

CLERK'S OFFICE

APPROVED

Date: 2-06-01

Submitted by: Assemblymember Abney

Prepared by: Department of Law

For reading: JANUARY 9, 2001

ANCHORAGE, ALASKA

AO No. 2001- 4

AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE CHAPTER 24.80 TO REQUIRE REAL PROPERTY OWNERS TO KEEP ACCESSIBLE PARKING SPACES CLEAR OF SNOW AND ICE.

Section 1. Anchorage Municipal Code sections 24.80.090, 24.80.100, and 24.80.110 (*title only*) are hereby amended to read as follows:

**24.80.090 Removal of snow and ice from sidewalks and accessible parking spaces-
-Duties of occupants of real [ADJACENT] property.**

- A. An occupant of land upon which is located an accessible parking space or which is adjacent to a public sidewalk shall be responsible for the removal of any accumulation of snow and the removal or treatment of any ice that may accumulate, form or be deposited thereon.
- B. Between the hours of 8:00 a.m. and 6:00 p.m., it shall be unlawful for any occupant of land subject to the requirements of this section to fail to remove any accumulation of snow or to fail to remove or treat any accumulation of ice from all accessible parking spaces or adjacent public sidewalks.
- C. For purposes of this section, any accumulation of snow of two inches or more, or any accumulation of ice of one inch or more, or any combination thereof to a depth of two inches or more, or any accumulation of untreated ice at any point on a public sidewalk or accessible parking space, shall create a rebuttable presumption that the occupant has violated this section. [THE OCCUPANT OF LAND ADJACENT TO SUCH SIDEWALK HAS VIOLATED THE PROVISIONS OF THIS SECTION].
- D. No person shall place, leave or deposit upon any street, avenue, alley, sidewalk or other public place any accumulation of snow or ice which has been removed from a private driveway or parking area.
- E. This section may be enforced by any officer or employee of the municipality who has been appointed as a peace officer pursuant to section 1.45.030 or by any police officer.

F. Notwithstanding the prohibitions stated in section 24.80.070, it shall be lawful to deposit snow at the edge of a street only if:

1. Such snow has been removed solely from a public sidewalk adjacent to that street;
2. The street into which the snow was deposited is located within the central business traffic district, as defined in section 9.04.010; and
3. The snow is deposited in that street before the most recent snowfall which fell directly into that street has been removed therefrom. The accumulation of ice, snow or a combination thereof in a street of four or more inches creates a rebuttable presumption that the most recent snowfall on such street has not yet been removed.

(CAC 10.48.200; AO No. 80-185; AO No. 87-138(S))

24.80.100 Removal of snow and ice from sidewalks and accessible parking spaces--
Definitions.

The following words, terms and phrases, when used in sections 24.80.090 through 24.80.110, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Accessible parking space means a space required by this Code to provide parking for persons with disabilities.

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(AO No. 80-185)

24.80.110 Removal of snow and ice from sidewalks and accessible parking spaces--
Penalties.

- A. Any person who violates the provisions of section 24.80.090 or otherwise fails to comply with the duties set forth therein shall be subject to a fine of not less than \$50.00 and not more than \$300.00 for each offense. Each act of violation and every day upon which any such violation shall occur shall constitute a separate offense.
- B. In addition to any other remedy or penalty provided by this section, any person who violates any provision of section 24.80.090 shall be subject to a civil penalty as set forth in section 14.60.030, or, if no penalty is provided section 14.60.030, a civil penalty of not less than \$50.00 and not more than \$1,000.00 for each offense, or

injunctive relief to restrain the person from continuing the violation or threat of violation, or both injunctive relief and a civil penalty. Upon application for injunctive relief and a finding that a person is violating or threatening to violate any provision of section 24.80.090, the superior court shall grant injunctive relief to restrain the violation.

(AO No. 80-185; AO No. 82-22; AO No. 93-167(S-1), § 20, 4-13-94)

Section 2. Anchorage Municipal Code section 14.60.030 is hereby amended to read as follows:
(the remainder of the section is not affected and therefore not set out)

14.60.030 Fine schedule.

The fine schedule under this chapter is as follows:

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24.80.090 Accessible parking spaces, p[P]ublic sidewalks, snow and ice removal:

- | | |
|--|--------|
| A. Failure to remove snow and ice | 100.00 |
| B. Failure to remove snow and ice | 100.00 |
| D. Depositing snow and ice from
a private driveway on a parking
area or street or sidewalk | 100.00 |

Section 3. This ordinance shall become effective immediately upon its passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 6 day of February
2000: 2001

Fay Von Hemminger
Chair of the Assembly

ATTEST:

Lefane Ferguson
Municipal