

Postponed indefinitely
9/24/02

Submitted by: Assembly Chair Traini
Prepared by: Department of Assembly
For reading: September 10, 2002

ANCHORAGE, ALASKA
AO NO. 2002-134(S)

AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING
ANCHORAGE MUNICIPAL CODE CHAPTER 10.60, REGARDING SIDEWALK
VENDORS.

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1 That AMC Subsections 10.60.050 A. And 10.60.050 C. are hereby
amended as follows:

10.60.050 Application for license.

A. *Sidewalk vendors.* An application for a sidewalk vendor license shall be
made to the municipal clerk or designee and shall include, but not be limited
to, the following:

The name of the vending business to be conducted [**PURSUANT TO
THE DESIRED LICENSE**];

2 The name, home and business addresses and telephone numbers of
the applicant, who shall be the owner and licensee of the vending
business to be conducted [**PURSUANT TO THE DESIRED
LICENSE**];

3. A physical description and photograph or schematic drawing of the
planned vendor site layout, to include the equipment to be used for
display, storage or other purposed related to the business to be
conducted [**PURSUANT TO THE DESIRED LICENSE**];

4. Proof that the applicant has obtained a State business license in the
applicant's name and the name of the business to be conducted
[**PURSUANT TO THE DESIRED LICENSE**];

5. A complete description of the types of goods and services that shall
be offered [**UNDER THE DESIRED LICENSE**];

6. A signed written statement that the applicant shall actively operate a
vending business [**UNDER THE DESIRED LICENSE**];

[7. IF APPLICABLE, PROOF SUFFICIENT TO THE MUNICIPAL CLERK THAT THE APPLICANT ACTIVELY OPERATED A SIDEWALK VENDING SITE FOR AT LEAST SIXTY DAYS DURING THE YEAR PREVIOUS TO THE LICENSING YEAR BEING APPLIED FOR, UNDER A VALID LICENSE ISSUED BY THE MUNICIPAL CLERK;]

7.[8] A non-refundable application fee of fifty dollars (\$50.00); and

8.[9] A completed lottery card.

Each applicant may complete and submit only one application and lottery card per license year.

C. *Time of application; **term of licenses**.* An application for a sidewalk or roving vendor license [EFFECTIVE OCTOBER 1] will be accepted by the municipal clerk's **office** beginning **October 1 [AUGUST 15]**. **The term of licenses shall be as follows:**

1. **Sidewalk vendor - from April 1 to October 1 of the license year.**

2. **Roving vendors - from January 1 to December 31 of the license year.**

Section 2 That AMC Section 10.60.055 is hereby amended as follows:

10.60.055 Sidewalk vendors - Site selection drawings; licensing requirements.

A. Only those applicants who complete the application process under section 10.60.050 prior to close of business on the last day of **October [SEPTEMBER]** shall be included in the site selection drawings for the following year's vendor sites.

B. The site selection drawings will be held by the municipal clerk **or designee on the first Monday in November [FIRST WORKING DAY AFTER OCTOBER 1]** of each year at a time and place designated by the municipal clerk **or designee**.

C. Only applicants will be allowed to select sites. No proxies, relatives or associates will be permitted to select a site for an applicant. Applicants must be present, in person, at the site selection drawings and must be prepared to prove their identity prior to selecting a site.

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- 3
- 4 D. Each applicant will be limited to one site selection per license year.
- 5
- 6 E. The site selection drawings shall consist of, and be conducted in the
- 7 following order:
- 8
- 9 1 *First priority drawing.* A first priority drawing shall be conducted from
- 10 the lottery cards of those applicants who, at the time of application,
- 11 **[PROVIDED PROOF SUFFICIENT TO THE MUNICIPAL CLERK**
- 12 **THAT THE APPLICANT]** have actively operated a sidewalk vendor
- 13 site for at least sixty days during the year previous to the licensing
- 14 year being applied for, under a valid license issued by the municipal
- 15 clerk or designee. No more than fifty percent of the number of
- 16 available vendor sites will be offered for selection through this
- 17 drawing.
- 18
- 19 2. *General drawing.* A general drawing will then be conducted from the
- 20 lottery cards of those applicants who were not drawn in the first-
- 21 priority drawing and from applicants who did not actively operate a
- 22 sidewalk vendor site for at least sixty days during the year previous to
- 23 the licensing year being applied for, under a valid license issued by
- 24 the municipal clerk or designee. Names will be drawn until the lottery
- 25 cards of all applicants present have been drawn.
- 26
- 27 F. Applicants selecting a sidewalk vending site shall provide the following
- 28 licensing requirements to the municipal clerk or designee prior to issuance
- 29 of a license, but no later than April 1 of the license year:
- 30
- 31 1 A license fee of \$350.00 **[ONE-HUNDRED DOLLARS (\$100.00)]**.
- 32
- 33 2 Proof of insurance required by section 10.60.110; and
- 34
- 35 3. Proof that the applicant has obtained health permits required for the
- 36 preparation and sale of food or beverages **[, AND ANY LICENSE**
- 37 **REQUIRED BY TITLE 11]**.
- 38
- 39 Should an applicant fail to meet the above requirements by April 1 of the
- 40 license year, the municipal clerk may reassign the vendor site to another
- 41 applicant per subsection 10.60.055G.
- 42
- 43 G. A list of the applicants' names, in order in which they were drawn, starting
- 44 with the first-priority drawing and continuing with the general drawing will be
- 45 compiled by the municipal clerk or designee and preserved. In the event
- 46 selected or additional sites become **[ARE]** available, applicants who did not
- 47 receive a vending site during the site drawings will be contacted, in order,
- 48 from this list until a vendor accepts the site.
- 49
- 50
- 51

If no vendor on the list accepts the site or completes the application process **[WITHIN THE SPECIFIED TIME]**, the site will be deemed available to the first person completing the application process under section 10.60.050 and providing all licensing requirements under section 10.60.055.

H. An applicant may remove his/her name from the list until a vendor accepts the site.

Section 3: That AMC Subsection 10.60.070 B. is hereby amended as follows:

10.60.070 Sidewalk vendors - Designation and assignment of vendor sites.

B Each vendor assigned a vendor site shall actively operate a vending business on the site. The operation of each vendor site shall be monitored on a daily basis by the municipal clerk or designee. **This monitoring may be accomplished by contract service using the fees collected per subsection 10.60.055F. The contract shall be administered by the municipal clerk or designee and the monitoring shall cover daily attendance, licensing requirements per section 10.60.080, and standards of operation per section 10.60.100. Daily attendance records shall be used to determine if a vendor qualifies for the first-priority drawing per subsection 10.60.055E.1., and if a vending site remains inactive for a period of 30 consecutive days, the municipal clerk or designee shall contact the vendor as to the reason for inactive operations. The municipal clerk may reassign such inactive sites to another applicant per subsection 10.60.055G.**

Section 4: That AMC Section 10.60.125 is hereby amended as follows:

10.60.125 Inspections.

In addition to the monitoring required by subsection 10.60.070B. for sidewalk vendors, and as provided for in section 10.10.050, the municipal clerk or law enforcement officials may, during the normal working hours of a vending business licensed under this chapter, inspect the business for the purpose of determining whether the licensee is conducting the business in accordance with the specific requirements of this chapter.

Section 5: That this ordinance shall be effective upon passage and approval

PASSED AND APPROVED by the Anchorage Assembly this _____ day of _____, 2002.

Chair

ATTEST

Municipal Clerk

See AO 2002-134(S)



MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM
NO. AM 826-2002

Meeting Date: September 10, 2002

From: Assembly Chair Traini
Subject: Revisions to AMC 10.60 - Sidewalk Vendors

This attached ordinance proposes the following major changes:

1. Where applicable and appropriate, the ordinance adds "or designee" to the municipal clerk's responsibilities.
2. The 'first-priority' drawing is maintained; however, a daily monitoring of attendance by contract is required.
3. The time of the site drawing is changed from early October to early November, allowing one month between the end of one vending season and the lottery drawing for the next season.
4. The term of the license is specified from April 1 to October 1 of the licensing year.
5. The license fee is changed from \$100 to \$350 per site – using the increased revenue to fund the daily monitoring of attendance, licensing requirements, and standards of operation.

Approval of this ordinance is recommended

Respectfully submitted

Prepared by:

Dick Traini

Dick Traini
Assembly Chair

Greg Moyer

Greg Moyer
Municipal Clerk

**Municipality of Anchorage
MUNICIPAL CLERK'S OFFICE
AGENDA DOCUMENT CONTROL SHEET**

AO 2002-134(S)

1	SUBJECT OF AGENDA DOCUMENT	DATE PREPARED <i>9-6-02</i>
	<i>AO 2002-134(S) - Sidewalk Vendors</i>	INDICATE DOCUMENTS ATTACHED
		<i>AO, AM</i>
2	DEPARTMENT NAME Assembly	DIRECTOR'S NAME Dick Traini
3	THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY	HIS/HER PHONE NUMBER
4	COORDINATED WITH AND REVIEWED BY	INITIALS
		DATE
	Mayor	
	Heritage Land Bank	
	Merrill Field Airport	
	Municipal Light & Power	
	Port of Anchorage	
	Solid Waste Services	
	Water & Wastewater Utility	
	Municipal Manager	
	Cultural & Recreational Services	
	Employee Relations	
	Finance, Chief Fiscal Officer	
	Fire	
	Health & Human Services	
	Office of Management and Budget	
	Management Information Services	
	Police	
	Planning, Development & Public Works	
	Development Services	
	Facility Management	
	Planning	
	Project Management & Engineering	
	Street Maintenance	
	Traffic	
	Public Transportation Department	
	Purchasing	
	Municipal Attorney	
	Municipal Clerk	
	Other	
5	SPECIAL INSTRUCTIONS/COMMENTS	
	<i>addendum introduction</i>	
6	ASSEMBLY MEETING DATE <i>9-10-02</i>	PUBLIC HEARING DATE REQUESTED <i>9-24-02</i>

MOA
 2002 SEP 10 AM 9:38
 CLERK'S OFFICE