

CLERK'S OFFICE
APPROVED

Date: 5/12/09

Submitted by: Chair of the Assembly at the
Request of the Acting Mayor
Prepared by: Heritage Land Bank
For reading: April 28, 2009

ANCHORAGE, ALASKA
AO No. 2009-59

AN ORDINANCE WAIVING MUNICIPAL CODE, AUTHORIZING ISSUANCE OF A LAND USE PERMIT TO THE GIRDWOOD FOREST FAIR COMMITTEE FOR CAMPING ON HERITAGE LAND BANK (HLB) LANDS LOCATED IN THE GIRDWOOD VALLEY.

WHEREAS, the Municipality (MOA) owns land in the center of Girdwood between Alyeska Highway and Ruane Road, and California and Glacier Creeks in Section 17, T10N, R2E, Seward Meridian, managed by the HLB; and

WHEREAS, the Girdwood Forest Fair Committee requested HLB make lands available for camping for a discrete timeframe during the annual Forest Fair; and

WHEREAS, use of HLB Lands requires a land use permit; and

WHEREAS, a waiver of the Municipal code is required to allow camping on HLB lands, and provides a mechanism for HLB to require conditions and performance under the permit; now, therefore,

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. The Assembly hereby finds issuance of a land use permit for camping on HLB land is appropriate, allows the HLB to impose stipulations on the activities to ensure safety and relieves the Municipality of potential trespass liability problems. Therefore, the provisions in Anchorage Municipal Code section 25.70.040, prohibiting camping on municipal land, are hereby waived.

Section 2. The Assembly hereby authorizes the HLB to issue a nontransferable land use permit, upon the terms and conditions described in Paragraph A below, to the Girdwood Forest Fair Committee for use of HLB lands at the Girdwood Forest Fair on July 2, 3, and 4, 2009. Prior to issuing a land use permit to the Committee, each and every condition described in Paragraph B below shall be satisfied:

A. Terms in the land use permit shall include, but are not limited to, the following:

1. No alcohol, no campfires, no burn barrels;
2. No use of any islands for any activities or use;
3. Tent camping shall be contained within one discrete fenced area designated by HLB permit;

4. Signage shall be provided by Forest Fair Committee to enforce the permit conditions;
5. All costs including, but not limited to, setup, shut down and clean-up, and satisfaction of all Girdwood Parks Permit requirements shall be the sole and exclusive responsibility of the Girdwood Forest Fair Committee;
6. All clean-up is the responsibility of the Forest Fair Committee, including impacted areas not specifically designated by permit;
7. Girdwood Forest Fair Committee is responsible for contacting and providing a summary of the Forest Fair camping plan referenced in paragraph B.2. below to local residents and those living nearby, and as directed by HLB;
8. Absolutely no gravel, fill, timber or any other materials shall be placed in either Glacier or California Creek without prior written authorization by the Corps of Engineers and HLB;
9. Absolutely no trees or limbs shall be cut or trimmed, except as approved in writing by Girdwood Fire Department and HLB; and
10. A letter of support from the Girdwood Board of Supervisors.

B. The following conditions shall be fully satisfied before the land use permit shall be issued by HLB:

1. Assembly approval of waiver of Anchorage Municipal Code regarding camping on municipal lands;
2. Submittal to and prior approval by HLB of detailed camping site plan including location of fences, sanitation facilities, camping spaces, etc. Plan shall include location of fencing to keep fairgoers off the islands in Glacier Creek, as well as covering all other activities on HLB land including vendor parking in right-of-ways and a description of how the plan will be enforced during the event;
3. Submittal to and prior approval by HLB of a complete security plan and an executed contract with security firm;
4. State Trooper acknowledgement of the security plan;
5. Proof of insurance with liability coverage at the \$5,000,000 level and the Municipality of Anchorage listed as additional insured;
6. Prior payment of application and event fee as required by HLB;
7. Prior payment of \$5000 security (cleanup) deposit; deposit shall be refunded if HLB lands are cleaned up to HLB's satisfaction within 30 days of the event; and
8. Written proof the Forest Fair Committee requested local retail stores in the area to stop all sales of alcohol by 6:00 p.m. each evening of the Forest Fair.

Section 3. This ordinance shall be effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 12th day of May, 2009.

Debbie Osslander
Chair of the Assembly

ATTEST:

Susan E. Jenson
Municipal Clerk

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects - General Government

**AO Number: 2009-59 AN ORDINANCE WAIVING MUNICIPAL CODE, AUTHORIZING
ISSUANCE OF A LAND USE PERMIT TO THE GIRDWOOD
FOREST FAIR COMMITTEE FOR CAMPING ON HERITAGE
LAND BANK LANDS LOCATED IN THE GIRDWOOD VALLEY.**

Sponsor: ACTING MAYOR
Preparing Agency: Heritage Land Bank
Others Impacted:

CHANGES IN EXPENDITURES AND REVENUES: (Thousands of Dollars)

	FY09	FY10	FY11	FY12	FY13
Operating Expenditures					
1000 Personal Services					
2000 Supplies					
3000 Other Services					
4000 Debt Service					
5000 Capital Outlay					
TOTAL DIRECT COST	0	0	0	0	0
6000 IGCs	0	0	0	0	0
FUNCTION COST:	0	0	0	0	0
REVENUES:	2	0	0	0	0
CAPITAL:	0	0	0	0	0
POSITIONS: FT/PT and Temp.	0	0	0	0	0

PUBLIC SECTOR ECONOMIC EFFECTS:

Permitting use of property nets at least \$2,000 each year the Forest Fair operates to the HLB fund.

PRIVATE SECTOR ECONOMIC EFFECTS:

Girdwood Forest Fair is a non-profit entity that donates most of its' revenue to Girdwood non-profits.

Prepared by: **William M. Mehner**
Director, Heritage Land Bank and Real Estate Services

Telephone: **343-4337**



MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 257-2009

Meeting Date: April 28, 2009

From: ACTING MAYOR

**Subject: AN ORDINANCE WAIVING MUNICIPAL CODE, AUTHORIZING
ISSUANCE OF A LAND USE PERMIT TO THE GIRDWOOD FOREST
FAIR COMMITTEE FOR CAMPING ON HERITAGE LAND BANK
(HLB) LANDS LOCATED IN THE GIRDWOOD VALLEY**

This ordinance waives a prohibition on camping on municipal land, and authorizes HLB to grant a land use permit for camping on lands in the Girdwood Valley (Appendix A – Location Map). The Girdwood Forest Fair Committee requested use of lands between Alyeska Highway and Ruane Road, and California and Glacier Creeks in Section 17, T10N, R2E, Seward Meridian, managed by the HLB. The purpose of the request is to provide camping for vendors associated with the Fair and camping for the public attending the Fair over the 4th of July weekend.

Anchorage Municipal Code section 25.70.040 prohibits camping on municipal lands. The ordinance waives the code for the timeframe of the event, sets out the materials terms of the permit, and describes the conditions the Girdwood Forest Fair Committee must satisfy prior to issuance of the permit.

The Girdwood Board of Supervisors supports issuance of a land use permit for vendor and public camping on HLB lands as part of the Girdwood Forest Fair and shall review plans each year before recommending approval by Girdwood Parks and HLB.

**THE ADMINISTRATION RECOMMENDS APPROVAL OF AN ORDINANCE
WAIVING MUNICIPAL CODE, AUTHORIZING ISSUANCE OF A LAND USE
PERMIT TO THE GIRDWOOD FOREST FAIR COMMITTEE FOR CAMPING ON
HERITAGE LAND BANK (HLB) LANDS LOCATED IN THE GIRDWOOD VALLEY.**

Prepared by: Alison L. Smith, Land Management Officer
Heritage Land Bank

Approved: William M. Mehner, Executive Director
Heritage Land Bank

Concur: Mary Jane Michael, Executive Director
Office of Economic & Community Development

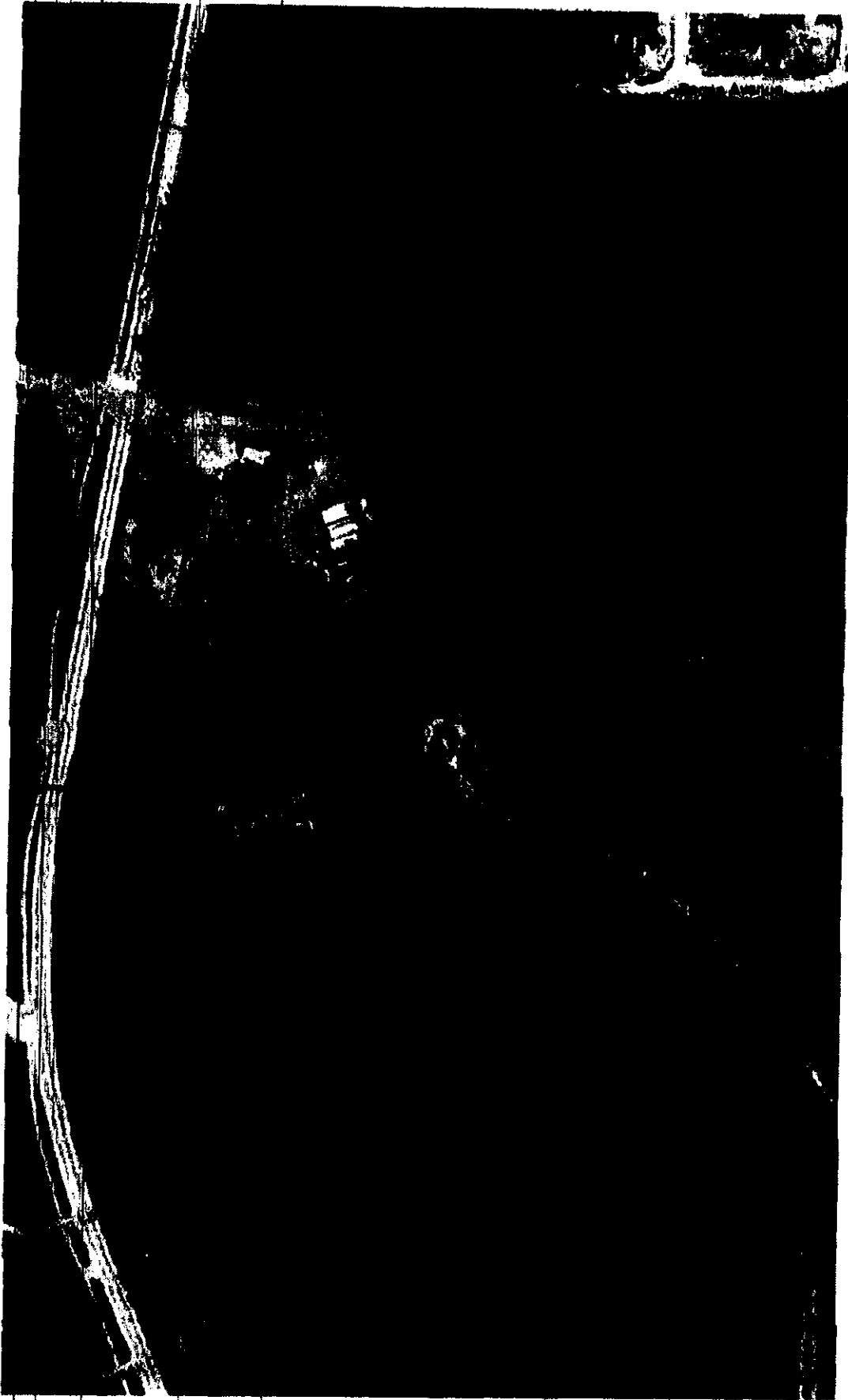
Concur: James N. Reeves, Municipal Attorney

Concur: Michael K. Abbott, Municipal Manager

Respectfully submitted, Matt Claman, Acting Mayor

Attachments: Appendix A – Location Map

Appendix A



Forest Fair Camping - HLB Land Girwood
Approximate boundary (Exact boundary TBD by HLB via Permit)

Content ID: 007652**Type:** Ordinance - AO

Title: AN ORDINANCE WAIVING MUNICIPAL CODE, AUTHORIZING ISSUANCE OF A LAND USE PERMIT TO THE GIRDWOOD FOREST FAIR COMMITTEE FOR CAMPING ON HERITAGE LAND BANK (HLB) LANDS LOCATED IN THE GIRDWOOD VALLEY

Author: maglaquijp**Initiating Dept:** HLB**Description:** Code Waiver for Permit to Use HLB Land in Girdwood for Camping**Keywords:** Camping Permit Code Waiver**Date Prepared:** 4/22/09 9:09 AM**Director Name:** William M. Mehner**Assembly Meeting Date:** 4/28/09**Public Hearing Date:** 5/12/09

<u>Workflow Name</u>	<u>Action Date</u>	<u>Action</u>	<u>User</u>	<u>Security Group</u>	<u>Content ID</u>
Clerk_Admin_SubWorkflow	4/23/09 4:10 PM	Exit	Joy Maglaqui	Public	007652
MuniMgrCoord_SubWorkflow	4/23/09 4:10 PM	Approve	Joy Maglaqui	Public	007652
MuniManager_SubWorkflow	4/23/09 4:09 PM	Approve	Joy Maglaqui	Public	007652
MuniManager_SubWorkflow	4/23/09 3:39 PM	Checkin	Joy Maglaqui	Public	007652
Legal_SubWorkflow	4/23/09 3:26 PM	Approve	Rhonda Westover	Public	007652
Finance_SubWorkflow	4/23/09 12:44 PM	Approve	Sharon Weddleton	Public	007652
Finance_SubWorkflow	4/23/09 11:34 AM	Checkin	Jo Katkus	Public	007652
OMB_SubWorkflow	4/22/09 4:35 PM	Approve	Wanda Phillips	Public	007652
ECD_SubWorkflow	4/22/09 9:30 AM	Approve	Tawny Klebesadel	Public	007652
HLB_SubWorkflow	4/22/09 9:14 AM	Approve	William Mehner	Public	007652
AllOrdinanceWorkflow	4/22/09 9:14 AM	Checkin	Lynn Roderick Van Horn	Public	007652



CONSENT AGENDA - INTRODUCTION