

See AO 2005-171(S-1)

ANCHORAGE, ALASKA
AO No. 2005-171(S)

1 AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE SECTION 25.20.027
2 REGARDING EMINENT DOMAIN LIMITATIONS.
3

4
5 THE ANCHORAGE ASSEMBLY ORDAINS:
6

7 **Section 1.** Anchorage Municipal Code section 25.20.027 is hereby amended to read as follows:
8

9 **25.20.027 Exercise of the power of eminent domain; limitation.**
10

- 11 A. Exercise of the power of eminent domain by the municipality, its agencies and authorities,
12 is prohibited unless the property acquired thereby is actually used by the municipality or
13 the public. Eminent domain is not to be used to further private economic development.
14
- 15 B. The municipality shall not use or rely upon the power of eminent domain to acquire
16 private property, in whole or in part, or any interest in private property, for the purpose of
17 leisure amenities, regardless of how such amenities are characterized or financed.
18
- 19 C. For purposes of this section, *leisure amenities* includes indoor and outdoor facilities
20 intended for personal enjoyment including, but not limited to, parks, natural resource use
21 areas, trails and pedestrian paths and/or trails of any kind, greenbelts, access to wilderness
22 areas, amusement rides, small boat facilities, personal use fisheries, sports activities of
23 any kind, play areas, picnic areas, spectator viewing, and associated infrastructure such as
24 parking lots and access corridors.
25
- 26 D. This section shall not apply to pedestrian facilities as amenities in the right-of-way for a
27 road classified as local, collector, arterial, expressway or freeway.
28

29 AO No. 2005-86 as amended (7-12-05)
30

31 **Section 2.** This ordinance shall be effective immediately upon its passage and approval by the
32 Assembly.
33

34 PASSED AND APPROVED by the Anchorage Assembly this _____ day of _____, 200__.
35
36
37

38 _____
Chair of the Assembly

39 ATTEST:
40
41

42 _____
Municipal Clerk

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

AO 2005-171(S)

(SEE REVERSE SIDE FOR FURTHER INFORMATION)

1	SUBJECT OF AGENDA DOCUMENT Amending AMC 25.20.027 regarding	DATE PREPARED 12/28/05
	eminent domain limitations	
		Indicate Documents Attached <input checked="" type="checkbox"/> AO <input type="checkbox"/> AR <input type="checkbox"/> AM <input type="checkbox"/> AIM
2	DEPARTMENT NAME Assembly	DIRECTOR'S NAME Anna Fairclough, Chair
	THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY	HIS/HER PHONE NUMBER
3		
4	COORDINATED WITH AND REVIEWED BY	INITIALS
	Mayor	
	Municipal Clerk	
	Municipal Attorney	
	Employee Relations	
	Municipal Manager	
	Cultural & Recreational Services	
	Fire	
	Health & Human Services	
	Merrill Field Airport	
	Municipal Light & Power	
	Office of Management and Budget	
	Police	
	Port of Anchorage	
	Public Works	
	Solid Waste Services	
	Transit	
	Water & Wastewater Utility	
	Executive Manager	
	Community Planning & Development	
	Finance, Chief Fiscal Officer	
	Heritage Land Bank	
	Management Information Services	
	Property & Facility Management	
	Purchasing	
	Other	
5	Special Instructions/Comments	
	Old Business	
6	ASSEMBLY HEARING DATE REQUESTED 1/10/06	7 PUBLIC HEARING DATE REQUESTED 1/10/06

2005 DEC 28 PM 1:20
 M.C.L.
 CLERK'S OFFICE