

CLERK'S OFFICE

APPROVED

Date: 4-18-00

ANCHORAGE, ALASKA
AO NO. 2000- 64

AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE SECTIONS 14.60.030, 24.30.020 AND 24.30.100 TO ALLOW THE ADMINISTRATIVE HEARING OFFICER TO ASSESS FINES FOR USING OR WORKING IN A PUBLIC PLACE WITHOUT THE APPROPRIATE PERMIT OR IN VIOLATION OF THE PERMIT, AND TO CLARIFY THE INTERPRETATION OF ANCHORAGE MUNICIPAL CODE SECTION 24.30.100.

THE ANCHORAGE ASSEMBLY ORDAINS

Section 1. Anchorage Municipal Code Section 14.60.030 is hereby amended by adding fines for violation of Anchorage Municipal Code Subsections 24.30.020.A, 24.30.100.I, 24.30.100.J, and 24.30.100.K to read as follows (*the remainder of the section is not affected and therefore is not set out*):

14.60.030 **Fine schedule.**

The fine schedule under this chapter is as follows:

***	***	***
24.30.020.A	Use of a public place without a permit	\$50.00-300.00
***	***	***
24.30.100.I.	Use of a public place without a permit	\$1,000.00 plus triple permit fees
***	***	***
24.30.100.J	Work not in conformance with a permit	\$1,000.00
***	***	***
24.30.100.J	Failure to cure work not in conformance with a permit	\$1,000.00 per day, plus inspection fees
***	***	***
24.30.100.K	Work in violation of a notice to stop work	\$1,000.00 per day in violation

Section 2. Anchorage Municipal Code Subsection 24.30.020A is hereby amended to read as follows (*the remainder of the section is not affected and therefore is not set out*):

24.30.020 **Permit required; sidewalk permits and exemptions.**

A. Permit required. It is unlawful for anyone to use any public place as defined in section 24.30.010 without first having applied for and obtained a permit to engage in such use and paying the permit fee if one is prescribed in this title. No contractor's license shall be required of a certificated utility doing its own work. Nothing contained in this section shall apply to street or storm sewer maintenance work performed by the municipality or street or storm sewer improvement projects under contract with the municipality. A permit must be obtained for the use of any public place. Fines for failure to have a permit under this subsection may be assessed according to the schedule provided in Title 14.

(CAC 10.28.050; AO No. 79-220; AO No. 97-88, § 1, 6-3-97; AO No. 99-13(S), § 3, 3-16-99)

Section 3. The introductory paragraph to Anchorage Municipal Code Section 24.30.100 and Subsections I, J, and K are hereby amended to read as follows:

24.30.100 Fees for use of public places.

Fees shall be paid in accordance with this section before a permit is issued. The permit fee charged will include the aggregate of all fees listed below relevant to the application and reasonable charges for plotting as-built locations on the permanent records of the department of public works.

Use of [WORK IN] a public place without a permit. [\$1,000.00 PLUS TRIPLE PERMIT FEES WILL BE ASSESSED] Private contractors, private utilities or public utilities may be assessed a fine under Title 14 for any work done by them in a public place without the appropriate permit. [IN ADDITION, ANYONE PERFORMING WORK IN A PUBLIC PLACE WITHOUT A VALID PERMIT MAY BE SUBJECT TO A FINE PURSUANT TO TITLE 14.]

J Work not in conformance with a permit. A fine may be assessed under Title 14 for work not in conformance with a permit. For work not brought into conformance with a valid permit after [WITHIN 10 DAYS OF] notice to the permittee by the municipality of such nonconformance, the permittee may be assessed an additional fine according to the schedule in Title 14 [A FEE OF \$1,000.00] plus municipal inspection fees associated with monitoring the work being brought into conformance. Non-emergency notices shall be in writing and shall give 10 days to cure the violation before the additional fine may accrue. If an emergency situation exists, as determined in the sole discretion of the director of public works or his designee, notice may be verbally given and may require immediate cure of the violation.

K Work in violation of a notice to stop work. Anyone issued a notice to stop work who fails to stop work or resumes work without permission from the municipality or removes, mutilates, destroys or conceals the notice may be assessed a fine according to the schedule in Title 14. [FEE OF \$1,000.00 PER DAY FOR EACH AND EVERY DAY THE VIOLATION CONTINUES. IN ADDITION, ANYONE PERFORMING WORK IN VIOLATION OF A NOTICE TO STOP WORK OR RESUMES WORK WITHOUT PERMISSION FROM THE MUNICIPALITY, MAY BE SUBJECT TO A FINE PURSUANT TO TITLE 14.]

(the remainder of the section is not affected and therefore is not set out)

(AO No. 99-13(S), § 6, 3-16-99)

Section 4. This ordinance shall become effective immediately upon its passage and approval by the Assembly.

1
2 PASSED AND APPROVED by the Anchorage Assembly this 18th day of April, 2000.
3
4

5 Kiri Meek
6 Chair of the Assembly

7 ATTEST:

8 K. Lejane Ferguson
9
10 Municipal Clerk

**MUNICIPALITY OF ANCHORAGE
MUNICIPAL CLERK'S OFFICE
AGENDA DOCUMENT CONTROL SHEET**

At 2000-64

(SEE REVERSE SIDE FOR FURTHER INFORMATION)

1	SUBJECT OF AGENDA DOCUMENT Amending Title 14 and Title 24 to correct Fine Schedule and Clarify Fees and Fines	DATE PREPARED February 25, 2002
		Indicate Documents Attached <input checked="" type="checkbox"/> AO <input type="checkbox"/> AR <input checked="" type="checkbox"/> AM <input type="checkbox"/> AIM
2	DEPARTMENT NAME Public Works	DIRECTOR'S NAME James P. Fero
3	THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY Dennis Wheeler, Assistant Muni. Attorney	HIS/HER PHONE NUMBER 343-4545
4	COORDINATED WITH AND REVIEWED BY	INITIALS
<input checked="" type="checkbox"/>	Mayor	
<input checked="" type="checkbox"/>	Municipal Clerk	
<input checked="" type="checkbox"/>	Municipal Attorney	
<input checked="" type="checkbox"/>	Employee Relations	
<input checked="" type="checkbox"/>	Municipal Manager	
	Cultural & Recreational Services	
	Fire	
	Health & Human Services	
	Merrill Field Airport	
<input checked="" type="checkbox"/>	Municipal Light & Power	
<input checked="" type="checkbox"/>	Office of Management & Budget	
	Police	
	Port of Anchorage	
<input checked="" type="checkbox"/>	Public Works	
	Solid Waste Services	
	Public Transportation	
<input checked="" type="checkbox"/>	Water & Wastewater Utility	
	Executive Manager	
	Community Planning & Development	
	Finance, Chief Fiscal Officer	
	Heritage Land Bank	
	Management Information Systems	
	Property & Facility Management	
	Purchasing	
	Other	
5	SPECIAL INSTRUCTIONS/COMMENTS	
	<div style="border: 1px solid black; padding: 5px; display: inline-block;"> RECEIVED Office of Municipal Clerk MAR 10 2000 P.O. Box 196650 Anchorage, AK 99519-6650 </div>	
	<i>7.B. Introduction</i>	
6	ASSEMBLY HEARING DATE REQUESTED March 21, 2000	7
		PUBLIC HEARING DATE REQUESTED 4/18/00