

Submitted by: ASSEMBLY CHAIR COFFEY  
Prepared by: Assembly Counsel  
For reading: July 17, 2007

*Postponed indefinitely*  
*9/25/07*

ANCHORAGE, ALASKA  
AO NO. 2007-100

AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE SECTIONS 17.10.010, ANIMALS IN PUBLIC PLACES, AND SECTION 17.10.015, ANIMALS CREATING DISTURBANCE OR NUISANCE, TO REPEAL THE EXCEPTION FOR CONTROL BY COMMAND AND TO PROHIBIT DOGS IN MUNICIPAL BALLFIELDS, PLAYING FIELDS, AND OUTDOOR COURTS ENCLOSED OR OTHERWISE DESIGNATED FOR SPORTS; AND AMENDING 17.70.020, CIVIL PENALTIES FOR ANIMAL CARE AND CONTROL VIOLATIONS, TO ESTABLISH AN ENHANCED FINE FOR VIOLATION OF THE PROHIBITION.

THE ANCHORAGE ASSEMBLY ORDAINS:

**Section 1.** Anchorage Municipal Code section 17.10.010, Animals in Public Places, is hereby amended to read as follows: (*Subsections set out and not amended included for context only*)

**17.10.010 Animals in public places.**

A. It is unlawful for any animal to be in a public place unless it is controlled by a leash, and in the control of a person competent to restrain the animal except:

[1.] [CONTROL OF AN ANIMAL BY COMMAND IS ALLOWED IF THE ANIMAL IS ENGAGED IN AN ACTIVITY THAT PRECLUDES IT FROM ACCOMPLISHING THAT ACTIVITY IF RESTRAINED, AND THE ANIMAL IS IN AN AREA NORMALLY ASSOCIATED WITH THAT ACTIVITY, AND THE ACTIVITY IS CONDUCTED IN A MANNER THAT MINIMIZES IMPACT WITH THE GENERAL PUBLIC;]

1[2]. A dog may be unconfined in areas sanctioned by the municipality as off leash dog areas. The owner or custodian of a dog, unconfined in an off leash dog area, must have a leash restraint immediately available for the physical control of the dog and be physically capable of controlling the dog;

2[3]. An animal, at shows and events, may be unconfined during the time of the demonstration in a manner which does not pose a threat to public health and safety or the safety of other animals;

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B. Dogs are prohibited from municipal ballfields, playing fields, and outdoor courts enclosed or otherwise designated for sports, whether or not a sporting event is taking place.

(AO No. 2001-158(S-4), § 1, 1-1-03)

**Section 2.** Anchorage Municipal Code section 17.10.015, Animals Creating Disturbance or Nuisance, is hereby amended to read as follows: (*Subsection set out and not amended included for context only*)

**17.10.015 Animals creating disturbance or nuisance.**

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B. No owner or custodian of an animal shall permit the animal's feces to be left on public or other person's private property.

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D. No owner or custodian of a dog shall permit a dog to be within municipal ballfields, playing fields, and outdoor courts enclosed or otherwise designated for sports, whether or not a sporting event is taking place.

(AO No. 2001-158(S-4), § 1, 1-1-03; AO No. 2004-86, § 2, 5-18-04)

**Section 3.** Anchorage Municipal Code section 17.70.020, Civil Penalties for Animal Care and Control Violations, is hereby amended to read as follows:

**17.70.020 Civil penalties for animal care and control violations.**

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

TABLE INSET:

| Anchorage Municipal Code Provision   | Civil Penalty  |
|--------------------------------------|--|
| 17.10.010A. Animals in public places | \$75 first violation; \$100 second violation and \$150 for third and subsequent violations.          |
| 17.10.010B.                          | \$ _____ first violation; \$ _____ second violation and \$ _____ for third and subsequent violations |
| ***                                  | ***  |

|                             |  |
|-----------------------------|--|
| 17.10.015B. Animal nuisance | \$100 each violation.  |
| 17.10.015D. Animal nuisance | \$ _____ first violation; \$ _____ second violation and \$ _____ for third and subsequent violations |
| ***                         | ***  |

B. A person who fails to resolve a notice of violation (NOV) issued for a violation of any provision of this title within the time stated on the NOV shall be subject to a civil penalty in the amount of \$25.00, in addition to any other penalty provided by law.

C. If an agency is required to collect any outstanding money due the municipality, a collection fee shall be added, in addition to any other fees and penalties, in an amount not to exceed 40 percent of the debt.

(AO No. 2001-158(S-4), § 1, 1-1-03; AO No. 2003-152S, § 11, 1-1-04)

**Section 4.** This ordinance shall become effective immediately upon its passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
Chair

ATTEST:

\_\_\_\_\_  
Municipal Clerk



**MUNICIPALITY OF ANCHORAGE**  
**ASSEMBLY INFORMATION MEMORANDUM**  
**NO. AIM 90 -2007**

**Meeting Date:** September 25, 2007

**From:** Assemblymember Coffey

**Subject:** Summary of Economic Effects for AO 2007-100

Attached to this memo is the Summary of Economic Effects for Ordinance No. AO 2007-100, AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE SECTIONS 17.10.010, ANIMALS IN PUBLIC PLACES, AND SECTION 17.10.015, ANIMALS CREATING DISTURBANCE OR NUISANCE, TO REPEAL THE EXCEPTION FOR CONTROL BY COMMAND AND TO PROHIBIT DOGS IN MUNICIPAL BALLFIELDS, PLAYING FIELDS, AND OUTDOOR COURTS ENCLOSED OR OTHERWISE DESIGNATED FOR SPORTS; AND AMENDING 17.70.020, CIVIL PENALTIES FOR ANIMAL CARE AND CONTROL VIOLATIONS, TO ESTABLISH AN ENHANCED FINE FOR VIOLATION OF THE PROHIBITION.

Prepared By: Guadalupe Marroquin, Election & Budget Coordinator  
Reviewed By: Barbara E. Gruenstein, Municipal Clerk  
Submitted By: Assemblymember Coffey

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

AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE SECTIONS 17.10.010, ANIMALS IN PUBLIC PLACES, AND SECTION 17.10.015, ANIMALS CREATING DISTURBANCE OR NUISANCE, TO REPEAL THE EXCEPTION FOR CONTROL BY COMMAND AND TO PROHIBIT DOGS IN MUNICIPAL BALLFIELDS, PLAYING FIELDS, AND OUTDOOR COURTS ENCLOSED OR OTHERWISE DESIGNATED FOR SPORTS; AND AMENDING 17.70.020, CIVIL PENALTIES FOR ANIMAL CARE AND CONTROL VIOLATIONS, TO ESTABLISH AN ENHANCED FINE FOR VIOLATION OF THE PROHIBITION.

AO Number: 2007-100

Title:

Sponsor: Assemblymember Coffey  
Preparing Agency: Department of Assembly  
Others Impacted: Parks & Recreation, Animal Control Advisory Commission

**CHANGES IN EXPENDITURES AND REVENUES:**

(In Thousands of Dollars)

|                               | <u>FY07</u> | <u>FY08</u> | <u>FY09</u> | <u>FY10</u> | <u>FY11</u> |
|-------------------------------|-------------|-------------|-------------|-------------|-------------|
| <b>Operating Expenditures</b> |             |             |             |             |             |
| 1000 Personal Services        | \$ -        | \$ -        | \$ -        | \$ -        | \$ -        |
| 2000 Non-Labor                | -           | -           | -           | -           | -           |
| 3900 Contributions            | -           | -           | -           | -           | -           |
| 4000 Debt Service             | -           | -           | -           | -           | -           |
| <b>TOTAL DIRECT COSTS:</b>    | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> |
| Add: 6000 Charges from Others | \$ -        | \$ -        | \$ -        | \$ -        | \$ -        |
| Less: 7000 Charges to Others  | -           | -           | -           | -           | -           |
| <b>FUNCTION COST:</b>         | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> |

**REVENUES:**

**CAPITAL:**

**POSITIONS: FT/PT and Temp**

**PUBLIC SECTOR ECONOMIC EFFECTS:**

Neither data to anticipate the number of possible offenses nor itemized penalty rates are available, which prevent estimate of economic impact. There appears to be no public sector costs, either increased revenue from fines or additional cost to the municipality, greater than \$30,000 associated with this ordinance; therefore no Summary of Economic effects is required. Anchorage Municipal Code Section 2.30.050 B.1.b.i.

**PRIVATE SECTOR ECONOMIC EFFECTS:**

There appears to be no public sector costs greater than \$30,000 associated with this ordinance; therefore no Summary of Economic effects is required. Anchorage Municipal Code Section 2.30.050 B.1.b.i.

Prepared by: Guadalupe Marroquin, Election & Budget Coordinator  
Reviewed by: Barbara E. Gruenstein, Municipal Clerk

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CLERK'S OFFICE  
2007 SEP 25 AM 8:36  
M.O.A.