuant to AMC 2.30.053B.1., no Summary of Economic Effects is attached to this ordinance.

THE ADMINISTRATION RECOMMENDS APPROVAL.

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