

See AO 2001-145
(s 1) AS amended

AO 2001-145

Submitted by: Chair of the Assembly at the
Request of the Mayor
Prepared by: Department of Law
For reading: August 14, 2001

ANCHORAGE, ALASKA
AO NO. 2001-145

AN OMNIBUS ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE AND
ANCHORAGE MUNICIPAL CODE OF REGULATIONS TO MODIFY EXISTING,
AND INCLUDE ADDITIONAL, FEES, FINES, AND PENALTIES.

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1: Anchorage Municipal Code title 8, Penal Code, is hereby amended to read
as follows: *(the remainder is not effected and therefore not set out)*

8.05.020 **Sentencing.**

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G. In addition to any other penalty provided for in this Title or under this
Code and except as otherwise provided in this section, and subject to
judicial discretion, as provided for in AS 12.55 and subject further to the
provisions of AS 47.10 governing disposition of juveniles in juvenile
cases

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2. An order imposing community work service shall specify one or
more of the following as the remedy for failure to complete
community work service as ordered:

a. Conversion of unsatisfied community work service hours to
a fine at the rate of \$75.00 [\$50.00] for every eight hours or
fraction thereof;

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(AO No. 79-24; AO No. 82-134; AO No. 95-67(S), § 8, 7-1-95; AO No. 95-102,
§ 1, 4-26-95; AO No. 95-178, § 3, 9-26-95; AO No. 96-106, § 1, 8-6-96; AO No.
98-59(S), § 1, 5-19-98)

8.40.040 **False alarm charges.**

A Except as otherwise provided in this chapter, the owner of an alarm shall pay a charge in accordance with this section for each and every false alarm to which the police are dispatched:

1. First two false alarms at each identifiable separate location during a period of six months: No charge.

2. Each false alarm in excess of two in any six-month period: \$50.00 [\$35.00].

B The municipality shall bill the owner for false alarms, and the owner shall pay those charges in the manner provided by the municipality. If an owner fails to pay charges assessed pursuant to this section, the municipality may seek payment by any lawful means.

C This section shall not apply to a false alarm occurring within 30 days immediately following installation of that alarm.

D. All false alarms charges shall be deposited in the police service area fund.

(AO No. 80-18; AO No. 98-59(S), § 1, 5-19-98; AO No. 99-157, § 1, 3-7-00)

8.75.120 **Public excretion.**

B Violation of this section shall be punished by a fine of not more than \$150.00 [\$75.00].

(AO No. 98-59(S), § 1, 5-19-98)

8.75.130 **Switchblade and gravity knives.**

B Violation of this section shall be punished by a fine of not more than \$150.00 [\$75.00].

(CAC 8.50.010; AO No. 98-59(S), § 1, 5-19-98)

Section 2: Anchorage Municipal Code title 9, Vehicles and Traffic, is hereby amended to read as follows: *(the remainder is not affected and therefore not set out)*

9.28.020 Driving under the influence--Prohibited; sentencing..

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C. Upon conviction for driving under the influence under this section:

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5 If the person has any interest in the vehicle used in the commission of the offense, the court shall order that:

- a. The vehicle be impounded for 30 days if the person has not been previously convicted; and
- b. The person's interest in the vehicle be forfeited to the municipality if the person has been previously convicted.

At sentencing, the court shall order that any vehicle return bond which has been posted to secure the release of the vehicle be forfeited to the municipality if the vehicle subject to the vehicle return bond is not returned to the custody of the municipality within five days after the sentencing. At sentencing, the court shall order that any vehicle return bond posted to secure the release of the vehicle be exonerated when the vehicle has been returned to the custody of the municipality. At sentencing, the court may also order that any proceeds of any sale, transfer, or encumbrance of the vehicle be forfeited to the municipality if the vehicle has been sold, transferred, or encumbered while the vehicle has been subject to a vehicle return bond. A vehicle ordered impounded pursuant to this subsection shall not be released until after the person seeking release of the vehicle has provided proof of ownership of the vehicle and paid or provided proof of payment of the impound fees and the storage fees. Impound fees shall include the actual cost of impound plus an administrative fee of \$360.00 [\$220.00] to offset the municipality's processing costs. Any order of impoundment or forfeiture entered under this subsection is subject to the rights of lienholders, owners, lessors, lessees, and co-owners who are not the person convicted of driving under the influence as those rights are adjudicated in civil proceedings under section 9.28.026. If the municipality has brought a civil action under section 9.28.026 seeking impoundment or forfeiture as against all those with an interest in the vehicle except the person charged with a violation of

section 9.28.020, that civil action shall provide the sole forum in which lienholders, owners, lessors, lessees, and co-owners who claim an interest in the vehicle but are not the person charged with a violation of section 9.28.020 can seek relief.

(AO No. 267-76; AO No. 78-72; AO No. 78-230(S); AO No. 80-122; AO No. 81-75; AO No. 82-126; AO No. 83-168, 10-17-83; AO No. 89-52; AO No. 91-56(S); AO No. 91-190; AO No. 94-68(S), § 11, 8-11-94; AO No. 95-84(S-1), §§ 1--9, 4-27-95; AO No. 95-163(S), §§ 1--5, 8-8-95; AO No. 97-72, § 1, 6-10-97; AO No. 97-87, § 1, 6-3-97; AO No. 2001-51, § 1, 2-27-01)

9.48.130 Vehicular offenses amenable to disposition without court appearance by payment of a fine, offenses requiring court appearance, or offenses correctable without fine or appearance.

In accordance with AS 28.05.151, a citation issued for violation of any of the following sections of this title shall be subject to disposition with payment of a fine in lieu of a court appearance or as otherwise prescribed. Violations committed within highway work zones shall be subject to double the fine amount indicated.

Title		Fee Amount
Lane direction control signal	9.14.070	30.00
Placement of unauthorized traffic control signs or signals	9.14.080.A	40.00
Commercial signs	9.14.080.B	40.00
Unauthorized signs on traffic control device, public utility poles	9.14.080.C	40.00
Defacing traffic control device	9.14.090	150.00
Violation of street closure	9.14.130.C	60.00
Unauthorized traffic on Merrill Field	9.14.140	75.00 [50.00]
RULES OF ROAD		
Driving on right required	9.16.010.A.1	60.00
Restrictions on driving left of center	9.16.010.A.2	75.00 [50.00]
Slower traffic to keep right	9.16.010.B	75.00 [60.00]
Restrictions on driving left of center, 4-lane highway	9.16.010.C	75.00 [60.00]
Passing vehicle proceeding in opposite direction	9.16.020	50.00
Overtaking on left	9.16.030.A	75.00
Overtaken vehicles yield to right	9.16.030.B	50.00
Overtaking on right	9.16.040.B	75.00 [60.00]
Unsafe passing on left	9.16.050	75.00 [60.00]
Limitations on driving on left side of roadway	9.16.060	75.00 [60.00]



MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM

NO. AM 717-2001

Meeting Date: August 14, 2001

From Mayor

Subject AO 2001-145, an omnibus ordinance amending Anchorage Municipal Code and Anchorage Municipal Code of Regulations to modify existing, and include additional, fees, fines and penalties

During discussions of the 2001 General Government Operating Budget, the Administration shared with the Assembly its plans to review municipal fees and fines to identify potential increases. This proposed ordinance represents a major step in completing this process.

Earlier this year, each department reviewed its existing fees and fines to identify those that should be increased to more fully cover the cost of delivering that program or service. During this review, some departments found there are new activities today that were not in existence at the time when that department's fees were last examined.

After identifying potential changes and additions, departments discussed their proposals with appropriate advisory boards, commissions, and/or customer groups. While this process slowed down this project's overall timeframe for completion, we believe that it was important to have the benefit of comments—and hopefully the buy-in—of those that eventually will bear the additional cost of these changes.

Attached is a summary by department that identifies the current fee for various services and the proposed change. The estimated full year revenues for these changes are as follows:

Estimated Annual Revenue

Community and Recreational Services	\$10,150
This amount is for the one fee change included in this AO. Using its administrative authority, the department is implementing a number of other increases that will result in an additional estimated revenue of \$505,000.	
Development Services	\$505,000
These revenues will be deposited in Fund 181, the Building Safety fund.	
Planning Department	\$500,000
Municipal Attorney	\$128,000
Anchorage Cemetery	\$114,400
Anchorage Police Department	\$13,350
In addition to the one proposed change in this AO, a separate ordinance will be introduced for an E-911 surcharge (we are waiting for the state law authorizing the surcharge to go into effect). Estimated revenue from this surcharge is \$480,000.	
Project Management and Engineering	\$90,000
Traffic	\$480,000
	\$37,000
	\$8,000
<i>Total of all proposals</i>	<i>\$1,885,900</i>

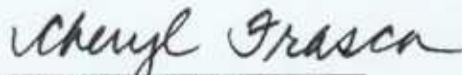
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2 Several other departments continue to work on potential changes, which will be brought forward
3 to the Assembly after work with the user groups is complete.
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6 Concurrence:

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11 Harry J. Kichling
12 Municipal Manager
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Prepared by:

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17 Cheryl Frasca, Director
18 Office of Management and Budget
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21 Respectfully Submitted,
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George P. Wuersch
Mayor

Municipality of Anchorage
MUNICIPAL CLERK'S OFFICE
Agenda Document Control Sheet

AO 01-145

(SEE REVERSE SIDE FOR FURTHER INFORMATION)

1	SUBJECT OF AGENDA DOCUMENT Omnibus ordinance amending AMC and AMCR to modify existing, and include additional, fees, fines and penalties	DATE PREPARED Indicate Documents Attached <input checked="" type="checkbox"/> AO <input type="checkbox"/> AR <input checked="" type="checkbox"/> AM <input type="checkbox"/> AIM	
2	DEPARTMENT NAME OMB	DIRECTOR'S NAME Cheryl Frasca	
3	THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY Cheryl Frasca	HIS/HER PHONE NUMBER 343-4490	
4	COORDINATED WITH AND REVIEWED BY	INITIALS	DATE
<input checked="" type="checkbox"/>	Mayor		
	Heritage Land Bank		
	Merrill Field Airport		
	Municipal Light & Power		
	Port of Anchorage		
	Solid Waste Services		
	Water & Wastewater Utility		
<input checked="" type="checkbox"/>	Municipal Manager	<i>m</i>	(10)
	Cultural & Recreational Services		
	Employee Relations		
	Finance, Chief Fiscal Officer		
	Fire		
	Health & Human Services		
<input checked="" type="checkbox"/>	Office of Management and Budget	<i>CF</i>	8/10/01
	Management Information Services		
	Police		
	Planning, Development & Public Works		
	Development Services		
	Facility Management		
	Planning		
	Project Management & Engineering		
	Street Maintenance		
	Traffic		
	Public Transportation Department		
	Purchasing		
<input checked="" type="checkbox"/>	Municipal Attorney	<i>WAS</i>	8/10/01
	Municipal Clerk		
	Other		
5	Special Instructions/Comments		
6	ASSEMBLY HEARING DATE REQUESTED August 14, 2001	7	PUBLIC HEARING DATE REQUESTED August 28, 2001

