

See AO 2003-152(5)

Submitted by: Chair of the Assembly at the
Request of the Mayor
Prepared by: Department of Law
For reading: November 4, 2003

ANCHORAGE, ALASKA
AO No. 2003- 152

1 **AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE CHAPTERS 6.70, 9.28,**
2 **9.30, 11.10, 11.60, 11.70, 12.20, 14.60, 17.70, 19.20, 23.10, 23.10.TABLES 3A-3M, 24.30, 25.60**
3 **AND ANCHORAGE MUNICIPAL CODE OF REGULATIONS CHAPTERS 9.30, 15.05,**
4 **21.20, 21.60, 21.67 AND 25.10, TO ESTABLISH OR INCREASE FEES, FINES AND/OR**
5 **PENALTIES IN AN EFFORT TO IMPROVE COST RECOVERY AND REDUCE OR**
6 **ELIMINATE TAXPAYER SUBSIDY OF MUNICIPAL PROGRAMS IN THE**
7 **DEPARTMENTS AND DIVISIONS OF DEVELOPMENT SERVICES, FINANCE,**
8 **TREASURY, PROPERTY ASSESSMENT, HEALTH & HUMAN SERVICES, LAW,**
9 **MERRILL FIELD, PLANNING, POLICE, PROJECT MANAGEMENT & ENGINEERING,**
10 **PUBLIC TRANSPORTATION, TRANSPORTATION INSPECTION, ECONOMIC &**
11 **COMMUNITY DEVELOPMENT, PARKS & RECREATION, AND ANCHORAGE**
12 **MUSEUM.**

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15 WHEREAS, as part of developing the 2004 Municipality of Anchorage budget, all departments and
16 divisions were requested to identify costs associated with fees, fines and penalties, and asked to
17 ensure that fees, fines and penalties reflected actual costs; and

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19 WHEREAS, in those cases where fees, fines and penalties did not reflect actual costs, the
20 departments and divisions were instructed to propose adjustments, so that fees, fines and penalties
21 more fully recovered costs, and reduced or eliminated taxpayer subsidy of municipal programs; and

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23 WHEREAS, the proposed new or increased fees, fines, and penalties reflect an identifiable,
24 associated cost to the Municipality, such proposed new or increased fees, fines and penalties do not
25 fall under the limitation set forth in Anchorage Municipal Code Chapter 3.99 or, in the alternative,
26 this ordinance authorizes the establishment and/or adjustment of fees, fines and penalties
27 notwithstanding such limitations; now therefore,

28
29 THE ANCHORAGE ASSEMBLY ORDAINS:

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31 **Section 1.** That Anchorage Municipal Code Section 6.70.030 is amended as follows:

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33 **6.70.030** **Accounts of receipts and disbursements; payments.**

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35 **A.** Except as otherwise provided in this title, the treasurer shall keep an accurate account
36 of all cash receipts and disbursements, and shall not make payment of any sums,
37 except upon receipt of a voucher properly approved and audited by the controller.

38
39 **B.** **A late payment penalty of \$25.00 shall be due and payable on the forty-fifth day**
40 **following the original invoice date for miscellaneous accounts receivable. The**

account receivable shall continue to accrue a late payment penalty of \$25.00 per month for each additional thirty day period in which the invoice is past due or not fully paid, up to a maximum penalty of \$250.00.

(GAAB 9.30.030; AO No. 94-107, § 5, 6-7-94)

Section 2. That Anchorage Municipal Code Section 9.28.026 is amended to add a new subsection as follows (*the remainder of this section is not affected, and therefore not set out*):

9.28.026 Impoundment and forfeiture of vehicle.

D. Impoundment.

6. A vehicle impounded for a first offense under Section 9.28.030B.1. or B.2. may be released to the owner upon payment of a \$200.00 administrative fee, plus any fees owed to the towing and storage contractor. This civil release of the vehicle does not affect or change the criminal proceedings incurred as a result of the violation.

Section 3. That Anchorage Municipal Code Subsection 9.30.155B. is amended as follows (*the remainder of the section is not affected, and therefore not set out*):

9.30.155 Vehicle license plates and registration.

B. Reduced penalty for motor vehicle with current registration.

1. If an enforcement officer can determine a motor vehicle, violating subsection A of this section is currently registered, the enforcement officer will issue a notice of violation under this subsection instead of under subsection A of this section, and the penalty for the violation shall be \$45.00 [15.00].
2. If a person violating subsection A of this section presents reliable evidence to the parking authority within 30 days after the date the citation issued under this section was issued that currently valid registration month and year stickers had been obtained for the vehicle

prior to the violation, the penalty for the violation shall be reduced to \$45.00 [15.00]. Such reduction shall not apply to any late penalties or collection charges.

(CAC 9.44.020; AO No. 78-72; AO No. 80-4; AO No. 85-40; AO No. 92-28; AO No. 92-134(S); AO No. 94-68(S), § 16, 8-11-94; AO No. 95-6, § 4, 5-16-95)

Section 4. That Anchorage Municipal Code section 9.30.230 is amended as follows:

9.30.230 **Parking vehicle with studded tires out of season.**

A motor vehicle may not be parked, stopped or left standing on a street or within any area of the municipality used for public parking from May 15 through September 1, if equipped with any [TWO OR MORE] studded tire [TIRES] or any protuberance of any material other than rubber which projects beyond the tread of the traction surface of the tire, except as provided for under section 9.44.380 or emergency order of the state.

(AO No. 94-68(S), § 17, 8-11-94)

Section 5. That Anchorage Municipal Code section 9.30.280 is amended to incorporate and increase the amounts set out in the civil penalty table of Anchorage Municipal Code of Regulations 9.30.001 as follows:

9.30.280 **Civil penalties for parking violations.**

A. A person who violates a provision of this Code pertaining to parking, standing or stopping shall be subject to a civil penalty in an amount to be established by regulation in accordance with Chapter 3.40.

B. In addition to any other penalty provided by law, a person who violates any of the following provisions shall be subject to the applicable civil penalties stated below:

**Anchorage Municipal
Code Provision**

Civil Penalty

9.30.030A.11., A.12.,

\$200.00

9.32.070A., 9.32.080
and 9.32.090

\$ 30.00 [25.00]

9.30.230 - each tire

\$ 30.00 per tire [25.00]

[TWO OR MORE TIRES]

9.30.235 on private property \$100.00 first violation
\$250.00 each subsequent violation

9.30.235 on public property \$100.00 first violation
\$250.00 each subsequent violation

9.30.155A. as to rear plates \$ 90.00 [75.00]

9.30.155A. as to front plates \$ 90.00 [20.00]

9.30.155B. \$ 45.00 [15.00]

9.30.330, overweight vehicle \$100.00 [50.00]
parking in urban residential area

All other provisions of Anchorage \$ 20.00 [10.00]
Municipal Code 9.30, 9.32 or 9.34
not otherwise addressed above

(AO No. 82-186(S); AIM 33-83)

Section 6. That Anchorage Municipal Code section 11.10.060A. is amended as follows (*the remainder of the section is not affected, and therefore not set out*):

11.10.160 **Fees.**

A. The following fees shall be payable to the municipality at the office of the transportation inspector:

1. Fifty dollars (\$50.00) shall accompany any application [FOR THE TRANSFER OF A PERMIT OR LICENSE OR] to change the vehicle operated as a taxicab, limousine or vehicle for hire, to change the owner of a taxicab, limousine, or vehicle, or to change the dispatch service used by a taxicab.
2. One thousand one hundred thirty dollars (\$1,130.00) [EIGHT HUNDRED TWENTY-FIVE DOLLARS (\$825.00)] shall be paid for the issuance or annual renewal of a taxicab, limousine, or vehicle for hire permit, except that the fee shall be reduced to six hundred five dollars (\$605.00) [FOUR HUNDRED FIFTY DOLLARS (\$450.00)] when:

- a. The original permit for a taxicab, limited taxicab, or limousine is issued after July 1; or
- b. The original permit for a vehicle for hire is issued for any period of six (6) months or less, as designated by the applicant.

Taxicab permits shall originally be issued for the successful bid price pursuant to Section 11.20.030D. and thereafter in accordance with this section.

5. Thirty-five dollars (\$35.00) shall be paid for each appeal from a civil penalty for violation of a provision of this title or municipal regulation promulgated under this title or decision of the Transportation Inspector to suspend, deny or revoke an application for a chauffeur's license. [SUCH FEE SHALL BE REFUNDED IF THE TRANSPORTATION INSPECTOR'S DECISION WAS OVERTURNED BY THE HEARING OFFICER OR THE COMMISSION.]

11. Five hundred dollars (\$500.00) shall accompany any application for the transfer of a permit or license.

(AO No. 57-75; AO No. 78-177; AO No. 79-58; AO No. 80-19(S); AO No. 81-149; AO No. 83-199; AO No. 84-18; AO No. 85-87; AO No. 87-8; AO No. 87-126(S); AO No. 88-21; AO No. 93-220, § 12, 8-21-94; AO No. 94-214(S), § 3, 12-13-94; AO No. 95-169, § 1, 9-12-95; AO No. 95-219(S), § 2, 12-31-95; AO No. 98-51(S), § 1, 5-4-99)

Section 7. That Anchorage Municipal Code subsection 11.60.200C. is amended to read as follows (*the remainder of the section is not affected, and therefore not set out*):

11.60.200 **Fees and charges.**

C.

3. *Daily transient aircraft parking.* The fee for daily transient aircraft parking is as follows:

**FULL TEXT OF
DOCUMENT CAN
BE OBTAINED AT
THE CLERK'S
OFFICE.**