

AMENDED AND APPROVED

Date: 12-13-11

IMMEDIATE RECONSIDERATION **ANCHORAGE, ALASKA**
PASSED 12-13-11 **AO No. 2011-121**

AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE SECTION 8.75.040, FIREWORKS, TO PROHIBIT FIREWORKS WITHIN A MOBILE HOME PARK, TO ESTABLISH THE ALLOWABLE DISTANCE FROM ANY DWELLING, AND TO REQUIRE CLEAN-UP AND DEBRIS DISPOSAL AFTER DISCHARGE.

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. Anchorage Municipal Code section 8.75.040, Fireworks, is hereby amended to read as follows (*language indicating no amendment is included for context only and other subsections not affected are not set out*):

8.75.040 Fireworks.

*** *** ***

B. A municipal permit under this section or section 15.70.070 is not required for possession or use of 1.4G fireworks, as defined by the National Fire Protection Association, subject to these limitations:

*** *** ***

3. Fireworks shall not be discharged or used in restricted areas without a permit. The following are restricted areas:

*** *** ***

g. Any location determined in writing by the municipality to pose a fire danger.

h. Any location within 200 feet of any dwelling not used as the living quarters of the person using fireworks. For purposes of this prohibition, *dwelling* shall mean any building used as the living quarters of one or more families.

i. ~~Sale, possession, or use of any explosive fireworks or stench bomb to which fuses are attached or which are capable of ignition by matches or percussion is unlawful in a mobile home park. For purposes of this prohibition, a *mobile home park* shall mean any parcel or adjacent parcels of land in the same ownership which are managed for occupancy by more than two mobile homes.~~

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D. Any person using fireworks shall clean up and lawfully dispose of the debris within 12 hours after use of the fireworks.


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2 E [D]. Violation of this section shall be punished by a fine of not more than \$500.00.

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4 F [E]. As an alternative to the remedies, procedures and penalties provided in this
5 Title and Section 1.45.010, a violation of this section may be charged as a civil
6 violation subject to and prosecuted in accordance with Title 14 and in such
7 case shall be punishable by a civil penalty in accordance with Chapter 14.60.

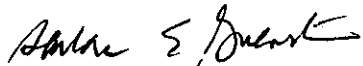
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9 (GAAB 18.05.010.Y; AO No. 97-90, § 1, 7-1-97; AO No. 98-59(S), § 1, 5-19-98;
10 AO No. 2001-145(S-1), § 4, 12-11-01; AO No. 2003-73, § 3, 4-22-03; AO 2010-86(S),
11 §1, 12-07-10)

12
13 **Section 2.** This ordinance shall become effective immediately upon its passage and
14 approval by the Assembly. This ordinance is subject to the same sunset date of
15 December 7, 2012, as provided for under AO 2010-86(S).

16
17 PASSED AND APPROVED by the Anchorage Assembly this 13th day of
18 December, 2011.

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21 
22 _____
23 Chair

24
25 ATTEST:

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28 _____
29 Municipal Clerk
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MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM
No. AM 690-2011

Meeting Date: November 22, 2011

1 From: ASSEMBLY CHAIR OSSIANDER

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3 **Subject: AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY**
4 **AMENDING ANCHORAGE MUNICIPAL CODE SECTION 8.75.040,**
5 **FIREWORKS, TO PROHIBIT FIREWORKS WITHIN A MOBILE HOME**
6 **PARK, TO ESTABLISH THE ALLOWABLE DISTANCE FROM ANY**
7 **DWELLING, AND TO REQUIRE CLEAN-UP AND DEBRIS DISPOSAL**
8 **AFTER DISCHARGE.**

9
10 This ordinance will add three additional restrictions to AMC §8.75.040 on use of
11 fireworks:

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- 13 • **Sale, possession, or use of fireworks in a mobile home park will be**
14 **unlawful.** The physical construction, configuration, and placement of
15 manufactured homes within a mobile home park create extreme risk of fire and
16 potential explosion if fireworks are sold, possessed or used in a mobile home
17 park.
 - 18
 - 19 • **It will be unlawful for a person to discharge fireworks within a specified**
20 **distance of the dwelling of another.** This amendment is offered in response to
21 resident complaints that New Year's fireworks are being discharged immediately
22 adjacent to their homes.
 - 23
 - 24 • **Timely clean-up and lawful debris disposal are mandatory.** Failure is made
25 subject to the criminal fine and civil penalty provisions of the ordinance.
 - 26

27 This ordinance relies on the same definition of *mobile home park* as currently set out in
28 AMC 21.70.010, and the definition of *dwelling* is adapted from AMC 21.35.020.

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30 The December 7, 2012 sunset date of AO 2010-86(S) is retained without change.

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34 Respectfully submitted:

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37 Debbie Ossiander
38 Assembly Chair, Section 5