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See AO 2005-38(S-3)

Submitted by: Assemblymembers COFFEY,
OSSIANDER, Fairclough, Stout, Sullivan, Traini
Prepared by: Department of Assembly
For reading: March 8, 2005

ANCHORAGE, ALASKA
AO NO. 2005-38

AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE SECTION 15.75 REGARDING PESTICIDE CONTROL TO MODIFY DRIFT PROTECTION AND PUBLIC NOTICE FOR COMMERCIAL PESTICIDE APPLICATION AND APPLICATION BY THE MUNICIPALITY OF ANCHORAGE

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1: That Anchorage Municipal Code section 15.75.050 is hereby amended to read as follows:

15.75.050 Commercial application prohibited during certain wind conditions.

A person who engages in the business of applying pesticides or broadcast chemicals may not apply by spraying any pesticide or broadcast chemicals out of doors if the wind speed exceeds seven miles per hour [FIVE KNOTS] at the site of application.

Section 2: That Anchorage Municipal Code section 15.75.060 is amended to read as follows: (other portions of this section are not affected and therefore not set out)

H. If the pesticide or broadcast chemical is to be sprayed only on a building or structure, and if the spray at point of impact is not higher than three vertical feet, pre-notification and off-site pre or post notification is not required. However, a notice as defined in F of this section must be left in place at the application site and situated as to remain in place for at least 48 hours following application.

Section 3: That Anchorage Municipal Code section 15.75.065 is hereby amended to read as follows: (other portions of this section are not affected and therefore not set out)

B. Notice must be given at least 48 hours before application and not more than 120 [96] hours before application. Posted notices shall

1 be situated as to remain in place for at least 48 hours following
2 pesticide or broadcast chemical application.

3 *****
4 *****
5 *****

6 H. If the pesticide or broadcast chemical is to be sprayed only on a
7 building or structure, and if the spray at point of impact is not higher
8 than three vertical feet, pre-notification and off-site pre or post
9 notification is not required. However, a notice as defined in F of
10 this section must be left in place at the application site and situated
11 as to remain in place for at least 48 hours following application.

12 **Section 4:** That this ordinance shall become effective May 1, 2005

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16 PASSED AND APPROVED by the Anchorage Assembly this _____ day
17 of _____, 2005.

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23 _____
24 Chair

25 ATTEST:

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28 _____
29 Municipal Clerk

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects - General Government

AO Number: 2005-38 Title: Amend AMC 15.75 Pesticide Control

Sponsor: Assemblymembers Coffey and Ossiander
 Preparing Agency: Department of Assembly
 Others Impacted: Health and Human Services

CHANGES IN EXPENDITURES AND REVENUES: (Thousands of Dollars)

	FY05	FY06	FY07	FY08	FY09
Operating Expenditures					
1000 Personal Services					
2000 Supplies					
3900 Other Services					
4000 Debt Service					
TOTAL DIRECT COSTS:	\$	\$	\$	\$	\$
Add: 6000 Charges from Others					
Less: 7000 Charges to Others					
FUNCTION COST:	\$	\$	\$	\$	\$
REVENUES:	-0-	0	0	0	0
CAPITAL:	\$	\$	\$	\$	\$
POSITIONS: FT/PT and Temp	\$	\$	\$	\$	\$

PUBLIC SECTOR ECONOMIC EFFECTS:

Implementation and enforcement will be by current Health and Human Services staff and will continue to be complaint driven.

PRIVATE SECTOR ECONOMIC EFFECTS:

Costs to commercial pesticide applicators conducting certain treatments to the exterior base of a building or structure will be reduced with the elimination of public notification. The impact is not estimated to be greater than \$30,000.

Prepared by: Mike Gutierrez – Utility Budget Analyst 343-4763

Reviewed by: Elvi Gray-Jackson – Director, Assembly Budget and Legislative Services 343-4750



MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM
NO. AM 153-2005

Meeting Date: March 8, 2005

From: Assemblymembers **COFFEY and OSSIANDER**

Subject: AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE SECTION 15.75 REGARDING PESTICIDE CONTROL TO MODIFY DRIFT PROTECTION AND PUBLIC NOTICE FOR COMMERCIAL PESTICIDE APPLICATION AND APPLICATION BY THE MUNICIPALITY OF ANCHORAGE.

AO 2005-38 addresses several deficiencies in current code regarding commercial application of pesticides. This proposal changes the maximum allowable wind speed for spraying from five knots (5.8 mph) to seven miles per hour. Current state law limits spraying at seven miles per hour. Also, using the same unit of measurement (knots vs. miles per hour) as the State of Alaska will avoid confusion.

In addition, AO 2005-38 proposes to exempt certain types of pesticide application from notification requirements. Specifically, if application is being done only to the exterior of a building or structure, and the point of impact is no higher than three vertical feet above ground, then any pre-notification or off site notification will be required. A notice will be required at the actual site of application and must be situated as to remain in place for at least 48 hours following application.

Lastly, AO 2005-38 proposes to extend the maximum amount of time notices may be posted prior to application in public parks or sports playing fields. Current code states that notices may not be posted more than 96 hours prior to application. Extending that time frame to 120 hours will provide a wider window in which application may take place. Currently, posting may take place up to 120 in advance of application to private property. This change would hold Municipal property to the same standard.

Prepared By: Mike Gutierrez, Utility Budget Analyst
Reviewed By: Elvi Gray-Jackson, Director, Assembly Budget and Legislative Services
Submitted By: Assemblymember Coffey

Content Information

Content ID : 002667

Type: Ordinance - AO

AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE SECTION 15.75 REGARDING

Title: *PESTICIDE CONTROL* TO MODIFY DRIFT PROTECTION AND PUBLIC NOTICE FOR COMMERCIAL PESTICIDE APPLICATION AND APPLICATION BY THE MUNICIPALITY OF ANCHORAGE

Author: gray-jacksone

Initiating Dept: Assembly

Date Prepared: 2/28/05 11:08 AM

Director Name: Dick Traini

Assembly

Meeting Date 3/8/05

MM/DD/YY:

Public Hearing

Date 3/29/05

MM/DD/YY:

M.O.A.
 2005 FEB 28 AM 11:26
 CLERKS OFFICE

Workflow History

<u>Workflow Name</u>	<u>Action Date</u>	<u>Action</u>	<u>User</u>	<u>Security Group</u>	<u>Content ID</u>
AllOrdinanceWorkflow	2/28/05 11:12 AM	Checkin	gray-jacksone	Public	002667