

Submitted by: Chair of the Assembly at the
Request of the Mayor
Prepared by: Dept. of Law
For reading: September 13, 2022

**ANCHORAGE, ALASKA
AO No. 2022-83**

1 **AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING ANCHORAGE**
2 **MUNICIPAL CODE SECTION 23.95.300 TO ALLOW THE USE OF RELOCATABLE**
3 **ANCILLARY BUILDINGS AS EMERGENCY SHELTERS FOR PERSONS**
4 **EXPERIENCING HOMELESSNESS WHEN THE EMERGENCY SHELTER PLAN IS**
5 **ACTIVATED.**
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7
8 **THE ANCHORAGE ASSEMBLY ORDAINS:**
9

10 **Section 1.** Anchorage Municipal Code section 23.95.300 is hereby amended to read
11 as follows:
12

13 **23.95.100 Building permit: Exemption.**

14 Relocatable ancillary buildings, which meet the requirements of section
15 23.95.200 qualify for a building permit. Relocatable ancillary buildings are
16 exempt from the requirements of section 23.10.101.9, Moved buildings, and
17 section 23.10.104.3, Temporary structures of the Anchorage Administrative
18 Code, or any successor or local amendment thereto.
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20 (AO No. 2020-85, § 1, 10-27-20)
21

22 **23.95.200 Requirements for building permit.**

23 A relocatable ancillary building which meets all of the following requirements
24 qualifies for a building permit:

- 25 A. The relocatable ancillary building shall comply with the provisions of the
26 technical codes for new buildings or structures relating to fire, building
27 and life safety concerns and are current as of the date of the building
28 plan review, except the relocatable ancillary building is not required to
29 have:
- 30 1. Plumbing facilities;
 - 31 2. Water service;
 - 32 3. Permanent foundation;
 - 33 4. Active fire alarm system, provided the relocatable ancillary
34 building is less than 1,000 square feet in size and has at least two
35 exit doors;
 - 36 5. Fire sprinkler system; or
 - 37 6. Accessibility for the disabled, provided a similar education
38 program is offered in the permanent building accessible to the
39 disabled.
- 40 B. The relocatable ancillary building must be secured to prevent overturning
41 or sliding by lateral forces, including wind, and to minimize movement
42 during seismic activities.

- C. A plan for the proposed location of the relocatable ancillary buildings shall be approved by the municipal Fire Department and the Development Services Department.
- D. An electrical permit and reinspection for the relocatable ancillary building is required following each relocation thereof.
- E. A plumbing permit and reinspection for any relocatable ancillary building having plumbing facilities or water service is required following each relocation thereof.

(AO No. 2020-85, § 1, 10-27-20)

23.95.300 Definitions.

[A.] A ~~[R]~~elocatable ancillary building is defined as either:

- A. [-] A[A] publicly or privately owned moveable educational classroom or support facility meeting the Group E occupancy definition of the Building Codes contained in Title 23 and constructed for multi-year use in conjunction with one or more publicly or privately owned permanent building and which meets all of the following criteria:
 1. Is a public or private educational facility which serves a public education purpose;
 2. Is ancillary to a permanent building and serves the same general purpose and function as the permanent building;
 3. Is located in close proximity to the permanent building; and
 4. Is used as a classroom for students who have access to the plumbing facilities and water service of the permanent building or is used as a storeroom solely for classroom supplies.
- B. A publicly owned moveable facility designated as an emergency shelter under section 16.120.040, when the emergency shelter plan has been activated under section 16.120.020.

(AO No. 2020-85, § 1, 10-27-20)

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 493-2022

Meeting Date: September 13, 2022

1 **From:** MAYOR

2
3 **Subject:** AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING
4 ANCHORAGE MUNICIPAL CODE SECTION 23.95.300 TO
5 ALLOW THE USE OF RELOCATABLE ANCILLARY BUILDINGS
6 AS EMERGENCY SHELTERS FOR PERSONS EXPERIENCING
7 HOMELESSNESS WHEN THE EMERGENCY SHELTER PLAN IS
8 ACTIVATED.
9

10 This ordinance would amend the definition of “relocatable ancillary building” in
11 Anchorage Municipal Code (“AMC”) Section 23.95.300 to allow the Municipality to
12 utilize relocatable buildings for emergency sheltering. Anchorage Municipal Code
13 currently allows relocatable buildings to be used for year-to-year use as
14 classrooms. AMC Chapter 23.95 establishes this category specifically to support
15 Group E occupancy, the use of a building for educational purposes. This use is
16 regulated separately from temporary structures and comes with its own set of
17 requirements. Like the classroom use, if the Municipality were to use relocatable
18 buildings for emergency sheltering, the buildings must undergo building plan
19 review to ensure certain building code requirements relating to fire, building, and
20 life safety concerns are met. Through the expanded definition proposed in this
21 ordinance, relocatable ancillary buildings can support Group R occupancy, or a
22 building that can be used for sleeping purposes.
23

24 The proposed use of relocatable buildings for emergency sheltering could only
25 take place during a period when the Municipality has enacted its Emergency
26 Shelter Plan pursuant to Anchorage Municipal Code section 16.120.020. When the
27 Emergency Shelter Plan is activated, only buildings that have undergone the
28 designation process under Title 16 may be utilized. The designation process
29 provides another layer of review by the Anchorage Health Department of the safety
30 and appropriateness of the proposed location, as well as the site’s staffing, plan,
31 and protocols. Title 21 requirements for homeless shelters must also be met,
32 except that emergency shelters designated under Chapter 16.120 may be located
33 in zoning districts where homeless shelters would otherwise be prohibited.
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35 ASD is willing to donate relocatable classroom buildings to the Municipality for
36 sheltering purposes. Only a de minimis amount of staff time and equipment
37 purchases will be required to implement this ordinance. As such, no Summary of
38 Economic Effects is attached to this ordinance.
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THE ADMINISTRATION RECOMMENDS APPROVAL.

Prepared by: Adam Trombley, Director, Community Development
Concur Courtney Petersen, Director, Office of Management & Budget
Concur: Mario Bird, Acting Municipal Attorney
Concur: Amy Demboski, Municipal Manager
Respectfully submitted: Dave Bronson, Mayor