

CLERK'S OFFICE  
APPROVED  
Date: 4-11-06

ANCHORAGE, ALASKA  
AO No. 2006-39

1 AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE CHAPTERS 8.25, 14.60, AND  
2 25.70 TO COMPLY WITH ALASKA STATUTES REGARDING FIREARMS.  
3

4  
5 WHEREAS, on September 13, 2005, the Assembly passed AR 2005-243, directly the Dept. of Law to  
6 prepare an ordinance in conformity with Alaska law regarding concealed weapons and firearms; and  
7

8 WHEREAS, pursuant to AR 2005-243, this ordinance was prepared; now, therefore,  
9

10 THE ANCHORAGE ASSEMBLY ORDAINS:  
11

12 **Section 1.** Anchorage Municipal Code section 8.25.020 is hereby amended to read as follows:  
13

14 **8.25.020** **Concealed weapons.**  
15

16 A. It is unlawful for any person other than a peace officer to knowingly carry concealed about  
17 his or her person in any manner:  
18

19 1. A revolver, pistol or other firearm, except a person 21 years of age or older may  
20 possess a concealed firearm, provided that:  
21

22 a. When contacted by a peace officer, the person shall  
23

24 i. immediately inform the peace officer of that possession; and  
25

26 ii. allow the peace officer to secure the firearm or secure the firearm  
27 at the direction of the peace officer, during the duration of the  
28 contact;  
29

30 b. The possession of the concealed firearm is not within the residence of  
31 another person, unless the person has first obtained the express permission  
32 of an adult residing in the residence to bring a concealed firearm within  
33 the residence.  
34

35 2. A switchblade knife, gravity knife or any knife other than an ordinary folded  
36 pocket knife (one which has the blade stored in the handle and requires the bearer  
37 to physically pull the blade from the handle before it can be used), or a dirk or  
38 dagger;  
39

40 3. A slingshot, metal knuckles, club, billy, blackjack or any other instrument or thing  
41 the principal purpose or use of which is as a weapon;  
42

4. Any other instrument or thing which, because of the manner in which it is concealed and the accompanying circumstances, could reasonably be construed as being kept as a weapon or in order to achieve some violent purpose, and by which injury could be inflicted upon the person of another.

B. It is an affirmative defense in a prosecution under subsection A.1. that a defendant, under 21 years of age at the time of possession, was in the defendant's dwelling or on land owned or leased by the defendant appurtenant to the dwelling, or actually engaged in lawful hunting, fishing, trapping or other lawful outdoor activity necessarily involving carrying a weapon for personal protection.

C [B]. Nothing in this section shall be construed to prohibit an individual who may legally possess a firearm under state and federal law from [THE FOLLOWING]:

1. Carrying a weapon in a vehicle so long as the weapon is not also concealed on the person of an occupant of the vehicle; or

2. Storing a firearm locked in an individual's motor vehicle while the motor vehicle is otherwise legally parked.

[CARRYING A CONCEALED HANDGUN IN ACCORDANCE WITH AS 18.65.700 THROUGH 18.65.790 BY A PERSON ISSUED AND CARRYING A VALID PERMIT UNDER SUCH STATE STATUTES.]

D [C]. Violation of this section shall, upon conviction, be punished by a fine of not more than \$2,000.00 [10,000.00] or imprisonment for not more than ninety (90) days [ONE YEAR], or both such fine and imprisonment. In addition, the weapon shall be forfeited to the Municipality of Anchorage.

(AO No. 89-52; AO No. 94-72(S-1), § 1, 4-26-94; AO No. 94-171, § 1, 10-1-94; AO No. 98-59(S), § 1, 5-19-98; AO No. 2003-73, § 3, 4-22-03)

*State law references:* Misconduct involving weapons in the third degree, AS 11.61.220.

**Section 2.** Anchorage Municipal Code section 8.25.050 is hereby amended to read as follows:

**8.25.050** **Firearms on premises licensed for sale of alcoholic beverages.**

A. It is unlawful for any person to knowingly possess a loaded firearm on the person in any place where alcoholic beverages are sold for consumption on the premises [HAVE IN HIS POSSESSION OR CONTROL ANY FIREARM ON PREMISES LICENSED FOR THE SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION, OR FOR ANY PERSON TO CONCEAL A FIREARM ON LICENSED PREMISES].

B. Subsection A. of this section shall not apply to the owner of the premises or to a peace officer.

C. It is an affirmative defense that:

1. The loaded firearm was a concealed handgun as defined in AS 18.65.790; and
2. The possession occurred in a place designated as a restaurant under AS 04.16.049; and
3. The defendant did not consume alcoholic beverages at the restaurant.

D [C]. Violation of this section shall, upon conviction, be punished by a fine of not more than \$2,000.00 [10,000.00] or imprisonment for not more than ninety (90) days [ONE YEAR], or both such fine and imprisonment.

(AO No. 79-24; AO No. 98-59(S), § 1, 5-19-98; AO No. 2003-73, § 3, 4-22-03)

*State law references:* Misconduct involving weapons in the third degree, AS 11.61.220.

**Section 3.** Anchorage Municipal Code section 8.25.060 is hereby amended to read as follows:

**8.25.060** **Firearms on school grounds.**

- A. It is unlawful for any person to knowingly have in his possession or control within the grounds of or on a parking lot immediately adjacent to a public or private preschool, elementary, junior high or high school:
1. A revolver, pistol or other firearm, except a person who is over 21 years of age, and who is not a preschool, elementary school, junior high, or secondary school student, may possess an unloaded firearm in the trunk of a motor vehicle or encased in a closed container in a motor vehicle;
  2. A switchblade knife, gravity knife or any knife other than a folded pocket knife (one which requires the bearer to physically pull the blade from the handle before it can be used), or a dirk or dagger; or
  3. A slingshot, metal knuckles, club, billy, blackjack or other instrument or thing the principal purpose or use of which is as a weapon.
- B. Subsection A. of this section shall not apply to peace officers or persons who have express authorization of the school district superintendent or his designee or, in the case of a private or religious school, express authorization of the chief administrative officer of that school.
- C. In the case of a conviction under subsection A. of this section, the weapon shall be disposed of as provided in Section 8.05.020F.
- D. Weapons possessed by persons under 18 years of age (minors) in violation of subsection A. of this section shall be seized and may be forfeited to the municipality in accordance

with this section.

1. The legal owner of a weapon seized from a minor, if known, shall be notified by first class mail within 30 days of the seizure.
2. The legal owner may redeem the weapon upon providing the chief of police or designee with the following information:
  - a. Proof of ownership.
  - b. A description of precautions taken to prevent unauthorized access to the weapon.
  - c. A statement that the juvenile in possession of the weapon did not have permission to have access to the weapon.
  - d. A description of the steps the owner intends to take to prevent future incidents of unauthorized access.
3. The chief of police or designee may deny return of the weapon and order it forfeited if the chief, after considering information provided by the purported owner, police reports regarding the incident, information regarding prior incidents involving the weapon or the individuals, and such other relevant information as is presented, determines based upon a preponderance of the evidence that either:
  - a. The person claiming the weapon is not the rightful owner;
  - b. The owner failed to store the weapon in a manner which would reasonably be expected to prevent unauthorized access to the weapon; or
  - c. The owner authorized the minor to access the weapon during school hours.
4. If the legal owner is unknown, or fails to request return of the weapon under subsection D.2. of this section within 30 days of mailing of the notice under subsection D.1. of this section, the weapon may be disposed of pursuant to Chapter 7.25, pertaining to abandoned property.

E. Violation of this section shall, upon conviction, be punished by a fine of not more than \$10,000.00 or imprisonment for not more than one year, or both such fine and imprisonment.

(AO No. 90-122; AO No. 93-56(S); AO No. 98-59(S), § 1, 5-19-98; AO No. 2003-73, § 3, 4-22-03)

*State law references:* Misconduct involving weapons in the third degree, AS 11.61.220.

**Section 4.** Anchorage Municipal Code section 8.25.070 and section 8.25.080 are deleted in their entirety:

**8.25.070** **[PROVISION OF FIREARM TO VIOLENT MINOR BY PARENT OR GUARDIAN.]**

[A. A PARENT OR GUARDIAN MAY NOT INTENTIONALLY OR KNOWINGLY PROVIDE A FIREARM TO, OR PERMIT THE POSSESSION OF A FIREARM BY, ANY MINOR WHO HAS BEEN CONVICTED OF A CRIME OF VIOLENCE IN THIS OR ANY OTHER JURISDICTION OR ANY MINOR WHO HAS BEEN ADJUDICATED IN A CHILDREN'S PROCEEDING FOR AN OFFENSE WHICH WOULD CONSTITUTE A CRIME OF VIOLENCE IF THE MINOR WERE AN ADULT. THE TERM "MINOR" AS USED IN THIS SECTION MEANS A PERSON UNDER THE AGE OF 18.

B. VIOLATION OF THIS SECTION SHALL, UPON CONVICTION, BE PUNISHED BY A FINE OF NOT MORE THAN \$2,000.00 OR IMPRISONMENT FOR NOT MORE THAN SIX MONTHS, OR BOTH SUCH FINE AND IMPRISONMENT.]

(AO No. 94-22, § 2, 2-15-94; AO No. 98-59(S), § 1, 5-19-98; AO No. 2003-73, § 3, 4-22-03)

**8.25.080** **[DUTY OF PARENT OR GUARDIAN WHO KNOWS THAT A MINOR IS IN POSSESSION OF A DANGEROUS WEAPON.]**

[A. IT IS UNLAWFUL FOR ANY PARENT OR GUARDIAN OF A MINOR WHO KNOWS THAT THE MINOR IS IN POSSESSION OF A DANGEROUS WEAPON OR A FIREARM IN VIOLATION OF THIS CODE TO FAIL TO MAKE REASONABLE EFFORTS TO REMOVE THE WEAPON OR FIREARM FROM THE MINOR'S POSSESSION.

B. VIOLATION OF THIS SECTION SHALL, UPON CONVICTION, BE PUNISHED BY A FINE OF NOT MORE THAN \$2,000.00 OR IMPRISONMENT FOR NOT MORE THAN SIX MONTHS, OR BOTH SUCH FINE AND IMPRISONMENT.]

(AO No. 94-22, § 3, 2-15-94; AO No. 98-59(S), § 1, 5-19-98; AO No. 2003-73, § 3, 4-22-03)

**Section 5.** Anchorage Municipal Code section 8.25.090 is hereby amended to read as follows:

**8.25.090** **Sale or furnishing of firearms to minors.**

A. A person may not knowingly [GIVE, BARTER,] sell [, LEASE OR OTHERWISE MAKE AVAILABLE ANY] a firearm or defensive weapon to a minor under 18 years of age [UNLESS THE MINOR IS ACCOMPANIED BY A PARENT OR GUARDIAN].

B [C]. Violation of this section shall, upon conviction, be punished by a fine of not more than \$10,000.00 [2,000.00] or imprisonment for not more than one year [six months], or both

such fine and imprisonment.

[A PERSON, INCLUDING A PARENT OR GUARDIAN, MAY NOT KNOWINGLY PROVIDE A HANDGUN TO A MINOR WHEN THE MINOR IS PROHIBITED FROM POSSESSING A HANDGUN.]

(GAAB 18.05.060; AO No. 94-22, § 1, 2-15-94; AO No. 98-59(S), § 1, 5-19-98; AO No. 2003-73, § 3, 4-22-03)

*State law references:* Misconduct involving weapons in the third degree, AS 11.61.220.

**Section 6.** Anchorage Municipal Code section 14.60.030 is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

**14.60.030      Fine schedule.**

The fine schedule under this chapter is as follows:

\*\*\*      \*\*\*      \*\*\*

Code Section	Offense	Penalty/Fine
**** * * * *		
25.70.040	Prohibited activities on municipal land:	
**** * * * *		
	A.      ***	
	5. Discharge of firearms <u>on</u> [INTO] municipal land	\$ 75.00
	6. <u>Shooting into municipal land</u> <u>from beyond its boundaries</u>	\$ 75.00
	7 [6]. Cutting or damaging vegetation	\$ 75.00
	8 [7]. Removing soil, rocks or plants	\$ 75.00
	9 [8]. Constructing structures	\$ 75.00
**** * * * *		

(AO No. 93-167(S-1), § 1, 4-13-94; AO No. 94-108, § 1, 10-5-94; AO No. 94-134, § 2, 9-8-94; AO No. 95-42, § 2, 3-23-95; AO No. 95-67(S), § 9, 7-1-95; AO No. 95-102, § 1, 4-26-95; AO No. 95-118, § 3, 9-1-95; AO No. 95-163(S), § 21, 8-8-95; AO No. 95-195(S-1), 1-1-96; AO No. 96-51(S-1), § 2, 8-1-96; AO No. 96-96(S-1), § 2, 2-1-97; AO No. 96-126(S), § 3, 10-1-96; AO No. 96-137(S), § 9, 1-2-97; AO No. 97-88, § 3, 6-3-97; AO No. 97-107, § 3, 11-17-97; AO No. 97-133(S), § 1, 11-11-97; AO No. 98-27(S-1), § 2, 11-11-97; AO No. 98-160, § 2, 12-8-98; AO No. 99-13(S), 2-9-99; AO No. 99-91(S), § 4, 7-13-99; AO No. 2000-64, § 1, 4-18-00; AO No. 2000-116(S), § 4, 7-18-00; AO No. 2000-127(S), § 2, 10-14-00; AO No. 2000-129(S), § 26, 11-21-00; AO No. 2001-48, § 1, 3-13-01; AO No. 2001-74(S), § 2, 4-17-01; AO No. 2001-4, § 2, 2-6-01; AO No. 2001-145(S-1), § 11, 12-11-01; AO No. 2003-68, § 1, 9-30-03; AO No. 2003-97, § 4, 9-30-03; AO No. 2003-117, § 2, 1-28-03; AO No. 2003-130, § 8, 10-7-03; AO No. 2003-152S,

§ 10, 1-1-04; AO No. 2004-1, § 2, 1-1-03; AO No. 2004-99, § 2, 6-22-04; AO No. 2004-100(S-1), § 6, 1-1-05; AO No. 2004-171, § 1, 1-11-05; AO No. 2005-84(S), § 3, 1-1-06)

**Section 7.** Anchorage Municipal Code section 25.70.040 is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

**25.70.040**      **Prohibited activities generally.**

A. Except in areas specifically designated for such use in accordance with law, no person may engage in any of the following activities on municipal land:

1. Camping.
2. Building fires.
3. Operating motor vehicles of any kind.
4. Constructing trails.
5. Discharging firearms where there is a reasonable likelihood people, domestic animals, or property may be jeopardized.[,]
- 6 [5]. S[s]hooting into municipal land from beyond its boundaries where there is a reasonable likelihood people, domestic animals, or property may be jeopardized.
- 7 [6]. Cutting or otherwise damaging live trees, shrubbery, brush or other vegetation.
- 8 [7]. Removing soil, rocks, gravel or plants of any kind.
- 9 [8]. Constructing structures of any kind.

\*\*\*      \*\*\*      \*\*\*  
(AO No. 79-170)

**Section 8.** Anchorage Municipal Code section 25.70.060 is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

**25.70.060**      **Activities prohibited in parks.**

In addition to those activities prohibited on public lands by Section 9.40.170, pertaining to motorcycles, Section 9.42.020, pertaining to snow machines, and Section 10.50.015, pertaining to alcoholic beverages, and by other provisions of this chapter, the following activities are prohibited in parks. Conducting prohibited activities in parks is punishable according to the remedies specified in Section 25.70.050.

\*\*\*      \*\*\*      \*\*\*

Q. No person shall discharge a firearm or shoot a bow and arrow in a park except in areas designated by the director, where there is no reasonable likelihood of jeopardy to people, domestic animals, or property.

\*\*\* \*\*

(AMCR 25.10.016; AO No. 92-165(S-1))

**Section 9.** This ordinance shall be effective immediately upon its passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 11<sup>th</sup> day of April, 2006.

Anna J. Fairclough  
Chair of the Assembly

ATTEST:

Bonnie S. Dmenda  
Municipal Clerk



Submitted by: Assemblymember Traini

For reading: September 13, 2005

CLERK'S OFFICE

APPROVED

Date: 9-13-05

ANCHORAGE, ALASKA  
No. AR 2005-243

A RESOLUTION OF THE MUNICIPALITY OF ANCHORAGE DIRECTING THE MUNICIPAL DEPARTMENT OF LAW TO PRESENT PROPOSED MODIFICATIONS TO MUNICIPAL ORDINANCES TO PROVIDE THAT MUNICIPAL ORDINANCES ARE IN CONFORMITY WITH ALASKA STATE LAW REGARDING CONCEALED CARRY.

WHEREAS, every individual, except an individual restricted in accordance with state or federal law, has the right to keep and bear arms for any lawful purpose including security, defense, hunting and for recreational use, except that the manner of bearing arms may be regulated in accordance with state law; and

WHEREAS, the Governor of Alaska signed legislation on June 11, 2003 amending AS 11.61.220 allowing anyone 21 years of age or older (who may legally be in possession of a firearm) to carry a concealed firearm without having to obtain a permit; and

WHEREAS, Sec. 18.65.778 of Alaska State Law provides that a Municipality may not restrict the carrying of a concealed handgun under AS 18.65.700-18.65.790 except as provided in AS 18.65.780-18.65.785; and

WHEREAS, the exceptions of AS 18.65.780-18.65.785 under AS 18.65.778 must be presented by ballot; and

WHEREAS, the Municipality of Anchorage does not meet the exceptions provided in Sec. 18.65.778; and

WHEREAS, current Municipality of Anchorage ordinances conflict with State law;

NOW, THEREFORE, the Anchorage Assembly resolves:

Section 1. The Assembly hereby recognizes the amendment of Alaska Statute 11.61.220.

Section 2. The Assembly hereby directs that the Municipal Department of Law present to the Assembly proposed modifications to current Municipal Code and/or Regulation which will bring Municipal ordinances into conformity with Alaska law with respect to concealed carry in the Municipality of Anchorage.

PASSED AND APPROVED by the Anchorage Assembly this 13th day September, 2005.

Anna L. Fairclough  
Chair

ATTEST:

Londae L. Lewis  
Municipal Clerk  
Deputy

A0 2006-39

1	SUBJECT OF AGENDA DOCUMENT AMENDING AMC CHAPTERS 8.25, 14.60 AND 25.70		DATE PREPARED 2/14/06
	TO COMPLY WITH ALASKA STATUTES REGARDING FIREARMS		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
3	THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY JULIA TUCKER - ASSEMBLY COUNSEL		HIS/HER PHONE NUMBER 343-4419
4	COORDINATED WITH AND REVIEWED BY	INITIALS	DATE
	Mayor		2006 FEB 14 PM 4:19 CLENKS OFFICE
	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		
	CONSENT AGENDA-INTRODUCTION		
6	ASSEMBLY HEARING DATE REQUESTED 2/14/06	7	PUBLIC HEARING DATE REQUESTED 3/14/06

28

# MUNICIPALITY OF ANCHORAGE

## ASSEMBLY MEMORANDUM

No. AM 175-2006

Meeting Date: March 14, 2006

**From:** DICK TRAINI, ASSEMBLY MEMBER 

**Subject:** AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE CHAPTERS 8.25, 14.60, AND 25.70 TO COMPLY WITH ALASKA STATUTES REGARDING FIREARMS.

Following state legislation in 2003 regarding concealed weapons and in 2005 regarding regulation of firearms (HB 184, attached as **Exhibit A**), the Assembly passed AR 2005-243 on September 13, 2005 (attached as **Exhibit B**), directing the Department of Law to prepare an ordinance in conformity with Alaska law regarding concealed weapons and firearms.

Since passage of AR 2005-243, the Municipal Prosecutor conducted an in-depth review on the impact of statutory amendments to the Municipality's Penal Code, Anchorage Municipal Code (AMC) title 8. Concurrently, non-criminal AMC provisions related to firearms, guns, and weapons were reviewed for compliance with current state law.

AO 2006-39 reflects the AMC amendments necessary for the code provisions to be in compliance with state law. Amendments to chapter 8.25 include situations where a person legally able to possess a firearm is allowed by Alaska law to conceal a weapon, such as in an occupied or unoccupied vehicle, when on school grounds, when on the premises of an alcohol-licensed facility, or for hunting, fishing and other lawful purposes. AO 2006-39 does not change municipal law regarding non-legal possession of a firearm, such as student possession on school grounds. Amendments to chapter 8.25 also delineate the required procedure for declaring a concealed weapon in situations involving a peace officer. There are also adjustments to fines per statutory limitations.

In addition, the amendments adjust chapter 25.70 provisions regarding discharge of firearms onto or from municipal property to comply with the restrictions allowed by the state.

Prepared by: Department of Law

Reviewed by: Julia Tucker, Assembly Counsel

Respectfully submitted: Dick Traini, Assembly Member 



# LAWS OF ALASKA

2005

**Source**

SCS HB 184(JUD) am S

**Chapter No.**

\_\_\_\_\_

**AN ACT**

Relating to firearms.

\_\_\_\_\_

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

THE ACT FOLLOWS ON PAGE 1

AN ACT

1 Relating to firearms.

2  
3 \* **Section 1.** AS 18.65 is amended by adding a new section to read:

4 **Article 10A. Firearms.**

5 **Sec. 18.65.800. Possession of firearms in motor vehicles. (a)**

6 Notwithstanding any other provision of law, the state, a municipality, or a person may  
7 not adopt or enforce a law, ordinance, policy, or rule that prohibits or has the effect of  
8 prohibiting an individual from possessing a firearm while that individual is within a  
9 motor vehicle or prohibiting an individual from storing a firearm that is locked in the  
10 individual's motor vehicle while the motor vehicle is otherwise legally parked in or on  
11 state or municipal property or another person's property. This section applies only to  
12 possession of a firearm by an individual who may legally possess a firearm under state  
13 and federal law.

14 (b) This section does not limit a person's rights or remedies under any other  
15 law.

1 (c) The state, a municipality, or a person is not liable for any injury or damage  
2 resulting from the storage of a firearm in the vehicle of another individual in  
3 accordance with this section.

4 (d) Notwithstanding (a) of this section, an employer or its agent may prohibit  
5 the possession of firearms within a secured restricted access area, as defined in  
6 AS 29.35.145(d), in a vehicle owned, leased, or rented by the employer or its agent or  
7 in a parking lot owned or controlled by the employer within 300 feet of the secured  
8 restricted access area that does not include common areas of ingress and egress open  
9 to the general public. The employer or its agent shall post conspicuous notice of the  
10 prohibition against possession of firearms at each entrance to the restricted access area  
11 and affected parking area.

12 \* **Sec. 2.** AS 29.35.145(a) is repealed and reenacted to read:

13 (a) The authority to regulate firearms is reserved to the state, and, except as  
14 specifically provided by statute, a municipality may not enact or enforce an ordinance  
15 regulating the possession, ownership, sale, transfer, use, carrying, transportation,  
16 licensing, taxation, or registration of firearms.

17 \* **Sec. 3.** AS 29.35.145 is amended by adding new subsections to read:

18 (c) Municipalities may enact and enforce ordinances

19 (1) that are identical to state law and that have the same penalty as  
20 provided for by state law;

21 (2) restricting the discharge of firearms in any portion of their  
22 respective jurisdictions where there is a reasonable likelihood that people, domestic  
23 animals, or property will be jeopardized; ordinances enacted or enforced under this  
24 paragraph may not abridge the right of the individual guaranteed by art. I, sec. 19,  
25 Constitution of the State of Alaska, to bear arms in defense of self or others;

26 (3) restricting the areas in their respective jurisdictions in which  
27 firearms may be sold; a business selling firearms may not be treated more restrictively  
28 that other businesses located within the same zone; and

29 (4) prohibiting the possession of firearms in the restricted access area  
30 of municipal government buildings; the municipal assembly shall post notice of the  
31 prohibition against possession of firearms at each entrance to the restricted access

1 area.

2 (d) In this section,

3 (1) "firearms" includes firearms, or any other element relating to  
4 firearms or parts thereof including ammunition and reloading components;

5 (2) "restricted access area" means the area beyond a secure point  
6 where visitors are screened and does not include common areas of ingress and egress  
7 open to the general public.

8 (e) The prohibition on taxation in (a) of this section does not include  
9 imposition of a sales tax that is levied on all products sold within a municipality.

Submitted by: Assemblymember Traini

CLERK'S OFFICE

For reading: September 13, 2005

APPROVED

Date: 9-13-05

ANCHORAGE, ALASKA  
No. AR 2005-243

A RESOLUTION OF THE MUNICIPALITY OF ANCHORAGE DIRECTING THE MUNICIPAL DEPARTMENT OF LAW TO PRESENT PROPOSED MODIFICATIONS TO MUNICIPAL ORDINANCES TO PROVIDE THAT MUNICIPAL ORDINANCES ARE IN CONFORMITY WITH ALASKA STATE LAW REGARDING CONCEALED CARRY.

WHEREAS, every individual, except an individual restricted in accordance with state or federal law, has the right to keep and bear arms for any lawful purpose including security, defense, hunting and for recreational use, except that the manner of bearing arms may be regulated in accordance with state law; and

WHEREAS, the Governor of Alaska signed legislation on June 11, 2003 amending AS 11.61.220 allowing anyone 21 years of age or older (who may legally be in possession of a firearm) to carry a concealed firearm without having to obtain a permit; and

WHEREAS, Sec. 18.65.778 of Alaska State Law provides that a Municipality may not restrict the carrying of a concealed handgun under AS 18.65.700-18.65.790 except as provided in AS 18.65.780-18.65.785; and

WHEREAS, the exceptions of AS 18.65.780-18.65.785 under AS 18.65.778 must be presented by ballot; and

WHEREAS, the Municipality of Anchorage does not meet the exceptions provided in Sec. 18.65.778; and

WHEREAS, current Municipality of Anchorage ordinances conflict with State law;

NOW, THEREFORE, the Anchorage Assembly resolves:

Section 1. The Assembly hereby recognizes the amendment of Alaska Statute 11.61.220.

Section 2. The Assembly hereby directs that the Municipal Department of Law present to the Assembly proposed modifications to current Municipal Code and/or Regulation which will bring Municipal ordinances into conformity with Alaska law with respect to concealed carry in the Municipality of Anchorage.

PASSED AND APPROVED by the Anchorage Assembly this 13th day September, 2005.

*Anna L. Fairclough*  
Chair

ATTEST:

*London L. Green*  
Municipal Clerk  
*Deputy*



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

AM 175-2006

(SEE REVERSE SIDE FOR FURTHER INFORMATION)

<b>1</b>	SUBJECT OF AGENDA DOCUMENT AMENDING AMC CHAPTERS 8.25, 14.60 AND		DATE PREPARED		
	25.70 TO COMPLY WITH ALASKA STATUTES		03/09/06		
	REGARDING FIREARMS		Indicate Documents Attached <input type="checkbox"/> AO <input type="checkbox"/> AR <input checked="" type="checkbox"/> AM <input type="checkbox"/> AIM		
<b>2</b>	DEPARTMENT NAME Assembly		DIRECTOR'S NAME Anna Fairclough, Chair		
	THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY Julia Tucker - Assembly Counsel		HIS/HER PHONE NUMBER 343-4419		
<b>4</b>	<b>COORDINATED WITH AND REVIEWED BY</b>	<b>INITIALS</b>	<b>DATE</b>		
	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				
	<b>Executive Manager</b>				
	Community Planning & Development				
	Finance, Chief Fiscal Officer				
	Heritage Land Bank				
	Management Information Services				
	Property & Facility Management				
	Purchasing				
	<b>Other</b>				
<b>5</b>	<b>Special Instructions/Comments</b>				
	ADDENDUM - NEW PUBLIC HEARINGS, 14.J.1.				
<b>6</b>	ASSEMBLY HEARING DATE REQUESTED 3/14/06		<b>7</b>	PUBLIC HEARING DATE REQUESTED 3/14/06	

2006 MAR -9 PM 12:23  
 M.D.A.  
 CLERK'S OFFICE



# MUNICIPALITY OF ANCHORAGE

## ASSEMBLY INFORMATION MEMORANDUM

NO. AIM 37-2006

**Meeting Date:** April 11, 2006

**From:** Assemblymember Traini

**Subject:** Summary of Economic Effects for AO 2006-39

Attached to this memo is the Summary of Economic Effects for AO 2006-39, regarding an ordinance amending Anchorage Municipal Code chapters 8.25, 14.60, and 25.70 to comply with Alaska Statutes regarding firearms.

Prepared By: Steven B. King, Utility Budget Analyst

Reviewed By: Barbara E. Gruenstein and Guadalupe Marroquin

Submitted By: Assemblymember Traini

**MUNICIPALITY OF ANCHORAGE**  
**Summary of Economic Effects -- General Government**

AO Number: 2006-39      Title: An ordinance amending Anchorage Municipal Code chapters 8.25, 14.60, and 25.70 to comply with Alaska Statutes regarding firearms.

Sponsor: Assemblymember Traini  
Preparing Agency: Department of Law  
Others Impacted:

CHANGES IN EXPENDITURES AND REVENUES:		(In Thousands of Dollars)			
	FY06	FY07	FY08	FY09	FY10
Operating Expenditures					
1000 Personal Services	\$ -	\$ -	\$ -	\$ -	\$ -
2000 Non-Labor	-	-	-	-	-
3900 Contributions					
4000 Debt Service					
TOTAL DIRECT COSTS:	\$ -	\$ -	\$ -	\$ -	\$ -
Add: 6000 Charges from Others					
Less: 7000 Charges to Others					
FUNCTION COST:	\$ -	\$ -	\$ -	\$ -	\$ -
REVENUES:					
CAPITAL:					
POSITIONS: FT/PT and Temp					

**PUBLIC SECTOR ECONOMIC EFFECTS:**

There are no public sector costs associated with amending an AMC nor are there any substantial public sector costs associated with this particular amending ordinance. However, there are potential changes in expenditures. For each conviction related to the possession of a concealed weapon the public sector could receive \$8,000 less in the applicable fine; the public sector could also potentially save \$37,950 in incarceration costs (at \$138 per inmate per day). For each conviction related to possession of firearms on premises licensed for sale of alcoholic beverages the public sector could receive \$8,000 less in the applicable fine; the public sector could also potentially save \$37,950 in incarceration costs (at \$138 per inmate per day). For each conviction related to the sale or furnishing of firearms to minors the public sector could receive \$8,000 more in the applicable fine; the public sector could also potentially expend an additional \$25,116 in incarceration costs (at \$138 per inmate per day). These changes in expenditures only represent a potential as court records indicate no convictions, within the past 20 years, for any of the three items in question.

**PRIVATE SECTOR ECONOMIC EFFECTS:**

There are no substantial private sector costs associated with amending an AMC nor are there any substantial private sector costs associated with this particular amending ordinance.

Prepared by: Steven B. King, Utility Budget Analyst  
Reviewed by: Barbara Gruenstein and Guadalupe Marroquin

Telephone: 343-4714  
Telephone: 343-4311 and 343-4376

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

AIM 37-2006

(SEE REVERSE SIDE FOR FURTHER INFORMATION)

<b>1</b>	SUBJECT OF AGENDA DOCUMENT SEE FOR AO 2006-39	DATE PREPARED 3/23/06
		Indicate Documents Attached <input type="checkbox"/> AO <input type="checkbox"/> AR <input type="checkbox"/> AM <input checked="" type="checkbox"/> AIM
<b>2</b>	DEPARTMENT NAME Assembly	DIRECTOR'S NAME Anna Fairclough, Chair
<b>3</b>	THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY Steven B. King - Utility Budget Analyst	HIS/HER PHONE NUMBER 343-4714
<b>4</b>	<b>COORDINATED WITH AND REVIEWED BY</b>	<b>INITIALS</b>
	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	
	<b>Executive Manager</b>	
	Community Planning & Development	
	Finance, Chief Fiscal Officer	
	Heritage Land Bank	
	Management Information Services	
	Property & Facility Management	
	Purchasing	
	<b>Other</b>	
<b>5</b>	<b>Special Instructions/Comments</b>	
	Continued Public Hearings, 13.	
<b>6</b>	ASSEMBLY HEARING DATE REQUESTED 4/11/06	<b>7</b> PUBLIC HEARING DATE REQUESTED 4/11/06

2006 MAR 23 AM 8:10  
 CLERK'S OFFICE  
 M.O.A.