

MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM

No. AM 811-2017(A)

Meeting Date: _____

From: MAYOR

**Subject: AN ORDINANCE REPEALING ANCHORAGE MUNICIPAL CODE
CHAPTER 15.35, REPEALING AND RE-ENACTING ANCHORAGE
MUNICIPAL CODE CHAPTER 15.30 REGARDING THE
ANCHORAGE CLEAN AIR ORDINANCE, AND AMENDING THE
FINE SCHEDULE IN MUNICIPAL CODE CHAPTER 14.60.**

AO 2017-161(S) is a result of input from the assembly work session held on December 15, 2017 and subsequent communications with Assembly members and other municipal departments.

In summary, the following changes have been made to Section 2 of AO 2017-161 as set forth in AO 2017-161(S):

1 – for clarity and to mirror state definitions, add a definition of “dry wood” to mean having a moisture content of less than 20%;

2 – for clarity add a definition of fugitive emissions to mean unintended emissions from a facility or activities (e.g., construction) that could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening;

3 – add a new paragraph D to section 15.30.040 to clarify stationary sources permitted by the Alaska Department of Environmental Conservation and/or the Environmental Protection Agency (EPA) are not held to local emission standards. Rather these sources must comply with state and/or federal requirements.

4 – amend 15.30.080 – “Open burning” to strengthen fire mitigation strategies by reducing the possibility of an open burn becoming a wildland fire. Delete 15.30.080.A.4. to eliminate brush and tree burning throughout the municipality, including those areas outside the Anchorage bowl.

- Delete 15.30.080.A.5. to eliminate household refuse burning in areas not served by sanctioned refuse collection services.
- Delete 15.30.080.A.7.-9. to eliminate brush, grass and other organic debris burning in the spring or fall without a permit throughout the municipality including the hillside.
- Amend 15.30.080.A.10. to allow for burn permits to be issued by the fire

chief with approval of the air pollution officer for the destruction of timber infested with insect, disease or for other emergency situations.

- Delete 15.30.080.B to align with the elimination of published specific open burn dates.
- Delete 15.30.080.D as the ability to issue open burn permits for pest infestations has been incorporated into 15.30.080.A.

5 – 15.30.090.A.1 add “dry” to read, “Clean, dry wood” for clarity.

THE ADMINISTRATION RECOMMENDS APPROVAL.

Prepared by:	DeeAnn Fetko, Health and Human Services
Approved by:	Melinda Freemon, Health and Human Services
Concur:	Rebecca A. Windt Pearson, Municipal Attorney
Concur:	William D. Falsey, Municipal Manager
Respectfully submitted:	Ethan A. Berkowitz, Mayor