

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

Prepared by: Dept. of Law

For reading: May 26, 2009

CLERK'S OFFICE

APPROVED

ANCHORAGE, ALASKA

Date: 5-26-09

AO No. 2008-124(S)

1 AN ORDINANCE AMENDING CHAPTER 25.35 TO ADD A MISSION STATEMENT,
2 UPDATE THE ANCHORAGE COMMUNITY DEVELOPMENT AUTHORITY
3 ORGANIZATIONAL STRUCTURE, AND OTHER RELATED REVISIONS; AND
4 AMENDING CHAPTERS 1.25, 2.35, 9.06, 9.30, 9.32, 9.34 AND 9.65 TO
5 IMPLEMENT THE ACDA ORGANIZATION AND STRUCTURE.
6

7
8 THE ANCHORAGE ASSEMBLY ORDAINS:
9

10 **Section 1.** Anchorage Municipal Code chapter 25.35 is amended to read as
11 follows (*the remainder of the chapter is not affected and therefore not set out*):
12

13 **Chapter 25.35 ANCHORAGE COMMUNITY DEVELOPMENT**
14 **AUTHORITY**

15 25.35.010 Mission.

16 25.35.015 Established; termination.

17 25.35.020 Definitions.

18 25.35.030 Board of directors.

19 25.35.040 Executive director.

20 25.35.050 Fiscal management.

21 25.35.055 Legal counsel.

22 25.35.060 Powers.

23 25.35.065 Designation for and withdrawal from inventory.

24 25.35.070 Form and sale of bonds.

25 25.35.080 Security for bonds.

26 25.35.090 Limitation of liability on bonds.

27 25.35.100 Covenant with bondholders.

28 25.35.110 Trust indentures and trust agreements.

29 25.35.120 Exemption from taxes.

30 25.35.125 Municipal Enterprise Service Assessment (MESA).

31 25.35.130 Cooperation with authority by public officers and agencies.

32 25.35.140 Reports and recommendations.

33 25.35.150 Annual budget.

34 25.35.160 Annual audit.

35 25.35.170 Review of plans.

36
37 **25.35.010 Mission.**

38
39 **A.** It is the mission of the Anchorage Community Development Authority
40 (ACDA) to:

41
42 **1.** Provide sufficient, high quality, customer-focused public
43 parking by managing parking resources in a fair and

efficient manner for the benefit of the residents of the Municipality.

2. C[re]ate and develop opportunities that forward municipal goals and objectives, using innovation, partnerships, sound planning and incentives.

25.35.015 Established; termination.

A. There is an Anchorage Community Development Authority, a public corporate authority of the municipality. The authority is an instrument of the municipality, but exists independently of and separately from the municipality, **with powers authorized under section 25.35.060.** The authority shall continue to exist until terminated by ordinance. When the authority's existence is terminated, all of its rights, assets and properties shall pass to the municipality.

B. Within the authority and reporting to the executive director are [IS] the following departments:

1. [ANCHORAGE] Parking Services Department [AUTHORITY], responsible for operating, managing and controlling on-street and off-street parking throughout the municipality.

2. Development Department, responsible for:

- a. A[Ac]quiring or disposing of interests in real property;
- b. I[n]vestigating and studying real estate ~~[AND HOUSING]~~ conditions;
- c. D[es]igning, constructing, improving, altering or repairing municipal property **owned or managed by ACDA;** and
- d. O[pe]rating, managing and controlling municipal land **owned or managed by ACDA.**

(AO No. 8-10(S); AO. No. 2004-181(S-1), § 2, 1-18-05; AO No. 2007-48, § 1, 3-2-07)

25.35.020 Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Authority, community development authority, ACDA, development department, and parking services department, except where otherwise stated, all refer collectively to [AUTHORITY MEAN] the Anchorage Community Development Authority.

Bonds means bonds, notes and any other debt obligation of the authority.

MOA means the Municipality of Anchorage.

Off-street parking facility means any real property or improvement to real property not within a public right-of-way, used or designed to be used for the parking of motor vehicles, and any improvement to real property subordinate, accessory or reasonably related to that use, including but not limited to building space to be leased for retail, commercial or office purposes.
(AO No. 84-10(S); AO No. 2004-181(S-1), § 2, 1-18-05)

25.35.050 Fiscal management.

A. The MOA chief fiscal officer shall be advisor to the authority regarding its financial affairs, including but not limited to establishing, [AND] maintaining, and investing the authority's funds. The MOA chief fiscal officer, auditors appointed by the Authority Board [CHIEF FISCAL OFFICER], and the MOA internal auditor may examine and audit the books and records of the authority regarding its financial affairs, and the MOA chief fiscal officer and the MOA internal auditor may make recommendations to the authority, the mayor and the assembly regarding the authority's financial affairs.

B. The chief fiscal officer shall be custodian of the authority's funds. Notwithstanding section 25.35.060C., the authority shall comply with and utilize the competitive bidding processes of title 7 for procurement of supplies only.

(AO No. 84-10(S); AO No. 89-69(S); AO. No. 2004-181(S-1), § 2, 1-18-05)

25.35.060 Powers.

A. In furtherance of its corporate purposes, the authority has the following powers, in addition to its other powers, subject to the approval of the mayor and the assembly as required by the charter:

*** *** ***

11[12].To purchase its bonds, with all bonds so purchased to be cancelled.

[TO DEPOSIT OR INVEST ITS FUNDS, SUBJECT TO AGREEMENTS WITH BONDHOLDERS.]

*** *** ***

(AO No. 84-10(S); AO No. 89-69(S); AO No. 92-28; AO No. 94-132(S), § 7, 8-25-94; AO. No. 2004-181(S-1), § 2, 1-18-05)

25.35.125 Municipal Enterprise Service Assessment (MESA).

A. It is the public policy of the municipality to require the authority to pay a municipal service assessment for governmental services provided by the municipality, other than those services received on a contract or

interfund basis between the authority and the municipality.

B. The MESA for the authority shall be calculated by applying the mill rate established annually by the assembly for each service area where the authority's owned property is located to the net book value of the authority's owned property in each of those service areas, plus 1.25 percent of the authority's actual gross operating revenues for the calendar year preceding the MESA payment. $MESA = (\text{net book value} \times \text{mill rate}) + (1.25\% \times \text{actual gross operating revenue})$.

C. For purposes of this section, the following terms are defined as follows:

1. *Mill rate* shall mean the general property tax mill rate levied area-wide and in the service areas where the authority's owned property is located for the calendar year preceding the MESA payment;
2. *Net book value* means book value owned assets which are [IS] net of accumulated depreciation and amortization; [AND]
3. *Property* means owned personal property and real property which is placed in service; and
4. Gross operating revenue means:

a. T[~~F~~]otal operating revenues for the Parking Services department; and [except for development activities, as calculated in the audited financial statements, where gross operating revenue means]

b. T[~~F~~]otal operating revenues plus cash contributions less total operating expenses excluding depreciation in the Development department, as calculated in the audited financial statements.

*** *** ***

(AO No. 2002-77, § 1, 6-25-02; AO. No. 2004-181(S-1), § 2, 1-18-05)

Section 2. Anchorage Municipal Code chapter 1.25 is amended to read as follows
(the remainder of the chapter is not affected and therefore not set out):

Chapter 1.25

PUBLIC MEETINGS*

***Charter references:** Public meetings, § 17.05.

Cross references: Community councils, Ch. 2.40; personnel review board, § 3.30.015; employee relations board, § 3.70.050; boards and commissions, Tit. 4; commission on salaries and emoluments, Ch. 4.10; service area supervisory boards, Ch. 4.30; regulatory and adjudicatory boards and commissions, Ch. 4.40; technical advisory boards, Ch. 4.50; program advisory boards, Ch. 4.60; utility commissions, Ch. 4.70; public authority boards of directors, Ch. 4.80; equal rights commission, Ch. 5.10; Anchorage Community Development [PARKING] Authority, Ch. 9.60; boards and commissions;

administrative officers, Ch. 21.10; Heritage Land Bank, Ch. 25.40; supervisory boards, Ch. 27.20; election commission, Ch. 28.120; school board, Ch. 29.10; Anchorage Telephone Utility, Tit. 30.

State law references: Open meetings, AS 44.62.310.

1.25.015 **Notice of meetings.**

A. Pursuant to AS 44.62.310(e), reasonable notice of meetings of the assembly, school board, all regulatory and adjudicatory boards and commissions listed in Chapter 4.40, the election commission, the Anchorage Telephone Utility board of directors, the Anchorage Community Development [PARKING] Authority board of directors, the Alaska Center for the Performing Arts board of directors, and any other municipal bodies with authority for spending, policy, regulation or adjudication, not including community councils, shall be announced as defined in the definition of the term "Announcement" in section 1.25.005 as follows:

*** *** ***

(AO No. 94-132, § 2, 8-25-94; AO No. 2006-140(S-1), § 2, 1-1-07)

Section 3. Anchorage Municipal Code section 2.35.020 is amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

2.35.020 **Definitions.**

A. In this chapter, unless the context clearly indicates otherwise,

*** *** ***

Public official or public officer means the following individuals in either the municipal general government or the municipal school district:

*** *** ***

d. A department head including the municipal clerk, director of the assembly budget and legislative services office, the executive director of the Anchorage Equal Rights Commission, and the Executive Director of the Anchorage Community Development [PARKING] Authority;

*** *** ***

(AO No. 2000-68(S-1), § 1, 8-15-00; AO No. 2002-130, § 1, 9-10-02; AO No. 2007-72(S), § 2, 6-12-07)

Section 4. Anchorage Municipal Code section 9.06.090A. is amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

9.06.090 **Duties of traffic engineer.**

A. It shall be the duty of the traffic engineer to:

*** *** ***

11. Supervise the enforcement of chapters 9.30, 9.32 and 9.34 by

parking enforcement officers, and to issue and control citation books used by such officers. These [WHICH] duties may be delegated, in whole or in part, to the Anchorage Community Development Parking Services Department [AUTHORITY]; and

*** *** ***

(CAC 9.06.090; AO No. 283-76; AO No. 78-72; AO No. 78-146; AO No. 80-4; AO No. 84-10(S); AO No. 2000-130, § 1, 9-12-00)

Section 5. Anchorage Municipal Code section 9.30.155 is amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

9.30.155 Vehicle license plates and registration.

*** *** ***

B. Reduced penalty for motor vehicle with current registration.

2. If a person violating [SUB]section A.[OF THIS SECTION] presents reliable evidence to the Anchorage Community Development Authority parking services department [AUTHORITY] within 30 days after the date the citation issued under this section was issued that currently valid registration month and year stickers had been obtained for the vehicle prior to the violation, the penalty for the violation shall be reduced to \$45.00. Such reduction shall not apply to any late penalties or collection charges.

C. Notices of violation of [SUB]section A.4. [OF THIS SECTION] are subject to the following limitations:

1. A notice of violation of [SUB]section A.4. [OF THIS SECTION] may not be issued because a motor vehicle bears expired registration month and year stickers, unless the violation occurs after the 15th day of the month following the month in which the registration month and year stickers expired. The Anchorage Community Development Authority parking services department [AUTHORITY] shall cancel any notice of violation issued contrary to this subsection.
2. A notice of violation of subsection A.4 of this section may not be issued because a motor vehicle bears expired registration month and year stickers, if a notice of violation for the same violation has been issued for the same motor vehicle either (i) twice within the preceding 30 days, or (ii) once within the preceding three days. The Anchorage Community Development Authority parking services department [AUTHORITY] shall cancel any notice of violation issued contrary to this subsection that is presented for cancellation within 30 days of the date of its issuance.

*** *** ***

E. A motor vehicle that is parked, stopped or left standing on a street or private property open to the public for travel or parking, and does not have current registration properly attached as required by subsection A of this section, shall be considered prima facie to not have a current emissions (I.M.) certification as specified in section 15.80.010.

1. A citation issued under subsection E of this section, may be dismissed by the Anchorage Community Development Authority parking services department [AUTHORITY] if an I.M. inspection certificate, dated prior to the date of the violation, is provided within 30 days of the violation, and shall omit the scheduled penalty for the offense. Additionally, if the registered owner does not principally utilize and/or garage the vehicle within the municipality and provides the Anchorage Community Development Authority parking services department [AUTHORITY] with proof of residency, shall omit the scheduled penalty for the offense. Such dismissals shall not apply to any late penalties or collection charges.

*** *** ***

(CAC 9.44.020; AO No. 78-72; AO No. 80-4; AO No. 85-40; AO No. 92-28; AO No. 92-134(S); AO No. 94-68(S), § 16, 8-11-94; AO No. 95-6, § 4, 5-16-95; AO No. 2003-152S, § 3, 1-1-04)

Section 6. Anchorage Municipal Code section 9.30.280C. is amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

9.30.280 Civil penalties for parking violations.

*** *** ***

C. A person who fails to resolve a notice of violation under chapters 9.30, 9.32 or 9.34 within the time stated on the face of the notice shall be subject to a civil penalty in the amount of \$15.00 in addition to any other penalty provided by law. Failure to resolve a notice of violation within 30 days of the date after imposition of this civil penalty may result in a collection fee of up to 40 percent. A notice of violation is resolved by payment of the amount due under this section on the earlier of:

1. The date the payment is received by the Anchorage Community Development Authority parking services department [AUTHORITY]; or
2. The legible postmark date on a payment the Anchorage Community Development Authority parking services department [AUTHORITY] receives by mail.

(AO No. 82-186(S); AIM 33-83; AO No. 2003-152S, § 5, 1-1-04; AO No. 2004-151, § 1, 1-1-05; AO No. 2005-118, § 2, 9-27-05)

Section 7. Anchorage Municipal Code section 9.30.290A. is amended to read as

follows (*the remainder of the section is not affected and therefore not set out*):

9.30.290 **Appeals.**

- A. The registered owner of a vehicle which has been issued a citation for unlawful parking, stopping or standing, or which has been impounded as provided in section 9.30.260, may appeal that action to the Anchorage Community Development Authority parking services department [AUTHORITY] by filing a notice of appeal with the Anchorage Community Development Authority parking services department [AUTHORITY] no later than 30 days after the date of the violation or impoundment to which the appeal pertains.

*** *** ***

(AO No. 82-186(S); AIM 33-83; AO No. 83-28; AO No. 94-68(S), §19, 8-11-94)
Cross references: Anchorage Community Development Authority parking services department [AUTHORITY], Ch. 9.60.

Section 8. Anchorage Municipal Code section 9.30.310A. is amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

9.30.310 **Authority to void parking violation notice.**

- A. If the Anchorage Community Development Authority parking services department [AUTHORITY] determines that a notice of parking violation has been improperly issued, it may rescind that notice by writing the word "void" on its face. A record shall be maintained for all actions taken pursuant to this section. The Anchorage Community Development Authority parking services department [AUTHORITY] may invoke this section upon a finding that one of the following conditions existed at the time the notice was issued:

*** *** ***

(AO No. 82-186(S); AIM 33-83; AO No. 99-136, § 5, 10-26-99)

Section 9. Anchorage Municipal Code section 9.30.330 is amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

9.30.330 **Mobility impaired parking permits.**

- A. Mobility impaired parking in the central business district (CBD) may be utilized on a permit parking basis only in accordance with the standards in this subsection.

*** *** ***

2. A person seeking a mobility impaired parking permit must:

*** *** ***

- b. Apply to the Anchorage Community Development

Authority parking services department [AUTHORITY] for issuance of a mobility impaired parking permit for use of metered or two-hour free zone parking spaces in the central business district.

*** *** ***

- e. Provide such other information as the Anchorage Community Development Authority parking services department [AUTHORITY] may require.

*** *** ***

4. Renewable mobility impaired parking permits are issued for calendar months only and may be discontinued by the permittee or the Anchorage Community Development Authority parking services department [AUTHORITY] upon one month's notice for any reason. Permits shall not be transferable.

*** *** ***

- C. The Anchorage Community Development Authority parking services department [AUTHORITY] shall set the fees for permits pursuant to subsection 9.60.060.B.2. Permit fees shall be payable in advance with a frequency of not less than one-month increments. Qualifications for eligibility shall be reviewed annually. This program is independent of any other parking permit or group discount program.

(AO No. 92-80)

Section 10. Anchorage Municipal Code section 9.32.030 is amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

9.32.030 Standing in freight curb loading zone.

- A. No person may stop, stand or park a vehicle within any area marked as a freight curb loading zone during the hours when the provisions applicable to such zones are in effect unless that vehicle is:

*** *** ***

4. Operated pursuant to an annual freight permit obtained from the Anchorage Community Development Authority parking services department [AUTHORITY].

[THE PARKING AUTHORITY MAY ADOPT REGULATIONS TO ADMINISTER THIS SECTION, INCLUDING REGULATIONS ESTABLISHING AND SETTING FEES FOR PERMITS.]

- B. No person may stop, stand or park in any place marked as a freight curb loading zone except for the purpose of expeditious loading and delivery or pickup and loading of materials, and in any event such stop shall not exceed 30 minutes.

C. The Anchorage Community Development Authority parking services department may adopt regulations to administer this section, including regulations establishing and setting fees for permits.

(CAC 9.32.030; AO No. 78-72; AO No. 84-65; AO No. 94-68(S), §21, 8-11-94)

Section 11. Anchorage Municipal Code section 9.32.080B. is amended to read as follows *(the remainder of the section is not affected and therefore not set out)*:

9.32.080 **Hotel loading zones.**

*** *** ***

B. The Anchorage Community Development Authority parking services department [AUTHORITY] may develop application requirements and establish fees to create, modify, maintain and decommission the hotel loading zone. These fees shall be paid by the requestor. If the request involves replacing a passenger loading zone space with the hotel loading zone, a fee may not be charged.

*** *** ***

(AO No. 94-68(S), § 22, 8-11-94)

Cross references: Business licenses and regulations, Tit. 10.

Section 12. Anchorage Municipal Code section 9.32.090B. is amended to read as follows *(the remainder of the section is not affected and therefore not set out)*:

9.32.090 **Tour bus loading zones.**

*** *** ***

B. The Anchorage Community Development Authority parking services department [AUTHORITY] may develop application requirements and establish fees to create, modify and maintain, and decommission the tour bus loading zone. These fees shall be paid by the requestor.

*** *** ***

(AO No. 94-68(S), § 23, 8-11-94)

Section 13. Anchorage Municipal Code section 9.34.010B. is amended to read as follows *(the remainder of the section is not affected and therefore not set out)*:

9.34.010 **Establishment.**

*** *** ***

B. The traffic engineer is authorized, after consultation with the Anchorage Community Development Authority parking services department [AUTHORITY], to change the time limits on any parking meter placed pursuant to this chapter. A person aggrieved by the traffic engineer's

1 decision in changing the time limits may appeal the traffic engineer's
2 decision to the municipal manager, and, if still aggrieved, to the
3 assembly.

4
5 (CAC 9.34.010; AO No. 78-72; AO No. 94-68(S), § 24, 8-11-94; AO No. 95-6,
6 § 1, 5-16-95)

7
8 **Section 14.** Anchorage Municipal Code section 9.34.040A. is amended to read as
9 follows (*the remainder of the section is not affected and therefore not set out*):

10
11 **9.34.040** **Deposit of tokens or coins; time limits.**

12
13 A. No person may park a vehicle in any parking space alongside of and
14 next to which a parking meter has been installed during the restricted
15 and regulated time applicable to the parking meter zone in which such
16 meter is located unless either:

17
18 *** *** ***

19 2. A rearview mirror permit which allows parking at any metered
20 space without paying the meter is clearly visible; however, a
21 vehicle with such a permit may not park in a space for a longer
22 period than the maximum time shown on the meter. The
23 Anchorage Community Development Authority parking services
24 department [AUTHORITY] may, by regulation, provide for
25 establishment of, and fees for, a permit under this section; or

26
27 3. An electronic or mechanical timing device providing for paid
28 parking on a prepayment basis is clearly visible; [,] however, a
29 vehicle with such a device may not park in a space for a longer
30 period than the maximum time shown on the meter.

31 a. The Anchorage Community Development Authority
32 parking services department [AUTHORITY] may make
33 such devices available for purchase or lease, under
34 terms and conditions to be established by the Anchorage
35 Community Development Authority parking services
36 department [AUTHORITY].

37
38 *** *** ***

39 (CAC 9.34.040; AO No. 78-72; AO No. 94-68(S), § 25, 8-11-94)

40
41 **Section 15.** Anchorage Municipal Code section 9.65.010 is amended to read as
42 follows (*the remainder of the section is not affected and therefore not set out*):

43
44 **9.65.010** **Definitions.**

45
46 The following words, terms and phrases, when used in this chapter, shall have
47 the meanings ascribed to them in this section, except where the context
48 clearly indicates a different meaning:
49

*** *** ***

Residential parking zone means an area [WHICH HAS BEEN] designated by the Anchorage Community Development Authority parking services department [AUTHORITY] as such for the purpose of establishing on-street parking restrictions in accordance with this chapter.

(AO No. 85-171, 1-1-86)

Cross references: Definitions and rules of construction generally, §1.05.020.

Section 16. Anchorage Municipal Code section 9.65.020 is amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

9.65.020 Petition for establishment of residential parking zone.

- A. The Anchorage Community Development Authority parking services department [AUTHORITY] shall establish and administer residential parking programs in residential parking zones as provided by this chapter.
- B. Consideration of an area for designation as a residential parking zone may be initiated only by petition of at least 30 percent of the residents within that area. The Anchorage Community Development Authority parking services department [AUTHORITY] shall consider the signature of no more than one resident for each distinct street address for the purpose of determining the sufficiency of a petition under this subsection.
- C. The petition shall be in a form prescribed by the Anchorage Community Development Authority parking services department [AUTHORITY] and shall include the following information:

*** *** ***

(AO No. 85-171, 1-1-86; AO No. 99-136, § 1, 10-26-99)

Section 17. Anchorage Municipal Code section 9.65.030 is amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

9.65.030 Eligibility for designation of residential parking zone.

- A. No later than 60 days following receipt of a complete petition pursuant to section 9.65.020, the Anchorage Community Development Authority parking services department [AUTHORITY] shall determine if the area which is the subject of that petition is eligible for designation as a residential parking zone.
- B. The Anchorage Community Development Authority parking services department [AUTHORITY] shall designate an area as a residential parking zone if:

*** *** ***

2. Enforcement by the Anchorage Community Development Authority parking services department [AUTHORITY] in the geographic area described in the petition is compatible with existing contractual obligations undertaken by the municipality pursuant to Chapter 3.70;

*** *** ***

(AO No. 85-171, 1-1-86)

Section 18. Anchorage Municipal Code section 9.65.040 is amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

9.65.040 Approval of proposed residential parking zone; public hearing; ballots and voting.

- A. *Preparation of proposal.* If the Anchorage Community Development Authority parking services department [AUTHORITY] determines that an area is eligible for designation as a residential parking zone pursuant to section 9.65.030, the Anchorage Community Development Authority parking services department [AUTHORITY] shall prepare a residential parking program proposal for the area described in the petition, including:

*** *** ***

- B. *Public hearing.* A public hearing shall be held by the Anchorage Community Development Authority parking services department [AUTHORITY] to provide information and to receive public comment about the structure and cost of the residential parking program proposed for the area described in the petition. Reasonable public notice of the hearing shall be given, including notice by mail to every distinct street address within the geographic area described in the petition and to the appropriate community councils.

- C. *Ballots.* No later than 30 days after the public hearing, the Anchorage Community Development Authority parking services department [AUTHORITY] shall prepare a final residential parking program for the proposed residential parking zone and mail one ballot package to each distinct street address within the geographic area to be included in that zone so that a vote may be taken by the Anchorage Community Development Authority parking services department [AUTHORITY] in the manner described by sections 28.110.040 through 28.110.060. No more than one ballot shall be counted for each distinct street address within the proposed residential parking zone. Only those ballots received by the Anchorage Community Development Authority parking services department [AUTHORITY] within 30 days after mailing by the Anchorage Community Development Authority parking services department [AUTHORITY] shall be counted.

D. *Request for second ballot.* A second ballot may be taken for a residential parking zone and residential parking program for that zone if:

*** *** ***

2. A written request for a second ballot signed by three residents of the proposed residential parking zone is received by the Anchorage Community Development Authority parking services department [AUTHORITY] within six months after certification of the first ballot results by the Anchorage Community Development Authority parking services department [AUTHORITY].

E. *Approval.* A residential parking zone and residential parking program for that zone shall be approved for the area described on the ballot only if:

*** *** ***

2. The approving votes constitute no less than 30 percent of the total possible votes as reflected by the number of ballots issued by the Anchorage Community Development Authority parking services department [AUTHORITY].

(AO No. 85-171, 1-1-86; AO No. 87-97, 3-1-87)

Section 19. Anchorage Municipal Code section 9.65.050 is amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

9.65.050 Implementation of approved program; issuance of parking permits.

*** *** ***

F. All parking permit applications made pursuant to this section shall be made under oath and in a form authorized by the Anchorage Community Development Authority parking services department [AUTHORITY].

*** *** ***

I. Each parking permit issued pursuant to this section shall bear the date of permit expiration, the vehicle license number for which it is issued, and the residential parking zone to which it applies. When a [A] person is issued a permit, the [TO WHICH A] permit [HAS BEEN ISSUED] shall be permanently affixed [THE PERMIT] to the vehicle in a location designated by the Anchorage Community Development Authority parking services department [AUTHORITY].

*** *** ***

(AO No. 85-171, 1-1-86)

Section 20. Anchorage Municipal Code section 9.65.060A. is amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

9.65.060 **Decertification of residential parking zone.**

A. A residential parking zone and residential parking program shall continue to exist until:

1 [A]. A petition is submitted which is signed by no less than 50 percent of the residents within the residential parking zone and requests termination of the residential parking zone program. The Anchorage Community Development Authority parking services department [AUTHORITY] shall consider the signature of no more than one resident for each distinct street address for the purpose of determining the sufficiency of a petition under this subsection. The petition shall include the legibly printed name, signature and complete street address for each resident who signs it; or

2 [B]. The total number of parking permits issued for the residential parking zone in any year is less than 50 percent of the permits which were issued during the first year in which the residential parking zone was established.

(AO No. 85-171, 1-1-86)

Section 21. Anchorage Municipal Code section 9.65.070A. is amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

9.65.070 **Use of parking permit.**

A. Every vehicle [WHICH] conspicuously displaying[S] a parking permit issued for that vehicle pursuant to Section 9.65.050 in a location designated by the Anchorage Community Development Authority parking services department [AUTHORITY] shall be exempt from those parking restrictions established for the residential parking zone as provided by that parking permit. An exemption under this section does not apply to:

*** *** ***

(AO No. 85-171, 1-1-86)

Section 22. Anchorage Municipal Code section 9.65.080 is amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

9.65.080 **Enforcement of parking restrictions; violations.**

*** *** ***

D. S[UBS]ections B and C [OF THIS SECTION] shall be subject to enforcement by delivery of a notice of violation to the violator by personal delivery, certified mail, return receipt requested, or by affixing such notice to the violating vehicle, if it is unattended. If a violation for

which notice is affixed to a vehicle is not resolved in a timely manner as provided in the notice, the Anchorage Community Development Authority parking services department [AUTHORITY] shall cause an additional notice of the violation to be issued and mailed to the registered owner. The presumption of responsibility by a registered owner as stated in section 9.30.300 shall apply to a notice of violation affixed to a vehicle pursuant to this section.

- E. A person who is the subject of a notice of violation issued for a violation of [SUB]section B or C [OF THIS SECTION] shall have a right to appeal to the Anchorage Community Development Authority parking services department [AUTHORITY]. To be timely, an appeal under this section shall be filed no later than fifteen [SEVEN] days after the date of the violation to which the appeal pertains or the date of a supplemental notice issued pursuant to [SUB]section D [OF THIS SECTION]. An appeal hearing shall be conducted in accordance with Chapter 3.60.

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(AO No. 85-171, 1-1-86)

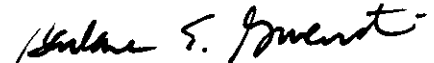
Section 23. The code revisor is further instructed to substitute the name "Anchorage Parking Authority" or "Parking Authority" in Editor's Notes and Cross References throughout the Anchorage Municipal Code with "Anchorage Community Development Authority".

Section 24. This ordinance shall be effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 26th day of May, 2009[8].


Chair of the Assembly

ATTEST:


Municipal Clerk