

MUNICIPALITY OF ANCHORAGE
WATERSHED & NATURAL RESOURCES ADVISORY COMMISSION
RESOLUTION NO. 2019-02

A RESOLUTION REGARDING AO NO. 2019-74, AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE BY ADDING CHAPTER 15.100 TRASH HANDLING TO MINIMIZE BEARS AND OTHER WILDLIFE GETTING INTO TRASH

(WNRC Case No. 2015-02)

WHEREAS, the improper storage and handling of trash attracts nuisance and potentially dangerous wild animals such as bears into urban and suburban areas; and

WHEREAS, the Anchorage Assembly is considering amending municipal code to include a chapter on trash storage and handling to protect the public health, safety, and welfare by regulating the accumulation and storage of trash/garbage, recyclables, and compostables and to prevent conditions that may create fires, health or other safety hazards, attract or harbor wildlife or pests, or impair the aesthetic appearance of neighborhoods; and

WHEREAS, the Anchorage Assembly has drafted an ordinance intended to provide simple, clear, and effective regulations for proper storage and handling of trash/garbage, including bear-resistant containers where needed, to minimize adverse interactions with bears and other wildlife; and

WHEREAS, this amendment is supported by the Mayor and other municipal departments; and

WHEREAS, the proposed ordinance is well-researched and written to achieve these purposes, but should be amended in several ways to better address the reasons why bears and other potentially dangerous and nuisance wildlife are attracted into urban and suburban areas; and

WHEREAS, Juneau, Skagway, and Sitka have decades of experience in composing and enforcing similar ordinances that may provide additional guidance, some of which has been incorporated into the Commission's recommendations; and

WHEREAS, bears and other wildlife are attracted to foods provided for pets, livestock, and other animals, in addition to trash; and

WHEREAS, the naïve, careless, and irresponsible storage and handling of animal food is second only to trash in attracting and harboring dangerous and nuisance animals in the Municipality of Anchorage.

NOW, THEREFORE, BE IT RESOLVED THAT the Watershed and Natural Resources Advisory Commission recommends that:

- A. The title of AO No. 2019-74 should be amended to include storage and handling of animal food, as follows:

AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE BY ADDING CHAPTER 15.100 TRASH **AND ANIMAL FOOD STORAGE AND HANDLING TO MINIMIZE ATTRACTING BEARS AND OTHER NUISANCE WILDLIFE [GETTING INTO TRASH]** BY ESTABLISHING CONSISTENT PROTOCOLS FOR STORAGE AND HANDLING OF TRASH **AND ANIMAL FOOD**, PROVIDING FOR FINES ...

- B. The definition of trash should be amended to include a ubiquitous bear attractant, which was included in the Juneau and Sitka ordinance, and exclude compost composed of vegetable waste and animal manure, as follows:

Trash means any solid or liquid waste, whether combustible or noncombustible. Trash includes, without limitation, garbage, rubbish, rubble, refuse, industrial waste products, brush, vehicle tires, vehicle bodies or parts, household items, organic material, animal or vegetable waste resulting from the preparation, cooking, and serving of food, paper, ashes, cardboard, cans, cups, plastic, yard clippings, wood, branches, twigs, glass, rags, **soiled disposable diapers**, and wearing apparel of any kind. **Trash does not include vegetable waste or animal manure placed in a compost bin.**

- C. The definition of violator should be amended to include people and other entities who store or handle animal foods improperly, as follows:

Violator means any person(s), organization, company, business, corporation, property owner, tenant, contractor, contractee, lessor, lessee, or other entity that handles **or stores** solid waste/garbage **or animal food** in a manner not in compliance with the requirements of this code.

- D. A definition of animal food should be added, as follows:

Animal food means any solid or liquid food provided by a person to feed pets, feral or stray animals, or livestock, or to attract wild animals.

- E. AMC section 15.100.040A. should be amended to incorporate two provisions of the Juneau ordinance, as follows:

All trash containers shall be rodent proof, insect proof, watertight, structurally strong to withstand handling stress, and be easily filled,

emptied, and cleaned; shall be provided with tight fitting covers or similar closures **secured so as to remain in place if the container is knocked over; shall be inscribed with the address of its owner;** and shall be maintained at all times in a clean, sanitary condition.

- F. A provision should be added to AMC section 15.100.040 to ensure that any person or entity **permitted to conduct outdoor events is required to comply with these trash handling and** storage requirements, as follows:

H. All trash, including trash stored in temporary containers, at permitted outdoor events (e.g., festivals, sporting events, concerts, etc.) shall be removed or placed in bear-resistant containers at the end of each day's activities.

- G. A provision should be added to AMC section 15.100.040 to encourage individual responsibility and facilitate enforcement, particularly in situations where dumpsters are provided, as follows:

I. Any person who places trash in a trash container or dumpster is responsible for closing and securing the cover or opening.

- H. A provision should be added to AMC section 15.100.040 to address the requirements of animal food storage containers similar to that for trash containers, as follows:

J. All animal food storage containers shall either be rodent proof, insect proof, watertight, structurally strong enough to withstand handling stress, provided with tight fitting covers or similar closures or shall be kept inside a structure.

- I. The animal food storage and handling requirements added to AMC section 15.100.040 should accommodate feeding practices that avoid or minimize attracting bears and other animals, as follows:

K. Animal food, other than hay, placed outdoors to feed pets and livestock shall not be in excess of the amount the animal(s) can consume that day. Feral or stray animals shall not be fed outdoors. Wild birds and other wild animals shall only be fed during seasons or by using structures or devices that avoid or minimize attracting those wild animals whose feeding, intentionally or negligently, is prohibited by state or federal law.

- J. AMC section 15.100.050 should be amended to include animal food storage and handling and to facilitate enforcement by incorporating a provision of the Sitka ordinance, as follows:

In any instance where solid waste, trash/garbage, **animal food**, or junk of any kind is placed deposited in, on, under or adjacent to a garbage can/refuse container **or food storage container** not in compliance with this section, the owner of the property shall be responsible and is defined as a violator. If a violator, other than the property owner, handles solid waste/garbage **or animal food** in a manner not in compliance with the requirements of this code as described above, both the violator and property owner may be defined as violators. **This chapter shall be enforced by the police department, community service officers, or by other employees authorized by the municipal manager or designee.**

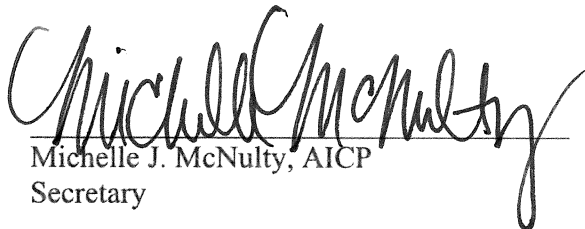
- K. AMC section 15.100.070B.1. should be amended to specify that only outdoor trash containers need be bear-resistant, as follows:


All **outdoor** trash **and animal food** containers in a Secure Trash Regulation Zone shall be bear-resistant containers.

- L. Several additional references to trash handling should be amended to include animal food storage and handling, as follows:

- Chapter 15.100 – TRASH **AND ANIMAL FOOD STORAGE AND HANDLING**
- 15.100.010 – General purpose. This code chapter regulates how all solid waste **and animal food** within the Municipality of Anchorage is **stored and** handled ...
- 15.100.040 – Trash **and animal food storage and** handling standards.
- 14.60.030 – Fine schedule. Trash **and animal food storage and** handling violations.

PASSED AND APPROVED by the Watershed & Natural Resources Advisory Commission on this 12th day of June, 2019.


Michelle J. McNulty, AICP
Secretary


for David M. Nyman, PE
Chair

(WNRC Case No. 2015-02)