

AD 99-136

CLERK'S OFFICE

APPROVED

Date: 10-26-99

Submitted by: Assemblymember TESCHE

Prepared by: Assembly Office

For reading: OCTOBER 12, 1999

ANCHORAGE, ALASKA

AO NO. 99- 136

AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE ("AMC") SUBSECTION 9.65.020A. BY REMOVING THE REQUIREMENT THAT RESIDENTIAL PARKING ZONES ONLY BE CREATED WHERE THE ANCHORAGE PARKING AUTHORITY "HAS CODE ENFORCEMENT POWERS" AND AMENDING AMC SECTIONS 9.30.240, 9.30.250, 9.30.260, AND 9.30.310 TO CHANGE ANY REFERENCE TO "PARKING ENFORCEMENT OFFICER" TO "POLICE OFFICER"

THE ANCHORAGE ASSEMBLY ORDAINS

**Section 1:** Anchorage Municipal Code subsection 9.65.020A. is hereby amended to read as follows:

**9.65.020**      **Petition for Establishment of Residential Parking Zone**

A. [WHERE] ~~I~~the parking authority [HAS ENFORCEMENT POWERS, IT] shall establish and administer residential parking programs in residential parking zones as provided by this chapter.

**Section 2:** Anchorage Municipal Code section 9.30.240 is hereby amended to read as follows:

**9.30.240**      **Enforcement Officers**

Notwithstanding any other provision of this Code, the provisions of chapters 9.30, 9.32 and 9.34 may be enforced by any police officer [, DESIGNATED POLICE DEPARTMENT EMPLOYEE OR PARKING ENFORCEMENT OFFICER], as defined in section 9.04.010[, AND BY ANY STATE OR MUNICIPAL FIRE INSPECTOR WITH RESPECT TO MARKED FIRE LANES].

2  
3 **Section 3:** Anchorage Municipal Code subsection 9.30.250A. is hereby amended  
4 to read as follows:  
5

6 **9.30.250 Notice of Violation**  
7

- 8 A. A vehicle parked, stopped or standing in violation of a provision of chapter  
9 9.30, 9.32 or 9.34 is a public nuisance. Upon discovery of a vehicle parked,  
10 stopped or standing in violation of a provision of chapter 9.30, 9.32 or 9.34,  
11 a police officer [PARKING ENFORCEMENT OFFICER] shall issue a notice  
12 of violation as authorized by section 9.30.240, and deliver it to the operator  
13 of the vehicle or affix it to the vehicle if it is unattended at the time of  
14 issuance. The notice of violation shall identify the vehicle, the nature of the  
15 violation and the means of resolving it.  
16  
17  
18

19 **Section 4:** Anchorage Municipal Code subsections 9.30.260A. through C. inclusive  
20 are hereby amended to read as follows:  
21

22 **9.30.260 Impoundment of Improperly Parked Vehicle as Public Nuisance**  
23

- 24 A. No person shall allow, maintain or permit a public nuisance to exist.  
25  
26 B. A vehicle which has been the object of four or more unresolved citations for  
27 parking, stopping or standing in violation of this title is a public nuisance  
28 subject to abatement by immediate impoundment by a police officer  
29 [PARKING ENFORCEMENT OFFICER]. This section shall not affect the  
30 independent authority of a police officer to impound a vehicle as provided in  
31 section 9.30.020.  
32  
33 C. A police officer [PARKING ENFORCEMENT OFFICER] is authorized to  
34 impound a vehicle which is found to be parked, stopped or standing in  
35 violation of any section of chapters 9.30, 9.32 or 9.34 when the traffic  
36 engineer has determined that such a violation threatens the public health,  
37 safety or welfare and therefore justifies immediate impoundment.  
38

39 \*\*\*

\*\*\*  
40  
41  
42  
43  
44  
45

2  
3 **Section 5:** The Anchorage Municipal Code section 9.30.310 is hereby amended to  
4 read as follows:

5  
6 **9.30.310 Authority to Void Parking Violation Notice**

7  
8 **A.** If the parking authority determines that a notice of parking violation has been  
9 improperly issued, it may rescind that notice by writing the word "void" on its  
10 face. A record shall be maintained for all actions taken pursuant to this  
11 section. The parking authority may invoke this section upon finding that one  
12 of the following conditions existed at the time of the notice was issued:

13  
14 **1.[A.]** The parking meter was broken or malfunctioning at the time of the  
15 violation.

16  
17 **2.[B.]** The vehicle bore a handicapped parking notice issued pursuant to  
18 section 9.30.235.

19  
20 **3.[C.]** The vehicle had a convention visitor notice issued pursuant to section  
21 9.30.320.

22  
23 **4.[D.]** The parking violation notice was improperly executed by the police  
24 officer [PARKING ENFORCEMENT OFFICER].

25  
26 **5.[E.]** Other good cause.

27  
28 **Section 6:** This ordinance shall become effective immediately upon its passage and  
29 approval by the Assembly.

30  
31 **PASSED AND APPROVED** by the Anchorage Assembly this 26th day of  
32 October, 1999.

33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
  
Chair

ATTEST:

  
Municipal Clerk