Municipal Clerk's Office Amended and Approved Date: July 15, 2025 Submitted by: Chair of the Assembly at the

Request of the Mayor

Prepared by: Dept. of Law For reading: May 20, 2025

#### ANCHORAGE, ALASKA AO No. 2025-70, As Amended

AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE CHAPTER 16.55 ANCHORAGE CHILD CARE LICENSING CODE TO REDUCE BURDENS ON LICENSED CHILD CARE PROVIDERS BY REPEALING SECTIONS 16.55.060, 16.55.115, AND 16.55.180; AND AMENDING SECTIONS 16.55.170 AND 16.55.250.

WHEREAS, Anchorage Child Care Licensing is proposing updates to AMC 16.55 to better meet community needs, including the needs of children, working parents, and child care staff. Currently, there remains a shortage of child care availability within the Municipality. The proposed changes to AMC 16.55 will support child care facilities that are currently operating as well as future child care facilities, all of which will reinforce Anchorage's economic growth and support working families and,

 **WHEREAS**, Anchorage Child Care Licensing has listened to feedback from the Governor's Task Force, administrators working in the field, and parents in need of child care to determine the necessity for updates to AMC 16.55. Proposed changes are intended to lighten the financial burden on child care facilities while still maintaining health and safety measures; now, therefore,

#### THE ANCHORAGE ASSEMBLY ORDAINS:

**Section 1.** Anchorage Municipal Code chapter 16.55, Anchorage Child Care Licensing Code is hereby amended to read as follows (*the remainder of the chapter is not affected and therefore not set out*):

## 16.55.060 - Reserved. [APPLICATION FOR LICENSE; BIENNIAL RENEWAL; POSTING OF LICENSE.]

[THE PROVISIONS OF 7 AAC 57.030 AND THE SECTIONS OF AS 47.32 LISTED IN SECTION 16.55.020 ARE ADOPTED AND INCORPORATED BY REFERENCE, WITH MODIFICATION AND SUPPLEMENTATION AS FOLLOWS:

A. REPLACE 7 AAC 57.030(A) WITH: "ORIENTATION DESIGNED FOR CHILD CARE PROVIDER LICENSEES IS REQUIRED PRIOR TO LICENSURE. ORIENTATIONS FOR CHILD CARE HOME FACILITIES SHALL BE REPEATED IF A COMPLETE APPLICATION IS NOT RECEIVED WITHIN TWELVE MONTHS OF ATTENDANCE AT THE INITIAL ORIENTATION."

- B. IN ADDITION TO 7 AAC 57.030(C) AND (D), AN APPLICATION SUBMITTED UNDER THIS SECTION SHALL CONTAIN:
  - ALL APPLICABLE FEES;

- 2. COPIES OF ALL INSPECTION REPORTS, APPROVALS, AND VARIANCES ISSUED BY OTHER APPROVAL AGENCIES RELATING TO THE OPERATION OF A CHILD CARE FACILITY, INCLUDING BUT NOT LIMITED TO AGENCIES RESPONSIBLE FOR FIRE PREVENTION, LAND USE AND ENVIRONMENTAL HEALTH AND SAFETY; AND
- 3. IN A HOME, AN AGREEMENT, ON A FORM PROVIDED BY THE DEPARTMENT, SIGNED BY THE PROPERTY OWNER ALLOWING A CHILD CARE HOME TO BE OPERATED AT THE FACILITY.
- C. THE DEPARTMENT SHALL ISSUE A LICENSE TO THE APPLICANT IF THE DEPARTMENT FINDS, AFTER INSPECTION AND INVESTIGATION:
  - 1. THE FACILITY, TOGETHER WITH THE OPERATIONAL PLAN, COMPLIES WITH THE REQUIREMENTS AND PROCEDURES OF THIS CHAPTER;
  - 2. THE APPLICANT HAS PAID ALL APPLICABLE FEES; AND
  - 3. THE FACILITY COMPLIES WITH OTHER APPLICABLE LOCAL, STATE AND FEDERAL LAWS AND REGULATIONS.]

(AO No. 2016-82, § 1, 8-9-16)

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#### 16.55.115 - Reserved. [INSURANCE REQUIREMENTS.]

- [A. A CHILD CARE FACILITY SHALL MAINTAIN INSURANCE COVERAGE AT ALL TIMES AS REQUIRED BY THIS SECTION. IT IS UNLAWFUL TO PROVIDE CHILD CARE SERVICES REGULATED BY THIS CHAPTER WITHOUT THE REQUIRED INSURANCE COVERAGE IN EFFECT.
- B. A CHILD CARE FACILITY SHALL MAINTAIN COMPREHENSIVE GENERAL LIABILITY INSURANCE, INCLUDING TRANSPORTATION COVERAGE, IF APPLICABLE, WITH A COMPANY AUTHORIZED TO WRITE INSURANCE POLICIES IN THE STATE OF ALASKA, IN AN AMOUNT NOT LESS THAN:
  - 1. \$300,000.00 PER OCCURRENCE, AND \$300,000.00 AGGREGATE, FOR A FACILITY LICENSED FOR FIVE OR FEWER CHILDREN:
  - 2. \$500,000.00 PER OCCURRENCE, AND \$500,000.00 AGGREGATE, FOR A FACILITY LICENSED FOR SIX THROUGH EIGHT CHILDREN:
  - 3. \$1,000,000.00 PER OCCURRENCE, AND \$1,000,000.00 AGGREGATE, FOR A CENTER LICENSED FOR NINE THROUGH 40 CHILDREN; AND
  - 4. \$1,000,000.00 PER OCCURRENCE, AND \$2,000,000.00 AGGREGATE, FOR A CENTER LICENSED FOR 41 OR MORE CHILDREN.

- C. VERIFICATION OF THE INSURANCE POLICIES.
  - 1. THE FACILITY SHALL PROVIDE WRITTEN PROOF OF A POLICY REQUIRED BY SUBSECTION B. WITH THE INITIAL APPLICATION, WHENEVER THE POLICY IS RENEWED, AND WHEN THE FACILITY'S LICENSE FROM THE MUNICIPALITY IS RENEWED.
  - 2. THE FACILITY OR INSURER SHALL GIVE WRITTEN NOTICE TO THE DEPARTMENT 30 DAYS PRIOR TO THE EXPIRATION, LAPSE OR OTHER TERMINATION OF AN INSURANCE POLICY PROVIDING COVERAGE REQUIRED BY THIS SECTION. IN ADDITION, ANY TIME THE FACILITY OR LICENSEE RECEIVES ANY NOTICE FROM AN INSURER OF CANCELLATION, LAPSE, NONRENEWAL OR REGARDING COVERAGE TERMS THE FACILITY OR LICENSEE SHALL IMMEDIATELY SEND A COPY OF SUCH NOTICE TO THE DEPARTMENT. Α LAPSE. CANCELLATION. EXPIRATION, **NONRENEWAL** OR TERMINATION OF INSURANCE COVERAGE SHALL RESULT IN AUTOMATIC SUSPENSION OF THE LICENSE FOR SO LONG AS THE LICENSEE IS WITHOUT INSURANCE AS REQUIRED BY THIS SECTION.]

(AO No. 2016-82, § 1, 8-9-16; AO No. 2020-20, § 1, 3-10-20)

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#### 16.55.160 - Information for parents.

The provisions of 7 AAC 57.410 are adopted and incorporated by reference, with modification and supplementation as follows:

- A. A child care facility shall supply a parent with the following information in writing at or before a child's admission:
  - 1. Nondiscrimination policy as required by state law and AMC chapter 5.20; and
  - 2. Policies concerning television and video viewing, video games, and computer use, in compliance with AMC 16.55.190C.—E.
  - 3. A statement of whether the facility has insurance coverage or not, and if it does then the amount of coverage. A facility shall provide a copy of its applicable insurance policy when requested by a parent.

(AO No. 2016-82, § 1, 8-9-16)

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16.55.170 - Reserved. [CHILD-TO-CAREGIVER RATIOS IN CHILD CARE FACILITIES.]

[THE PROVISIONS OF 7 AAC 57.505 ARE ADOPTED AND

## INCORPORATED BY REFERENCE, WITH MODIFICATION AND SUPPLEMENTATION AS FOLLOWS:

- A.] [A CHILD CARE HOME SHALL HAVE NO MORE THAN SIX CHILDREN IN CARE AT ANY ONE TIME WHEN INITIALLY LICENSED FOR THE FIRST 12 MONTHS.]
- [B. EXCEPT AS PROVIDED IN SUBSECTION C., A] [A CENTER SHALL MAINTAIN, DURING ALL HOURS OF OPERATION, THE FOLLOWING] [CHILD TO] [CHILD-TO-CAREGIVER RATIOS AND THE FOLLOWING GROUP SIZE AS REQUIRED BY SECTION 16.55.180:]

[AGE OF CHILDREN	TERM FOR AGE GROUP	# CHILDREN	# CAREGIVERS	MAX GROUP SIZE (CHILDREN: CAREGIVERS)
6 WEEKS THROUGH 11 MONTHS, OR OLDER IF NOT WALKING INDEPENDENTLY	YOUNG INFANTS	4	1	8:2
12—18 MONTHS	OLDER INFANTS	5	1	10:2
19—36 MONTHS	TODDLERS	6	1	12:2
3—4 YEARS	PRESCHOOLERS	10	1	20:2
5—6 YEARS	KINDERGARTNERS]	<b>[14]</b> [10]	[1]	<b>[28:2]</b> [20:2]
[7—12 YEARS	SCHOOL AGE]	<b>[18]</b> [10]	[1]	[ <b>36:2</b> ] [20:2]

IN A CENTER, IN GROUPS WHERE AGE RANGES ARE MIXED,

THE CHILD-TO-CAREGIVER RATIO FOR THE YOUNGEST CHILD

A CENTER SHALL NOT CARE FOR INFANTS YOUNGER THAN SIX

THERE SHALL BE A MINIMUM OF TWO CAREGIVERS PRESENT IN A LICENSED CHILD CARE CENTER ANY TIME CHILDREN ARE

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(AO No. 2016-82, § 1, 8-9-16)

SHALL APPLY.

WEEKS.

PRESENT.]

## 16.55.180 - Reserved. [MAXIMUM GROUP SIZE IN CHILD CARE CENTERS.]

[THE PROVISIONS OF 7 AAC 57.510 ARE ADOPTED AND INCORPORATED BY REFERENCE, WITH MODIFICATION AND SUPPLEMENTATION AS FOLLOWS:

A. MAXIMUM GROUP SIZE AT ANY ONE TIME DURING THE DAY

 SHALL NOT EXCEED TWICE THE MAXIMUM NUMBER OF CHILDREN ALLOWED PER CAREGIVER AS REQUIRED BY THE CHILD-TO-CAREGIVER RATIO IN SECTION 16.55.170.

- B. GROUPS MAY BE COMBINED DURING MEAL TIMES.
- C. EACH GROUP OF CHILDREN YOUNGER THAN SCHOOL AGE SHALL BE:
  - ASSIGNED TO A FULLY EQUIPPED CLASSROOM OR WELL-DEFINED SPACE CONTAINING THE REQUIRED SINKS AND TOILETS AND ALLOWING FOR THE EASY VIEWING OF ACTIVITIES WITHIN THE SPACE; AND
  - 2. CARED FOR IN THEIR PRIMARY GROUP FOR THE MAJORITY OF EACH CHILD'S DAY.]

(AO No. 2016-82, § 1, 8-9-16)

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#### 16.55.250 - Environmental health and safety.

The provisions of 7 AAC 57.610 are adopted and incorporated by reference, with modification and supplementation as follows:

- A. *Drinking water*. Drinking water shall be accessible to children at all times. Individual drinking cups, disposable paper cups, or bubbler fountains of the angle jet type shall be provided.
- B. [TOILETS AND HANDSINKS. A FACILITY SHALL MEET THE FOLLOWING STANDARDS FOR TOILETS AND HANDSINKS:
  - 1. FOR CENTERS LICENSED AFTER ENACTMENT OF THIS CHAPTER, THERE SHALL BE ADULT USE ONLY TOILETS AND SINKS, MAINTAINED IN A CLEAN AND SANITARY MANNER. THESE TOILETS CANNOT BE COUNTED IN THE 1:15 TOILET RATIO FOR CHILDREN.
  - 2. FOR CENTERS LICENSED AFTER ENACTMENT OF THIS CHAPTER, RESTROOMS SERVING CHILDREN YOUNGER THAN SCHOOL AGE SHALL HAVE WALLS CONSTRUCTED IN A MANNER THAT ALLOWS FOR SUPERVISION OF THE TOILETING AREA. THESE WALLS SHALL BE 42 INCHES OR LESS IN HEIGHT.
  - 3. IN CENTERS LICENSED AFTER ENACTMENT OF THIS CHAPTER OR CENTERS THAT REMODEL AFTER ENACTMENT OF THIS CHAPTER, ROOMS SERVING CHILDREN YOUNGER THAN SCHOOL AGE SHALL HAVE SINKS IN THE CLASSROOM NEAR THE ENTRANCE TO THE BATHROOM.]

- [C.] *General sanitation*. A facility shall meet the following standards for general sanitation:
  - 1. Wading pools shall be emptied daily immediately after the last child uses it.
  - 2. Laundry facilities:
    - a. In a center, laundry facilities shall be separate from children's space.
    - b. In a home, laundry facilities not separated from children's space shall be child-proofed.
    - c. All facilities shall provide methods for handling soiled bedding and clothing that avoid cross contamination.
- [D] <u>C.</u> *Playground*. A facility shall ensure its playground is clean and free of hazards that may cause injury.
  - 1. A facility installing equipment and/or making changes to installed equipment, shall meet Consumer Product Safety Commission (CPSC) guidelines. Following any such changes, facilities shall provide documentation from a Certified Playground Safety Inspector (CPSI) which states the playground meets CPSC guidelines.

[IF PLAY EQUIPMENT IS DESIGNED FOR CHILDREN TO GET OFF THE GROUND, IT MUST BE MANUFACTURED FOR COMMERCIAL USE.

- 2. A FACILITY MUST PROVIDE ADEQUATE CLEARANCE BETWEEN THE EQUIPMENT AND ANY OBJECTS ABLE TO CAUSE INJURY, AS SET FORTH IN THE CONSUMER PRODUCTS SAFETY COMMISSION (CPSC) GUIDELINES.
- 3. AREAS AROUND AND UNDER PLAY EQUIPMENT SHALL BE COVERED WITH SHOCK ABSORBING MATERIAL IN ACCORDANCE WITH CPSC GUIDELINES.
- 4. A FACILITY SHALL SUBMIT DOCUMENTATION TO THE DEPARTMENT OF AN INSPECTION OF INSTALLED EQUIPMENT BY A CERTIFIED PLAYGROUND INSPECTOR (CPSI).
- 5. A FACILITY MAKING CHANGES TO PLAYGROUNDS SHALL OBTAIN PRIOR DEPARTMENT APPROVAL AND MEET CPSC GUIDELINES. FOLLOWING ANY SUCH CHANGES, FACILITIES SHALL PROVIDE DOCUMENTATION FROM A CPSI WHICH STATES THE PLAYGROUND MEETS CPSC GUIDELINES.]

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	This ordinance the Assembly.	shall be effec	tive immedi	ately upon	passage a	and
PASSED AN	ID APPROVED by	y the Anchorage	e Assembly t	his 15th day	of July, 20	25.
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ATTEST:						

Municipal Clerk

#### **MUNICIPALITY OF ANCHORAGE**

#### **Assembly Memorandum**

AM No. 451-2025

Meeting Date: May 20, 2025

FROM:

**MAYOR** 

SUBJECT: AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING **ANCHORAGE MUNICIPAL CODE CHAPTER 16.55 ANCHORAGE** CHILD CARE LICENSING CODE TO REDUCE BURDENS ON PROVIDERS BY REPEALING LICENSED CHILD CARE SECTIONS 16.55.060, 16.55.115, AND 16.55.180; AND

AMENDING SECTIONS 16.55.170 AND 16.55.250.

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> Child Care Licensing is pursuing amendments to AMC 16.55 in response to the community need for child care. The overall intention of the changes is to reduce the barriers encountered by currently licensed facilities as well as prospective applicants. The desired outcome of the changes is to support licensed facilities in a manner that will enable them to open and remain open, providing more available child care spaces for families while continuing to meet health and safety standards for children.

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The areas of focus for the proposed changes were chosen as each has the potential for a beneficial economic impact on child care facilities and may lighten some of the financial challenges faced by licensed homes and centers. The suggested changes are removing fees; removing the requirement for liability insurance; removing the requirement to have two caregivers on site at a center at all times children are present; removing the minimum age of six weeks for a child to be cared for in a center; increasing ratios for school-age care; increasing the capacity from six to eight in the initial licensing year for a child care home; removing the requirement for separate adult bathrooms and sinks; for bathrooms to be in the classrooms, for sinks to be outside the toileting area and for wall height to new/remodeled bathrooms, and modifying the requirement for playground inspections.

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Anchorage Child Care Licensing has listened to feedback from the Governor's Task Force, administrators working in the field, and parents in need of child care to determine the necessity for updates to AMC 16.55. Proposed changes are intended to lighten the financial burden on child care facilities while still maintaining health and safety measures

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There are no anticipated costs to implement this ordinance, however, there are local government effects over \$30,000, therefore, a summary of economic effects is attached.

#### THE ADMINISTRATION RECOMMENDS APPROVAL.

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Prepared by: Dawn Skeete, Anchorage Health Department

4 Approved by: Kimberly Rash, Director, AHD
5 Concur: Eva Gardner, Municipal Attorney
6 Concur: Ona R. Brause, Director, OMB

Concur: Ona R. Brause, Director, OMB
William D. Falsey, Chief Administrative Officer
Rebecca A. Windt Pearson, Municipal Manager

9 Respectfully submitted: Suzanne LaFrance, Mayor

## MUNICIPALITY OF ANCHORAGE Summary of Economic Effects -- General Government

AO Number: 2025-70 Title: AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING ANCHORAGE

MUNICIPAL CODE CHAPTER 16.55 ANCHORAGE CHILD CARE LICENSING CODE TO REDUCE BURDENS ON LICENSED CHILD CARE PROVIDERS BY REPEALING SECTIONS 16.55.060, 16.55.115, AND 16.55.180; AND

Sponsor: MAYOR AMENDING SECTIONS 16.55.170 AND 16.55.250.

Preparing Agency: Anchorage Health Department

Others Impacted: None

CHANGES IN EXPENDITURES AND REVENUES:				(In Thousands of Dollars)						
	FY25		FY26		FY27		FY28		FY29	
Operating Expenditures 1000 Personal Services 2000 Non-Labor 3900 Contributions 4000 Debt Service	\$	- - - -							_	
TOTAL DIRECT COSTS:	\$	-	\$	-	\$	-	\$	-	\$	•
Add: 6000 Charges from Others Less: 7000 Charges to Others	\$	-								
FUNCTION COST:	\$	-	\$		\$	-	\$	-	\$	-
REVENUES:	\$	(37)	\$	(37)	\$	(37)	\$	(37)	\$	(37)
CAPITAL:	\$	-	\$	-	\$	-	\$	-	\$	-
POSITIONS: FT/PT and Temp		0		0		0		0		0

#### **PUBLIC SECTOR ECONOMIC EFFECTS:**

The proposed changes will decrease revenue to the Anchorage Health Department Child Care Licensing program by repealing fees associated with licensing application, biennial renewals, and making changes to a license.

#### PRIVATE SECTOR ECONOMIC EFFECTS:

The proposed changes to the Municipality of Anchorage Child Care Licensing Title 16.55 will allow for greater abilities among licensed child care facilities and homes to increase accessibility and affordability by removing barriers. Such barriers include fees associated with startup, renovation, and liability insurance costs to comply with code, limited ratios and care availability for certain age groups and clarifying playground equipment guidelines.

Prepared by: Kimberly Rash Telephone: 907-343-4634



### **MUNICIPALITY OF ANCHORAGE**

#### **ASSEMBLY INFORMATION MEMORANDUM**

**AIM No.** 144 -2025

Meeting Date: July 15, 2205

FROM: **MAYOR** 1 2 SUBJECT: ACCEE FUND BOARD SUPPORT FOR AMC 16.55 CHILD CARE CODE 3 CHANGES. 4 5 The Anchorage Health Department (AHD) is attaching the letter of support from the 6 Anchorage Child Care and Early Education (ACCEE) Fund Board for AMC 16.55 Child Care 7 code changes. 8 9 10 11 Prepared by: Kimberly Rash, Director, Anchorage Health Department 12 Concur: William D. Falsey, Chief Administrative Officer 13 Rebecca A. Windt Pearson, Municipal Manager Concur: 14 Respectfully submitted: Suzanne LaFrance, Mayor 15



# ANCHORAGE CHILD CARE & EARLY EDUCATION FUND

June 24, 2025

Dear Members of the Anchorage Assembly,

I write this letter as Chair of the Municipality's Anchorage Child Care & Early Education (ACCEE) Fund Board regarding the Anchorage Health Department's proposed changes to the Municipal Code, section 16.55, relating to child care licensing. At its June 5, 2025 meeting, the ACCEE Fund Board heard a presentation from the Anchorage Health Department (AHD) about these potential Code changes. AHD staff explained the specific changes, including their many efforts to solicit public comment and feedback on the changes. The Board had the opportunity to ask questions regarding the specific Code changes, and invited members of the public to provide comment on the changes both at the June 5, 2025 meeting and via the Fund's website. All feedback received relating to the potential Code changes was positive.

After hearing from AHD and the public, the ACCEE Fund Board voted unanimously at its June 5, 2025 meeting to recommend Assembly approval of these potential Code changes. Consistent with the Board's role "as an advisory body to the Assembly and Mayor on topics related to child care and early education" (AO 2024-61(S-1), As Amended), I am providing this recommendation to you as you consider these potential Code changes.

Should you have any questions, about this item or the ACCEE Fund Board more generally, please don't hesitate to reach out.

Sincerely,

**Trevor Storrs** 

Chair, ACCEE Fund Board

President & CEO of the Alaska Children's Trust