

Proposed Amendment #1 to AO 2025-74(S-1)

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].

Submitted by: Assembly Member George Martinez

PROPOSED AMENDMENT

Purpose/Summary of Amendment: Under AMC 8.05.010, unless stated otherwise, criminal conduct must be knowingly engaged in to be punished under Title 8. The proposed amendment would change the proscriptive language of Section 1 to require APD to refer persons camping in violation of 8.45.015, when there is reason to believe they have a condition or disability that would impair their ability to form the required criminal mental state.

TEXT OF AMENDMENT

(adding new language, [DELETING CURRENT CODE LANGUAGE] and [~~Deleting words proposed by the unamended AO that are not in current code~~])

AO(S-1) Preamble, p. 2, at lines 9, amending as follows:

WHEREAS, the Assembly recognizes that some individuals residing in public spaces are suffering from serious mental illness or cognitive impairment that limits their capacity to voluntarily comply with ordinances, and that the Assembly has introduced separate resolutions calling for a public health centered response to this specific population, including medically appropriate intervention and support strategies; and

AO(S-1) Section 1, p. 3, at lines 18, amending as follows:

C. In cases where the Anchorage Police Department has reason to believe an individual is medically or psychiatrically incapable of understanding or complying with the ordinance due to a behavioral health condition or cognitive disability, they shall refer the individual to the Anchorage Health Department or mental health crisis professionals, where available, for appropriate intervention.

D. Violation of this section is a class B misdemeanor, . . .

AO(S-1), p. 6, at lines 18, inserting a new Section 5 and amending as follows:

Section 5. Interdepartmental Coordination Encouraged. The Anchorage Police Department is encouraged to coordinate with the Anchorage Health Department and other appropriate entities to develop referral protocols that

align enforcement with emerging public health strategies adopted by the municipality. These protocols should seek to avoid criminalizing individuals suffering from acute mental illness or cognitive disability and instead prioritize humane, clinically appropriate engagement.

Section 6/3/. This ordinance shall be effective 7 days from the date of passage and approval by the Assembly.

Will there be any public or private economic effect to the proposed amendment?
☐ YES ☒ NO (check one) **If yes, please detail below.**

Proposed Amendment #2 to AO 2025-74(S-1)

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].

Submitted by: Assembly Member Silvers

PROPOSED AMENDMENT

Purpose/Summary of Amendment: The proposed amendment would add dog parks, pavilions and community gardens to the list of areas covered by the new offense as “prohibited camping” and prioritized for enforcement where camping is within 500 feet. “Community garden” is a defined community park and open area use in AMC 21.05.040G.1. “Pavilions” are identified and listed on the Parks & Recreation Department website

(<https://storymaps.arcgis.com/stories/ca7fccd3a50c41faa1f6a3ebfe799100>)

As well as the Off-Leash Dog parks

(<https://www.muni.org/Departments/parks/Pages/DogParks.aspx>)

TEXT OF AMENDMENT

(adding new language, [DELETING CURRENT CODE LANGUAGE] and [~~Deleting words proposed by the unamended AO that are not in current code~~])

AO(S-1) Section 1, p. 3, beginning at line 7, amending as follows:

- b. The edge of any athletic field, dog park, pavilion, community garden or other maintained (such as groomed or mowed) open field on parkland;

Will there be any public or private economic effect to the proposed amendment?

☐ YES ☒ NO (check one) If yes, please detail below.

Proposed Amendment #3 to AO 2025-74(S-1)

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].

Submitted by: Assembly Member Silvers

PROPOSED AMENDMENT

Purpose/Summary of Amendment: Adding bodies of water to the list of protected premises, which includes lakes, rivers and streams and should be broadly construed, and a definition is provided to that end, based on (but not identical to) the definition in AMC 15.05.030.

TEXT OF AMENDMENT

(adding new language, [DELETING CURRENT CODE LANGUAGE] and [~~Deleting words proposed by the unamended AO or AO(S-1) that are not in current code~~])

AO(S-1) Section 1, p. 2, at line 36, amending as follows:

1. On or within 200 feet of paved greenbelt, bodies of water, and major trail systems (including but not limited to the Coastal Trail, Chester Creek Trail, Ship Creek Trail, and Campbell Creek Trail), measured from the paved edge of the trail;

AND AO(S-1) Section 1, p. 3, at line 15, amending as follows:

- B. For purposes of this section,
 1. distance shall be measured from the nearest edge of the protected premises enumerated above to any portion of the prohibited campsite; and
 2. "bodies of water" means lakes, bays, ponds, impounding reservoirs, springs, wells, rivers, streams, creeks, estuaries, marshes, inlets and canals in the territorial limits of the municipality and all other bodies of surface water, natural or artificial, public or private, inland or coastal, fresh or salt, that are wholly or partially in or bordering the municipality or under the jurisdiction of the municipality. .

Will there be any public or private economic effect to the proposed amendment?

☐ YES ☒ NO (check one) If yes, please detail below.

Proposed Amendment #4 to AO 2025-74(S-1)

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].

Submitted by: Assembly Chair Constant

PROPOSED AMENDMENT

Purpose/Summary of Amendment: Sponsor will speak to this amendment.

TEXT OF AMENDMENT

(adding new language, [DELETING CURRENT CODE LANGUAGE] and [~~Deleting words proposed by the unamended AO that are not in current code~~])

AO(S-1) Section 3, p. 6, at line 18, amending to renumber Section 3 to 5 and as follows:

Section 5[3]. This ordinance shall be effective 7 days from the date of passage and approval by the Assembly **and shall automatically be repealed 24 months after said effective date without requiring any further Assembly action.**

Will there be any public or private economic effect to the proposed amendment?
☐ YES ☒ NO (check one) **If yes, please detail below.**