

Submitted by: ASSEMBLY MEMBER CLAMAN
Prepared by: Assembly Counsel
For reading: December 11, 2007

Postponed Indefinitely 8/25/08

**ANCHORAGE, ALASKA
AO NO. 2007-143(S)**

AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE SECTION 14.60.030, FINE SCHEDULE; AMENDING SECTION 25.70.050, PENALTIES AND REMEDIES FOR VIOLATIONS ON PUBLIC LANDS; AND AMENDING SECTION 25.70.060, ACTIVITIES PROHIBITED IN PARKS, TO ESTABLISH FINES FOR LITTER IN PUBLIC PARKS AND ANIMAL FECES NOT IMMEDIATELY COLLECTED AND PROPERLY DISPOSED FROM SPORT AREAS IN PARKS.

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. Anchorage Municipal Code section 14.60.030, Fine Schedule, is hereby amended to read as follows:

14.60.030 Fine schedule.

The fine schedule under this chapter is as follows:
TABLE INSET:

Code Section	Offense	Penalty/Fine
***	***	***
25.70.060	A.--U. Activities prohibited in parks (specific section identified)	75.00
	<u>L.3. Failure to properly dispose of animal excrement - mowed play, sport and other lawn areas.</u>	<u>150.00 first offense</u>
	<u>L.4. Failure to properly dispose of animal excrement - paved, gravel or sand sport areas</u>	<u>300.00 second offense</u>
	<u>M. Improper disposal of litter</u>	<u>450.00 for third and subsequent offenses</u>
***	***	***

(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. 2005-160, § 9, 11-1-05; AO No. 2005-84(S), § 3, 1-1-06; AO No. 2005-185(S), § 35, 2-28-06; AO No. 2005-124(S-1A), § 33, 4-18-06; AO No. 2006-39, § 6, 4-11-06; AO No. 2006-54, § 1, 5-2-06; AO No. 2006-80, § 1, 6-6-06)

Section 2. Anchorage Municipal Code section 25.70.050, Penalties and Remedies (Public Lands), is hereby amended to read as follows:

25.70.050 Penalties and remedies; impoundment and forfeiture of vehicles.

A. *Fine.* A person who violates a provision of this title or a municipal regulation promulgated under this title shall, upon conviction, be subject to a fine of not more than \$300.00, for the first offense.

AO No. 79-170; AO No. 83-150; AO No. 92-165(S-1); AO No. 93-124(S-3), § 4, 4-13-94; AO No. 93-167(S-1), § 21, 4-13-94; AO No. 96-147(S), § 4, 12-17-96)

Section 3. Anchorage Municipal Code section 25.70.060, Activities Prohibited in Parks, is hereby amended to read as follows:

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 finest, penalties, and remedies specified in Section 25.70.050 and set out in Section 14.60.030.

L. A person having control or supervision of an animal which excretes feces onto any of the following places within a park shall immediately collect and properly dispose of the feces. If no litter receptacle is available in the park, proper disposal shall mean removing the feces from the park for disposal off-site. [:]

1. Paved sidewalks, paved bicycle trails, paved pedestrian pathways, their shoulders, and adjacent overlook and rest areas.
2. Driveways and parking areas.
3. Mowed play, sport and other lawn areas.
4. Paved, gravel or sand sport areas (tennis courts, basketball courts, volleyball courts, etc.).
5. Groomed ski trails.
6. Walking, interpretive, exercise, fitness and running trails, posted as such by the director.
7. At any location within 25 feet of a waterway, pond or lake.
8. At any beach posted by the director as available for recreational use.
9. Flower and landscape beds, and vegetable garden areas.

This subsection shall not apply to an equestrian event in which immediate collection and disposal are reasonably deferred [A PLACE IN A PARK WHICH HAS BEEN POSTED FOR USE BY THE PARTICULAR TYPE OF ANIMAL], a guide dog while it is accompanying a blind or deaf person, or an animal while it is engaged in law enforcement activity in a park under the supervision of a law enforcement agency. A sport league or association having maintenance authority over a sport area is authorized to post signage on the requirement to immediately remove animal feces and giving notice of the fines and penalties for violation of this subsection.

M. No person in a public park shall improperly dispose of litter, as litter is defined in Section 15.20.010. If no litter receptacle is available in the park, proper disposal shall mean removing the litter from the park for disposal off-site.

(The Code Revisor shall re-letter subsequent subsections.)

(AMCR 25.10.016; AO No. 92-165(S-1); AO 2006-39, § 8, 4-11-06)

Section 4. This ordinance shall become effective upon passage and approval by the Anchorage Assembly.

PASSED AND APPROVED by the Anchorage Assembly this _____ day of _____, 2008.

Chair

ATTEST:

Municipal Clerk

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

AO 2007-143(S)

(SEE REVERSE SIDE FOR FURTHER INFORMATION)

1	SUBJECT OF AGENDA DOCUMENT	DATE PREPARED	
	AMEND AMC 14.60.030, FINE SCHEDULE;	12/7/07	
	AMEND AMC 25.70.050, PENALTIES AND REMEDIES		
	FOR VIOLATIONS ON PUBLIC LANDS ...	Indicate Documents Attached <input checked="" type="checkbox"/> AO <input type="checkbox"/> AR <input type="checkbox"/> AM <input type="checkbox"/> AIM	
2	DEPARTMENT NAME	DIRECTOR'S NAME	
	Assembly	Dan Coffey, Assembly Chair	
3	THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY	HIS/HER PHONE NUMBER	
	Julia Tucker, Assembly Counsel	343-4419	
4	COORDINATED WITH AND REVIEWED BY	INITIALS	DATE
	Mayor		
	Municipal Clerk		
	Municipal Attorney		
	Employee Relations		
	Municipal Manager		
	Anchorage Parks & Recreation		
	Fire		
	Health & Human Services		
	Merrill Field Airport		
	Municipal Light & Power		
	Office of Management and Budget		
	Police		
	Port of Anchorage		
	Office of Economic & Community Development		
	Solid Waste Services		
	Public Transportation		
	Anchorage Water & Wastewater Utility		
	Executive Manager		
	Planning Department		
	Chief Fiscal Officer		
	Heritage Land Bank		
	Information Technology Department		
	Project Management & Engineering		
	Purchasing		
	Other		
5	Special Instructions/Comments		
	Addendum - New Public Hearings		
6	ASSEMBLY HEARING DATE REQUESTED	7	PUBLIC HEARING DATE REQUESTED
	12/11/07		12/11/07

2007 DEC -7 AM 9 25
 CLERK'S OFFICE