

Submitted by: Chair of the Assembly at the Request of
the Mayor

Prepared By: Office of Economic & Community
Development

For reading: October 23, 2007

CLERK'S OFFICE

APPROVED

Date: 11-13-07

ANCHORAGE, ALASKA

AO No. 2007- 145

1 AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE SECTIONS
2 24.75.010, 24.75.020, 24.75.030, 24.75.040 AND 24.75.090, REGARDING SIDEWALK
3 VENDORS, AND REPEALING THE SUNSET DATE IN ANCHORAGE
4 ORDINANCE 2005-160 REGARDING SIDEWALK VENDORS, RETROACTIVE
5 TO NOVEMBER 1, 2007.
6
7

8 **THE ANCHORAGE ASSEMBLY ORDAINS:**
9

10 **Section 1.** Anchorage Municipal Code section 24.75.010 is hereby amended to read as
11 follows (*the remainder of the section is not affected and therefore not set out*):
12

13 **24.75.010** **Definitions.**
14

15 *** *** ***

16 C. *Vendor* means a person engaged in the business of offering goods or services
17 to the public as [ROVING VENDOR OR AS] a sidewalk vendor.
18

19 *** *** ***
20

21 (AO No. 2005-160, § 8, 11-1-05)
22

23 **Section 2.** Anchorage Municipal Code section 24.75.020 is hereby amended to read as
24 follows (*the remainder of the section is not affected and therefore not set out*):
25

26 **24.75.020** **Permitting authority; permit required; compliance with terms of**
27 **permit.**
28

29 A. The right-of-way division shall have authority to issue sidewalk vendor
30 permits to allow[ING] the use of a public place for vending activity.
31

32 *** *** ***
33

34 (AO No. 2005-160, § 8, 11-1-05)
35

Section 3. Anchorage Municipal Code section 24.75.030 is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

24.75.030 Transferability.

*** *** ***

- B. A permit shall only be operated by the permittee, or by the permittee's employee [ONE PERSON DESIGNATED AS AN ALTERNATE]. A person named as a permittee [OR ALTERNATE] on a permit shall not be named as a permittee or alternate on any other permit.

(AO No. 2005-160, § 8, 11-1-05)

Section 4. Anchorage Municipal Code section 24.75.040 is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

24.75.040 Sidewalk vendor permits--Bidding and award.

*** *** ***

- B. Permits shall be valid from April 1 through December [OCTOBER] 1 of each calendar year. An Invitation to Bid shall be issued [BIDS SHALL BE AWARDED] no later than March 1 of each year.

*** *** ***

- E. A list of the bidder's [HIDDERS'] names shall be compiled by the purchasing department and preserved. In the event additional sites become available, or an applicant fails to meet the licensing requirements by April 1 of the permit year, bidders who were not awarded a permit may be contacted, in order according to original bid, from this list until a vendor accepts the site.

*** *** ***

(AO No. 2005-160, § 8, 11-1-05)

Section 5. Anchorage Municipal Code section 24.75.090 is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

24.75.090 Insurance.

- A. Before any permit is issued for a vendor, the applicant shall obtain insurance as listed below and furnish one or more policies or certificates of liability insurance and workers' compensation insurance issued by an insurance company authorized to do business in the state and reflecting the applicable coverage. The Municipality of Anchorage shall be named as an additional insured on all liability policies.

*** **

(AO No. 2005-160, § 8, 11-1-05)

Section 6. The sunset provision in Anchorage Ordinance 2005-160, section 11, terminating the sidewalk vendor program effective November 1, 2007, is hereby repealed.

Section 7. This ordinance shall be effective retroactive to November 1, 2007.

PASSED AND APPROVED by the Anchorage Assembly this 13th day of November, 2007.

Chair

ATTEST:

Beth S. Gonsky
Municipal Clerk

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects -- General Government

AO Number: 2007- 145

Title: AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE
SECTIONS 24.75.010, 24.75.020, 24.75.030, 24.75.040 AND 24.75.090,
REGARDING SIDEWALK VENDORS, AND REPEALING THE SUNSET
DATE IN ANCHORAGE ORDINANCE 2005-160 REGARDING SIDEWALK
VENDORS, RETROACTIVE TO NOVEMBER 1, 2007.

Sponsor: MAYOR
Preparing Agency: Office of Economic & Community Development
Others Impacted:

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

PUBLIC SECTOR ECONOMIC EFFECTS:

The continuation of this ordinance by removing the sunset clause allows vendors to bid on vendor sites in the downtown core and generate between \$25,000 and \$50,000 to the Municipality of Anchorage.

PRIVATE SECTOR ECONOMIC EFFECTS:

The continuation of this program provides the opportunity for small business owners to earn income; the cost is putting their bids together plus fees to the municipality. There is no widespread effect to the public at large.

Prepared by: Schawna Thoma, Deputy Director
Office of Economic & Community Development

Telephone: 343-7117

MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 657-2007

Meeting Date: October 23, 2007

1 **From: MAYOR**

2
3 **Subject: AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE**
4 **SECTIONS 24.75.010, 24.75.020, 24.75.030, 24.75.040 AND 24.75.090,**
5 **REGARDING SIDEWALK VENDORS, AND REPEALING THE**
6 **SUNSET DATE IN ANCHORAGE ORDINANCE 2005-160**
7 **REGARDING SIDEWALK VENDORS, RETROACTIVE TO**
8 **NOVEMBER 1, 2007.**
9

10 The vendor carts and stands on downtown sidewalks promote the public interest by
11 contributing to a vibrant downtown core, boosting tourism downtown as well as providing
12 small entrepreneurial opportunities for some business owners.
13

14 In 2006, several changes were instituted including moving from a lottery system to a
15 process allowing for sealed bids to obtain a vendor location. Over the last two years the
16 municipality collected around \$78,000 plus several thousand dollars in permit fees.
17 Previously the same program over the course of 2 years brought in about \$7,000.
18

19 When the code changes were made in 2006, sunset language was included that schedules
20 the program to end altogether on November 1st, 2007.
21

22 For two years the program has been administered by the Purchasing Department and
23 enforced by Municipal Right-of-Way. While the MOA continues to work to make the
24 program better, the current system is fairer, easier to enforce and better for downtown
25 overall. The MOA will continue to work with the Anchorage Downtown Partnership to
26 address issues as they arise, and to strike a balance between small temporary business
27 opportunities and supporting the brick-and-mortar business downtown.
28

29 The ordinance includes some needed technical changes to the code, plus the ordinance
30 repeals the sunset provision in Section 11 of AO 2005-160, allowing the program to
31 continue.
32

33 **THE ADMINISTRATION RECOMMENDS APPROVAL OF AN ORDINANCE**
34 **AMENDING ANCHORAGE MUNICIPAL CODE SECTIONS 24.75.010, 24.75.020,**
35 **24.75.030, 24.75.040 AND 24.75.090, REGARDING SIDEWALK VENDORS, AND**
36 **REPEALING THE SUNSET DATE IN ANCHORAGE ORDINANCE 2005-160**
37 **REGARDING SIDEWALK VENDORS, RETROACTIVE TO NOVEMBER 1, 2007.**

1
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3 Prepared by: Schawna Thoma, Deputy Director
4 Office of Economic and Community Development
5 Approved by: Mary Jane Michael, Executive Director
6 Office of Economic and Community Development
7 Concur: James N. Reeves, Municipal Attorney
8 Concur: Denis C. LeBlanc, Municipal Manager
9 Respectfully Submitted: Mark Begich, Mayor
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Content Information**Content ID :** 005607**Type:** Ordinance - AO

AN ORDINANCE REGARDING SIDEWALK VENDORS AND

Title: REPEALING THE SUNSET DATE AO 2005-160 RETROACTIVE TO NOVEMBER 1, 2007**Author:** thomasm**Initiating Dept:** ECD

AN ORDINANCE REGARDING SIDEWALK VENDORS AND

Description: REPEALING THE SUNSET DATE AO 2005-160 RETROACTIVE TO NOVEMBER 1, 2007**Keywords:** sidewalk vendors**Date Prepared:** 10/18/07 6:00 PM**Director Name:** Mary Jane Michael**Assembly Meeting Date:** 10/23/07**Public Hearing Date:** 11/6/07

2007 OCT 19 PM 1:45
 CLERK'S OFFICE
 M.J.O.

Workflow History

<u>Workflow Name</u>	<u>Action Date</u>	<u>Action</u>	<u>User</u>	<u>Security Group</u>	<u>Content ID</u>
ECD_SubWorkflow	10/18/07 6:03 PM	Approve	thomasm	Public	005607
AllOrdinanceWorkflow	10/18/07 6:03 PM	Checkin	thomasm	Public	005607
OMB_SubWorkflow	10/19/07 11:47 AM	Approve	mitsonjl	Public	005607
Legal_SubWorkflow	10/19/07 11:49 AM	Approve	gatesdt	Public	005607
MuniManager_SubWorkflow	10/19/07 11:57 AM	Approve	leblancdc	Public	005607
MuniMgrCoord_SubWorkflow	10/19/07 12:46 PM	Approve	abbottmk	Public	005607



CONSENT AGENDA - INTRODUCTION