

A resolution to outline a feasibility study, with cost estimate, that will evaluate potential site locations, permitting requirements, and the definition of a process, to extract in-fill material and deposit organic overburden, locally in the Girdwood Valley.

Whereas:

- Girdwood is located 40 miles from in-fill resources and ex-fill dump locations in Anchorage, where a majority of this material comes from and goes to;
- Girdwood land development costs are higher than in Anchorage due to the extra cost of trucking materials into and out of Girdwood valley;
- The Anchorage Assembly has resolved to encourage the implementation of policies that reduce the cost of residential housing;
- The cost of land development in the valley would be significantly reduced by using local resources instead of trucking all material into and out of Girdwood;
- There is a substantial environmental impact from the increased heavy vehicle traffic on the Seward Highway due to movement of fill and spoils to and from Anchorage;
- Glacier Creek gravel is a renewable resource;
- Glacier Creek at times threatens homes with flooding due to the amount of changing gravel deposits and river channel course;
- The Glacier Creek bridge is under scrutiny due to scouring of the abutments from gravel erosion and water channel migration, posing a threat to the security of the only vehicle exit from the upper valley;
- The Land Use Committee has voiced community support for GHEC to perform a feasibility study to evaluate the “where, when, and how” of using local resources for land development;

Therefore let it be resolved to pursue defining the parameters of a feasibility study and obtaining a cost estimate to further describe how we can successfully use local in-fill and ex-fill resources to develop land within the Girdwood valley.

The execution of this activity would be predicated on it being a self-sustaining program at no extra burden of cost to property tax payers, aside from having to perform this initial feasibility study.

This use of local resources is intended to direct material towards local land development to reduce the cost of buildable material. Therefore, smaller quantities in several bid awards are encouraged to promote local contractor involvement and discourage use in larger state and federal transportation projects.

The scope of the extraction activity would be limited, focused, directed, and short in seasonal duration, as to not be considered a permanent activity, thereby minimizing impact wherever possible.

Locations may include Glacier Creek area, abandoned DOT pit, or the airport area. The feasibility study will evaluate potential locations.

After a scope of work and cost estimate are completed, a final package will be reviewed by GHEC and forwarded to GBOS for approval before any action would be taken to execute on the study itself.

A resolution to recommend a land swap of the Parks and Recreation soccer field with HLB land in South Townsite; parcel to be determined.

Whereas

- There is a need for community housing in Girdwood;
- Developable public parcels in the Girdwood valley are very large and require investment in infrastructure and platting that substantially add to land development costs;
- Development in South Townsite is hampered by lack of any available financing for residential improvements due to the area being in a flood zone;
- South Townsite Area Plan does not consider the flood zone or impacts to financing because of this danger;
- Parks and Recreation and Heritage Land Bank are able to trade parcels as a matter of administrative process;
- The new Girdwood Area Plan has outlined a scenario where the South Townsite location is dedicated to Parks and Recreation use;

Therefore let it be resolved that GHEC advises GBOS to direct the Administration to execute a Municipal land exchange between Parks and Rec Department soccer field lot and the Heritage Land Bank South Townsite area that would then fit into the overall Girdwood Area Plan. The final integration of open fields and Parks and Recreation facilities will have to be described in further design and land use decisions for a recreation area concept in South Townsite, which is outside the scope of GHEC

This land swap is the first necessary step toward executing on a development of public land for attainable rental units to support the Girdwood valley workforce.

Performing this land swap allows HLB to dedicate to the public service area use, an easily developable parcel for residential occupancy. The lot is adjacent to utilities, located on transportation routes, close to workforce demand, does not require subdivision, in a residential zoning area, and can incorporate additional elements like extending the Deb's Way trails corridor and improving access to Moose Meadows as by-products that will enhance the public experience.

Heritage Land Bank:

Below are links to information from 2023. Website includes information from 2020-2023. For information prior to that, email: hlb@anchorageak.gov

HLB webpage: [Real Estate Department Heritage Land Bank \(muni.org\)](http://Real Estate Department Heritage Land Bank (muni.org))

2023 Meetings

January 2023: Meeting Cancelled

February 23, 2023: [Agenda](#) [Packet](#) [Minutes](#) [Recording](#)

March 23, 2023: [Agenda](#) [Packet](#) [Minutes](#) [Recording](#)

April 2023: Meeting Cancelled

May 25, 2023: [Agenda](#) [Packet](#) [Minutes](#) [Recording](#)

June 22, 2023: [Agenda](#) [Packet](#) [Minutes](#) [Recording](#)

July 27, 2023: [Agenda](#) [Packet](#) [Minutes](#) [Recording](#)

August 24, 2023: Meeting Cancelled

September 28, 2023: [Agenda](#) [Packet](#) [Minutes](#) [Recording](#)

October 26, 2023: [Agenda](#) [Packet](#)

November 16, 2023 (tentative)

Virtual Open House on Wednesday, October 25, 5:30pm - 6:30pm. This meeting will be an opportunity for the community to have an open discussion with HLB Staff about current and potential projects.

- To join via **Microsoft Teams** [click this link to enter the meeting](#).
- To join via **telephone** call 907-519-0237 and use conference ID 262 775 848#

HLB Advisory Commission meeting on **Thursday, October 26, at 1:30PM.** This will be a hybrid meeting with in-person, Teams, and telephone options.

- To join via **Microsoft Teams** [click this link to enter the meeting](#).
- To join via **telephone** call 907-519-0237 and use conference ID 987 366 530#
- Or join **in-person** at the Permit & Development Center, Conf. Room 170, 4700 Elmore Road, Anchorage, Alaska 99507. Follow green signs from the main lobby to find the correct conference room.

The HLBAC meeting packet is [available online here](#). There will be a presentation by Great Land Trust introducing a future action item regarding HLB Parcels 2-127 – 2-135 near Potter Marsh. There is no action item on the agenda.

Community members may provide public comment at the HLBAC meeting under Items or Persons Not on the Agenda. **Anyone wishing to provide public comment via email, telephone or Teams must email hlb@anchorageak.gov by 5:00 pm the day before the meeting.** In the

email, please provide your name, phone number, and the subject line should read “HLBAC Public Comment.” All members of the public on the Teams Meeting shall be muted until called on to speak. Those wishing to speak in-person do not need to sign up prior to the meeting. Should you need additional assistance or special modifications to participate, or **if you have questions, please call the HLB office at 343-7536 or email hlb@anchorageak.gov.**

Please visit www.muni.org/HLB for more details.

Submitted by: Assembly Member
Sulte and
Assembly Member Zaletel
Prepared by: Assembly Member Sulte
Reviewed by: Assembly Counsel's
Office
For reading: October 10, 2023

**ANCHORAGE, ALASKA
AO No. 2023-110**

1 **AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING**
2 **ANCHORAGE MUNICIPAL CODE TITLE 10 TO ADD A NEW CHAPTER FOR**
3 **THE LICENSING AND REGULATION OF SHORT-TERM RENTAL OPERATIONS**
4 **IN THE MUNICIPALITY AND AMENDING AMC SECTION 14.60.030, THE**
5 **MUNICIPAL FINE SCHEDULE, TO ADD CORRESPONDING FINES.**
6

7
8 **WHEREAS**, Short-Term Rentals (STR) is a relatively new rental housing market
9 that has grown exponentially in recent years through rental hosting platforms such
10 as AirBnB, VRBO, and others; and

11
12 **WHEREAS**, there is a need to understand this market to ensure the proper
13 operation of the STR for the enjoyment of the renter and the neighborhoods in which
14 they operate; and

15
16 **WHEREAS**, there is a desire to provide additional assurances that STR units meet
17 current applicable provisions of the land use, fire, health and other applicable
18 Anchorage Municipal Codes for the safety of renters and property owners; and

19
20 **WHEREAS**, there is a desire to provide additional assurances for the quiet and
21 peaceful enjoyment of residents living near an STR; and

22
23 **WHEREAS**, the Municipality of Anchorage is facing a housing shortage and is
24 working to increase housing supply in the Municipality through a variety of
25 measures; and

26
27 **WHEREAS**, there is a need for the Municipality of Anchorage to proactively respond
28 to the impact of Short-Term Rentals; now, therefore

29
30 **THE ANCHORAGE ASSEMBLY ORDAINS:**

31
32 **Section 1.** Anchorage Municipal Code Title 10 is hereby amended to add a new
33 chapter 10.90 for Permitting and Regulation of Short-Term Rentals, to read as
34 follows:

35
36 **CHAPTER 10.90 LICENSING AND REGULATION OF SHORT-TERM**
37 **RENTALS**

38
39 **10.90.005 – Purpose and Definitions.**
40

1 A. Purpose. The purpose of this chapter is to establish the Short-Term
2 Rental license and to facilitate the permitting of Short-Term Rental
3 units subject to appropriate restrictions and standards of this Code, to
4 ensure the safety and enjoyment of the renter, and to allow for
5 retaining the character of and quiet and peaceful enjoyment of
6 residential neighborhoods.

7
8 B. Definitions. The following words, terms and phrases, when used in
9 this chapter, shall have the meanings ascribed to them in this section,
10 except where the context clearly indicates a different meaning:

11
12
13 *Advertisement:* A form of marketing communication that employs a
14 non-personal message to promote the rental of a Short-Term Rental
15 unit. This includes, but is not limited to, mailing, brochures, print,
16 internet listing, e-mail publication, social media, other electronic
17 means, or other means or methods regardless of the medium used.

18
19 *Bedroom:* A bedroom must meet the criteria set forth in Section 9 of
20 this chapter.

21
22 *Occupancy limit:* The maximum number of persons permitted to
23 occupy overnight in a Short-Term Rental unit.

24
25 *Rent* is the monetary value of any consideration, whether money or
26 property, given in exchange for the right to use or occupy an STR unit.

27
28 *Rental agent:* A management company, rental agent, or other person
29 employed or engaged by the license holder to advertise the Short-
30 Term Rental unit for rent, or to remit any required tax to the
31 Municipality.

32
33 *Responsible Manager:* A management company, rental agent, or
34 individual who is identified in writing to the Municipal Clerk as the
35 person responsible for code complaints made about the Short-Term
36 Rental unit.

37
38 *Short-Term Rental (STR) Unit:* A separate and distinct living unit ,
39 which may be a condominium, town home, house, studio unit,
40 condominium unit, bedroom or any such other similar unit which is
41 rented to any person, who, for consideration, uses, possesses or has
42 the right to use or possess such Short-Term Rental Unit for a period
43 of less than thirty (30) consecutive days, regardless of the number of
44 days during a license year such unit is rented.

45
46 *Studio:* A Short-Term Rental unit which does not contain a separate
47 and distinct bedroom.

48
49 *To rent or rent* (in any conjugation of the verb form) an STR means to
50 provide or obtain the right to use or occupy an STR unit in exchange

1 for rent.

2
3 **10.90.010 – Short-Term Rental Unit License required.**

- 4
- 5 A. It shall be unlawful for any person to operate any Short-Term Rental
6 unit without a valid Short-Term Rental unit license, as approved by the
7 Municipality. This license requirement shall be effective beginning
8 May 1, 2024.
- 9
- 10 B. The Short-Term Rental unit license does not reside with the property
11 but is issued to the specific owner of the property. The license shall
12 expire upon sale or transfer of the property. The license shall not be
13 transferred or assigned to another individual, person, entity, or
14 address but may be managed by a third party on behalf of the owner.
- 15
- 16 C. The initial Short-Term Rental unit license for a property shall have a
17 term duration no greater than two years. The municipal clerk may
18 determine the license term for the initial license with an end date of
19 April 30.
- 20
- 21 D. A license may be renewed for additional two-year periods with a term
22 that begins May 1 and ends two years later on April 30.
- 23

24 **10.90.015 – License application.**

- 25
- 26 A. Applications submitted for licenses and license renewals shall set forth
27 the following information on the forms obtained from the Municipal
28 Clerk's Office and shall pay all fees required for a license application.
- 29
- 30 B. The license application or renewal application shall include:
- 31
- 32 1. the completed application form;
- 33
- 34 2. Owner Safety self-Inspection certification;
- 35
- 36 3. Owner Affidavit: a statement under penalty of unsworn
37 falsification that the owner has read and understands the rules
38 and regulations for a Short-Term Rental unit set forth in this
39 chapter, including that the owner is in compliance with criteria in
40 section 10.90.;
- 41
- 42 4. A description specifying how each required license review
43 criteria will be met;
- 44
- 45 5. A copy of the licensee's room tax certificate of registration , if
46 required to obtain one under chapter 12.20;
- 47
- 48 6. Proof of property liability insurance in the amount of not less
49 than five hundred thousand dollars (\$500,000.00) or provide
50 proof that property liability coverage in an equal or higher

1 amount is provided by any hosting platforms through which the
2 owner will rent the Short-Term Rental unit. Proof of liability
3 insurance is not required if Short-Term Rental reservations are
4 handled exclusively by hosting platforms (websites) that extend
5 liability coverage of not less than five hundred thousand dollars
6 (\$500,000.00) under terms acceptable to the Municipal Risk
7 manager.

8
9 7. The name, address, email address and other contact
10 information, including a 24-hour contact phone number for the
11 owner or the owner's Responsible Manager within the
12 municipality who can be contacted in the event of an
13 emergency and can physically respond at the Short-Term
14 Rental unit within one hour;

15
16 8. The name, address, telephone number, and email address of
17 any current Rental Agent for the Short-Term Rental unit; and

18
19 9. License holder shall designate in writing a Responsible
20 Manager. The person may be the license holder/owner, and
21 the license holder may designate one or more alternate
22 Responsible Manager(s) at the time of application. The
23 Responsible Manager or an alternate shall be able to physically
24 respond to the Short-Term Rental unit in no more than one hour
25 at all times the unit is rented. Responsible Manager and Rental
26 Agent may be one and the same.

27
28 C. License holder shall notify the Municipal Clerk in writing within thirty
29 (30) days of any change in the information set forth in the current
30 application on file with the Clerk. However, the license holder shall
31 notify the Municipal Clerk within three (3) days in writing of any change
32 in Rental Agent or Responsible Manager by including the name,
33 address, telephone number, and email address of the license's
34 replacement Rental Agent or Responsible Manager.

35
36 D. The application shall be reviewed administratively by the Municipal
37 Clerk in accordance with chapter 10.10, License Administration. If any
38 provision of chapter 10.10 is inconsistent or conflicts with this chapter
39 10.90, this chapter shall govern.

40
41 **10.90.020 – Short-term rental unit license review criteria.**

42
43 A. The Municipal Clerk may approve or approve with conditions an
44 application for, or renewal of, a Short-Term Rental unit license if the
45 following criteria and specific regulations are met:

46
47 1. Sleeping quarters for Short-Term guests shall not be in non-
48 residential areas within buildings or accessory structures (e.g.,
49 shed, garages, closets, etc.) that do not contain finished living
50 space; or in commercial (office/retail) or industrial (warehouse)

1 spaces; or in a recreational vehicle.

- 2
- 3 2. Sleeping quarters for Short-Term Rentals shall meet applicable
- 4 Municipal Code for a sleeping area.
- 5
- 6 3. The license fee has been paid and the applicant shall not be
- 7 indebted or obligated in any manner to the Municipality.
- 8
- 9 4. The real property used for the STR unit shall not be delinquent
- 10 in payment of property or other applicable municipal taxes.
- 11
- 12 5. The owner shall maintain or provide for regular trash collection
- 13 services in compliance with this Code.
- 14
- 15 6. The owner shall maintain the insurance coverage required by
- 16 and provide proof of
- 17
- 18 7. Short-Term Rental units must remain compliant with all
- 19 Planning, Zoning, Building and other applicable Municipal
- 20 Codes.
- 21
- 22 8. The owner shall not have had a Short-Term Rental unit license
- 23 revoked or denied within the preceding twenty-four (24)
- 24 months.
- 25

26 **10.90.025 – License issuance.**

27

- 28 A. The Municipal Clerk shall issue a license for a Short-Term Rental unit
- 29 under this chapter only if the applicant has complied with the
- 30 requirements of this chapter and paid the license fee, in addition to
- 31 compliance with all other applicable business license and tax
- 32 requirements under federal, state and municipal law. An initial license
- 33 issued for a property may have a term shorter than two years, as
- 34 described in section 10.90.035C.
- 35
- 36 B. A Short-Term Rental unit license issued pursuant to this chapter shall
- 37 be valid for two years or until abandoned, voluntarily surrendered,
- 38 suspended or revoked. A conveyance or transfer of title to the real
- 39 property shall result in automatic revocation of the Short-Term Rental
- 40 unit license effective the date of execution of the conveyance or
- 41 transfer instrument.
- 42
- 43 C. Renewal shall not be unreasonably withheld.
- 44
- 45 D. Conditions of approval: In the licensing of such use, or in the renewal
- 46 of a license, the Municipal Manager, Planning Director, or Anchorage
- 47 Assembly shall have authority to require such reasonable conditions
- 48 as necessary to protect the public health, safety and general welfare
- 49 and to ensure that the use, value, and qualities of the neighborhood
- 50 surrounding the proposed location will not be adversely affected.

10.90.030 – Licenses non-transferable.

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- A. Except as otherwise provided in this section, no license granted pursuant to this chapter shall be transferable from one person to another or from one location to another. No License shall be transferred as part of a like-kind exchange under Internal Revenue Code section 1031 or other federal law.
- B. Exceptions to non-transferable license. If the real property for which a valid Short-Term Rental unit license has been issued is transferred by the licensee as a grantor pursuant to a conveyance meeting any of the following conditions, the Municipal Clerk may re-issue the Short-Term Rental unit license to the grantee named in such deed:
1. The transfer of title to real property if the grantee is a member of the grantor's immediate family. For purposes of this section, "immediate family" means the spouse, child (including a stepchild and an adoptive child), parent, sibling, grandparent, aunt, or uncle of the person, and a parent or sibling of the person's spouse.
 2. The transfer of title to real property from a grantor to a trust established by the grantor, and the grantor is the trustee.
 3. The transfer of title to real property from a grantor to a limited liability company or another form of business entity recognized by Alaska law so long as the grantor has a controlling interest in such limited liability company or other business entity.
 4. Any transfer of the property between the same parties creating or terminating a joint tenancy in such property.
 5. The transfer of title or change of interest in real property by reason of death, pursuant to a will, the law of descent and distribution, or otherwise.
 6. The transfer of title required by order of a court of competent jurisdiction.
 7. A transfer of an interest in the property without consideration for the purpose of confirming, correcting, modifying, or supplementing a transfer previously recorded; making minor boundary adjustments; removing clouds of titles; or granting rights-of-way, easements, or permits.

10.90.035 – Fees.

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- A. Purpose and Use of the License Fees: Funds collected by the Municipality from the Short-Term Rental unit fee established by this

1 section shall be used to defray the costs to the Municipality, including,
2 but not limited to, for staff and personnel required for the
3 administration and enforcement of the program. License fees are not
4 a tax, but are for the privilege of operating an STR in the municipality.
5

6 B. Commencing with licenses for Short-Term Rental units issued on or
7 after March 1, 2024, licensing period there shall be added to each
8 Short-Term Rental unit license issued by the Municipal Clerk pursuant
9 to this chapter, and there shall be paid by the license holder of such
10 license, an annual Short-Term Rental unit license fee. The amount of
11 the annual Short-Term Rental unit fee for 2024 shall be four hundred
12 dollars (\$400.00) per Short-Term Rental unit; provided, however,
13

14 1. A portion of the fee is non-refundable to cover the costs of
15 application processing and review, in the amount of \$50.00.
16

17 2. The license fee established in this section shall be waived
18 where the Short-Term Rental unit is the applicant's primary
19 residence or is rented out to a single guest for an aggregate of
20 more than 180 days of the previous 12 months, none of which
21 may be consecutive occupancy of more than 30 days.
22

23 3. The license fee established in this section shall be waived
24 where a Short-Term Rental unit is owned by an active-duty
25 military service member whose permanent duty station is within
26 Municipality of Anchorage and receives orders to report to a
27 temporary duty station outside of the Municipality of Anchorage
28 (i.e. deployment), for the duration of the deployment for the
29 initial application and each annual renewal upon presentation
30 of orders.
31

32 4. No Short-Term Rental unit license shall be issued until the
33 applicable Short-Term Rental unit fee has been received by the
34 Municipality.
35

36 5. Biannual License Fee Due Date: The Short-Term Rental unit
37 fee shall be due and payable to the Municipality at the time of
38 application. Failure to pay the fee in accordance with this
39 section will result in the non-issuance or nonrenewal of a
40 license.
41

42 6. Excess fees collected may be used broadly for affordable
43 workforce housing development as long as they do not
44 adversely affect the administration of the STR licensing
45 program or lead to license fee increase due to a program short-
46 fall.
47

48 C. License Fees shall not be prorated or refunded if STR License is
49 revoked or suspended. The refundable portion of a license fees may
50 be prorated by the Municipal Clerk if the initial license is for a period

1 of at least a calendar quarter less than two full years. The proration
2 shall be in units of calendar quarters.

3
4 D. Administration of the Fund:

- 5
6 1. All sums of money collected by the Municipality per this section
7 are intended exclusively for use as outlined in this section.
8
9 2. The fees collected in accordance with this section shall be
10 accounted for in such a manner that the collection and
11 expenditure of such fees can be separately tracked by the
12 municipality.
13
14 3. The fees collected in accordance with this section shall not be
15 used for general municipal or governmental purposes or
16 spending. Nor shall the fund ever be transferred to or become
17 part of the Municipality's General Fund.
18
19 4. The amount of the fee shall bear a reasonable relationship to
20 the direct and indirect costs of implementing the municipality's
21 regulatory program established by this chapter, including
22 enforcement. The Municipal Clerk shall review the fee amount
23 every two years and recommend adjustment to the chair of the
24 assembly.
25

26 **10.90.040. – Rules and regulations.**

- 27
28 A. In addition to the rules set forth in this section, the Municipal clerk is
29 authorized to adopt reasonable and necessary rules and regulations
30 to implement the requirements of this Short-Term Rental unit license
31 code.
32
33 B. It shall be a violation of this part for the owner or Short-Term Rental
34 guests to fail to comply with the following rules and regulations under
35 Municipal Code:
36
37 1. All Short-Term Rental guests shall abide by all applicable
38 noise, housing and public health ordinances of the Municipality
39 and with all other municipal fire and safety ordinances. Notices
40 of violation for these may be issued to a guest under the
41 relevant code provisions.
42
43 2. No meals shall be prepared for or served to the Short-Term
44 guests by the owner or the owner's agents.
45
46 3. The license with all local contact information and emergency
47 safety information shall be prominently displayed within the
48 Short-Term Rental unit. Care should be taken to not be
49 viewable from outside of the STR.
50

- 1 4. The municipally issued license number shall be used in all
2 rental marketing materials.
- 3
- 4 5. During the term that a Short-Term Rental unit is occupied by a
5 Short-Term guest, the owner and/or the local contact person
6 designated by the owner shall be available twenty four (24)
7 hours per day, seven (7) days per week, for the purpose of
8 responding within one hour to complaints regarding the
9 condition or operation of the Short-Term Rental unit or the
10 conduct of Short-Term guests. If the local contact person
11 designated by the owner changes, then the owner shall update
12 the license on file within three (3) days.
- 13
- 14 6. Maximum overnight occupancy of a Short-Term Rental unit,
15 except studios shall be limited to two (2) adults per bedroom,
16 plus an additional two (2) adults per dwelling unit.
 - 17
 - 18 a. Studios shall be limited to two (2) adults.
 - 19
 - 20 b. Minors, <18 years of age, will not be counted as long as
21 under the care and supervision of an adult on the
22 premises.
 - 23

24 **10.90.045 - Criteria for a bedroom under the Short-Term Rental**
25 **regulations.**

- 26
- 27 A. The number of bedrooms that exist in a Short-Term Rental unit shall
28 be presumed to be as established by the municipal property tax
29 information database; or
- 30
- 31 B. In order to establish a different number of bedrooms than in the
32 municipal property tax information database, the licensee may request
33 and pay for an inspection conducted by the municipality, and
34 determine the number of bedrooms that meet the criteria in section
35 15.10.130.
- 36
- 37 C. Advertising of the STR unit may not indicate a number of bedrooms
38 greater than established by this section.
- 39

40 **10.90.050. – Advertising requirements.**

- 41
- 42 A. An advertisement offering to rent a Short-Term Rental unit must
43 prominently display:
 - 44
 - 45 1. The municipality's business license number in the
46 advertisement as, "Municipality of Anchorage Short-Term
47 Rental Unit License No. [insert number]"; and
 - 48
 - 49 2. The adult occupancy limit for the Short-Term Rental unit as,
50 "Maximum overnight occupancy [insert number] adults."

- 1
2 B. The license holder and/or owner of a unit shall be given written notice
3 of an advertising violation of this section and fifteen (15) days within
4 which to comply with the requirements of this section.
5

6 **10.90.055 - Mitigation of health, safety and secondary impacts.**
7

- 8 A. Accommodation unit licensees shall be responsible for the safety of
9 the occupants and welfare of the surrounding areas and residential
10 habitants. In so doing, the licensee or the Responsible Manger shall:
11

- 12 B. Short-Term Rental unit license holders shall be responsible for the
13 safety of the occupants and welfare of the surrounding areas and
14 residential habitants. In so doing, the license holder or the
15 Responsible Manager shall:
16

17 1. Short-Term Rental units shall at all times be equipped with a
18 functioning smoke detector, carbon monoxide detector, and fire
19 extinguisher.
20

21 2. Motor vehicles used by occupants shall be parked only on the
22 site of the Short-Term Rental unit or in a public Municipality
23 designated parking area located off of the site of the Short-
24 Term Rental unit.
25

26 3. Motor vehicles shall be parked in accordance with Municipal
27 Code.
28

29 4. Occupants shall not sleep in motor vehicles and further, shall
30 cause motor vehicles parked at a Short-Term Rental unit to
31 comply with the requirements and be subject to the limitations
32 of this Code.
33

34 5. Trash and garbage from a Short-Term Rental unit shall be
35 stored and disposed of in compliance with Municipal Code.
36

37 6. Noise emanating from the Short-Term Rental shall be in
38 accordance with Municipal Code.
39

40 **10.90.060. – Right of entry for inspections or investigations;
41 complaints.**
42

- 43 A. Inspections are authorized under section 10.10.050. In addition to the
44 municipal clerk or law enforcement officials, code enforcement officers
45 as directed by the municipal clerk may enter and inspect the premises
46 of the Short-Term Rental unit as reasonable and necessary to ensure
47 and enforce compliance with this chapter and applicable provisions of
48 this code.
49

- 50 B. Complaints.

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1. The Responsible Manager shall be available twenty-four (24) hours per day, seven (7) days per week, to respond to any complaint filed with or through the Municipality, or a website provided by the Municipality for such purpose, about the operation or condition of the license holder's Short-Term Rental unit.
2. The Responsible Manager shall be able to respond to a complaint within sixty (60) minutes of receiving notice of such complaint.

10.90.065. – Fines, penalties, and denial of license.

- A. Penalties and remedies for violations of this chapter shall be as provided in the general provisions for this title. Fine amounts for specific violations may be set forth in section 14.60.030 of this code.
- B. If a license application is denied, the municipal clerk shall return the refundable portion of the fee to the applicant. An appeal from a decision of the Municipal Clerk to deny an application for a license or deny renewal shall be within the jurisdiction of the administrative hearings officer as provided in Title 14, whom is hereby designated to hear and decide such appeals. Hearing procedures shall be conducted in accordance with chapter 3.60. A notice of appeal shall be submitted on a form provided by and filed with the municipal clerk, whom shall forward the notice to the administrative hearings office. A notice of appeal must be filed with the municipal clerk within 15 days after the decision. The final decision of the administrative hearing officer shall be made to the Superior Court, Third Judicial District, Anchorage, Alaska, no later than 30 days following service of that decision. Review by the court shall be limited to determining whether the decision of the hearing officer is supported by substantial evidence.

10.90.070 – License suspension or revocation.

- A. The Municipal Clerk may suspend or revoke a license if it finds, by a preponderance of the evidence, that:
 1. The operation of the Short-Term Rental unit no longer conforms with the review criteria of this part; or
 2. The owner has violated a condition of approval; or
 3. The owner has violated the rules and regulations provided for in this part.
- B. License suspension or revocation proceedings shall be in accordance

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- with section 10.10.040.
- C. A license suspension shall not exceed thirty (30) days, and for so long thereafter until reinstated by the Municipality upon proof that the cause of the suspension has been remedied. A shorter suspension period may be imposed considering a totality of the circumstances and the grounds for suspension.
- D. Suspension or revocation of a license may be in addition to any other penalty or remedy provided for in this title.
- E. The STR License Fee is forfeited in case of revocation and no credit shall be offered for time where the license is suspended.

Section 2. Anchorage Municipal Code section 14.60.030 is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

14.60.030 Fine schedule.

The fine schedule under this chapter is as follows:

Code Section	Offense	Penalty/Fine
***	***	***
<u>10.90.010</u>	<u>Operating STR unit without license</u>	<u>300.00 per overnight occupancy rented</u>
<u>10.90.050</u>	<u>Advertising violation</u>	<u>300.00</u>
<u>10.90</u>	<u>Failure of Responsible Manager to response within 1 hour</u>	<u>75.00</u>
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(AO No. 93-167(S-1), § 1, 4-13-94; AO No. 94-108, § 1, 10-5-94; AO No. 94-134, § 2, 9-8-94; AO No. 95-42, § 2, 3-23-95; AO No. 95-67(S), § 9, 7-1-95; AO No. 95-102, § 1, 4-26-95; AO No. 95-118, § 3, 9-1-95; AO No. 95-163(S), § 21, 8-8-95; AO No. 95-195(S-1), 1-1-96; AO No. 96-51(S-1), § 2, 8-1-96; AO No. 96-96(S-1), § 2, 2-1-97; AO No. 96-126(S), § 3, 10-1-96; AO No. 96-137(S), § 9, 1-2-97; AO No. 97-88, § 3, 6-3-97; AO No. 97-107, § 3, 11-17-97; AO No. 97-133(S), § 1, 11-11-97; AO No. 98-27(S-1), § 2, 11-11-97; AO No. 98-160, § 2, 12-8-98; AO No. 99-13(S), 2-9-99; AO No. 99-91(S), § 4, 7-13-99; AO No. 2000-64, § 1, 4-18-00; AO No. 2000-116(S), § 4, 7-18-00; AO No. 2000-127(S), § 2, 10-14-00; AO No. 2000-129(S), § 26, 11-21-00; AO No. 2001-48, § 1, 3-13-01; AO No. 2001-74(S), § 2, 4-17-01; AO No. 2001-4, § 2, 2-6-01; AO No. 2001-145(S-1), § 11, 12-11-01; AO No. 2003-68, § 1, 9-30-03; AO No. 2003-97, § 4, 9-30-03; AO No. 2003-117, § 2, 1-28-03; AO No. 2003-130, § 8, 10-7-03; AO No. 2003-152S, § 10, 1-1-04; AO No. 2004-1, § 2, 1-1-03; AO No. 2004-99, § 2, 6-22-04; AO No. 2004-100(S-1), § 6, 1-1-05; AO No. 2004-171, § 1, 1-11-05; AO No. 2005-160, § 9, 11-1-05; AO No. 2005-84(S), § 3, 1-1-06; AO No. 2005-185(S), § 35, 2-28-06; AO No. 2005-124(S-1A), § 33, 4-18-06; AO No. 2006-39, § 6, 4-11-06; AO No. 2006-54, §

1 1, 5-2-06; AO No. 2006-80, § 1, 6-6-06; AO No. 2007-50, § 4, 4-10-07; AO
 2 No. 2007-60, § 4, 11-1-07; AO No. 2007-70, § 3, 5-15-07; AO No. 2008-
 3 84(S), § 5, 7-15-08; AO No. 2009-61, § 3, 7-7-09; AO No. 2009-82, § 5, 7-7-
 4 09; AO No. 2009-40(S), § 3, 7-21-09; AO No. 2009-112, § 4, 10-13-09; AO
 5 No. 2009-122, § 2, 12-17-09; AO-2010-35(S), § 7, 5-11-10; AO No. 2010-39,
 6 § 2, 5-11-10; AO No. 2010-87(S), § 3, 12-7-10; AO No. 2011-46, § 4, 4-12-
 7 11; AO No. 2011-59, § 10, 5-24-11; AO No. 2011-106(S), § 3, 11-8-11; AO
 8 No. 2011-112, § 4, 11-22-11, eff. 12-22-11; AO No. 2012-10, § 1, 1-31-12;
 9 AO No. 2012-77, § 29, 8-7-12; AO No. 2013-109(S-1), § 5, 12-3-13; AO No.
 10 2013-130(S-1), § 1, 1-14-14; AO No. 2014-42, § 31, 6-21-14; AO No. 2014-
 11 85, § 4, 8-5-14; AO No. 2014-110(S), § 2, 9-9-14; AO No. 2014-137(S), § 3,
 12 11-18-14; AO No. 2015-23(S) , § 20, 3-24-15; AO No. 2015-48, § 16, 5-14-
 13 15 ; AO No. 2015-54, § 1, 5-26-15 ; AO No. 2015-65, § 4, 6-9-15 ; AO No.
 14 2015-111(S-1), § 2, 1-1-16 ; AO No. 2016-16(S), § 4, 2-9-16 ; AO No. 2016-
 15 76(S), § 7, 7-12-16 ; AO No. 2016-81(S), § 4, 8-25-16 ; AO No. 2016-83(S),
 16 § 9, 7-26-16 ; AO No. 2016-82 , § 3, 8-9-16; AO No. 2016-116 , § 2, 10-18-
 17 16; AO No. 2016-115(S) , § 2, 11-15-16; AO No. 2016-124(S) , § 11, 12-20-
 18 16; AO No. 2017-26 , § 2, 5-1-17; AO No. 2017-29(S) , § 61, 6-1-17; AO No.
 19 2017-30 , § 3, 3-21-17; AO No. 2017-31(S) , § 5, 5-26-17; AO No. 2017-
 20 119(S) , § 4, 11-9-17; AO No. 2017-101 , § 2, 2-5-18; AO No. 2017-161(S) ,
 21 § 3, 2-27-18; AO No. 2017-16 , § 3, 2-14-17; AO No. 2017-129 , § 2, 1-23-
 22 18; AO No. 2018-63(S) , § 2, 8-28-18; AO No. 2018-100(S) , § 2, 1-1-19; AO
 23 No. 2018-110 , § 2, 12-18-18; AO No. 2019-9(S) , § 2, 2-12-19; AO No. 2019-
 24 12 , § 2, 3-5-19; AO No. 2019-15(S) , § 2, 3-19-19; AO No. 2019-34 , § 5, 4-
 25 18-19; AO No. 2019-50(S) , § 2, 6-6-19; AO No. 2019-66 , § 26, 6-18-19; AO
 26 No. 2019-74(S) , § 2, 6-18-19; AO No. 2019-79(S) , § 2, 7-9-19; AO No. 2019-
 27 90(S) , § 7, 8-20-19; Ord. No. 2020-4(S) , § 3, 6-24-20; AO No. 2020-65 , §
 28 2, 9-25-20; AO No. 2020-103 , § 2, 11-4-20; AO No. 2022-97 , § 1, 11-9-22;
 29 AO No. 2023-27 , § 2, 3-21-23)

30
 31 **Section 3.** The Municipality Assembly hereby finds, determines and declares that
 32 this ordinance is necessary and proper to provide for the safety, preserve the health,
 33 promote the prosperity, and improve the order, comfort and convenience of the
 34 Municipality of Anchorage and the inhabitants thereof.

35
 36 **Section 4.** The Municipal Clerk shall not accept applications for an STR unit
 37 license under this ordinance sooner than March 1, 2024.

38
 39 **Section 5.** This ordinance shall be effective immediately after passage and
 40 approval by the Assembly.

41
 42 PASSED AND APPROVED by the Anchorage Assembly this ___ day of _____, 2023.

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 46 ATTEST: _____
 47 Chair of the Assembly

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 49 _____
 50 Municipal Clerk