

Municipal Clerk's Office  
Amended and Approved  
Date: December 3, 2019

Submitted by: Chair of the Assembly at  
the Request of the Mayor  
Prepared by: Anchorage Health  
Department  
For reading: November 5, 2019

**ANCHORAGE, ALASKA**  
**AO No. 2019-91(S-1), As Amended**

1 AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE TITLE 17,  
2 ANIMALS, TO ADD REQUIREMENTS FOR ANIMAL RESCUE GROUPS AND  
3 DOG SHELTERS; TO REQUIRE A BOND PAYMENT FOR ANIMALS IN  
4 PROTECTIVE CUSTODY; AND TO ADDRESS OBSOLETE LANGUAGE AND  
5 OTHER RELATED MATTERS, BY AMENDING SECTIONS 17.05.010, 17.10.020,  
6 17.10.030, 17.10.050, 17.10.080, 17.10.090, 17.15.010, 17.15.030, 17.15.050,  
7 17.15.060, 17.15.070, 17.25.040, 17.30.020, 17.30.070, 17.30.080, 17.30.090,  
8 17.40.020, 17.40.040, AND 17.70.010.  
9

10  
11 **WHEREAS**, Anchorage Municipal Code Title 17 (Animals) has been determined by  
12 the Administration and the Animal Control Advisory Board (ACAB) to need  
13 modifications in order to enhance rescue group, care and sanitation, and dog shelter  
14 standards; and remove obsolete wolf-hybrid references, require payment of all fines  
15 and fees for redeeming an animal in protective custody, and other administrative  
16 updates for clarification;

17  
18 **WHEREAS**, animals held in protective custody can be held at Animal Care and  
19 Control for months pending the outcome of a trial with the cost of care ultimately  
20 going to collections and the custody of the animal relinquished. It is recommended  
21 payment ~~a bond~~ be required for the care of the animal that would be consistent  
22 with Alaska Statute 03.55.130;

23  
24 **WHEREAS**, based on stakeholder comments and additional research conducted by  
25 the Anchorage Health Department and the ACAB, a proposal was developed and  
26 released for public input. A notification was posted on the municipal website,  
27 Facebook, and emails were sent to 50 partner agencies as well as the 144 multi-  
28 animal facility license holders with emails on file. Additionally, 9 commercial facilities  
29 without emails were sent a notification letter;

30  
31 **WHEREAS**, the ACAB took public comment on the proposed ordinance at both its  
32 September 2018 and January 2019 meetings and adopted Board Resolution 2019-  
33 02 in unanimous support of this ordinance; now therefore,

34  
35 **THE ANCHORAGE ASSEMBLY ORDAINS:**

36  
37 **Section 1.** Anchorage Municipal Code section 17.05.010, Definitions, generally,  
38 is hereby amended by enacting the following definitions (*other definitions in the*  
39 *section are not affected and therefore not set out*):

1  
2 **17.05.010 – Definitions, generally.**  
3

4 The following words, terms and phrases and their other verb forms and  
5 tenses, when used in this title, shall have the meanings ascribed to them in  
6 this section, except where the context clearly indicates a different meaning:  
7

8 \*\*\*      \*\*\*      \*\*\*  
9

10 *Animal Rescue* means any person or organization who accepts animals for  
11 the purpose of finding a permanent adoptive home for the animals and does not  
12 maintain a central facility for keeping animals, but rather uses a system of fostering  
13 in private homes, or boarding or keeping in licensed commercial facilities.  
14

15 *Animal Rescue Shelter* means a facility used to house four or more stray,  
16 homeless, abandoned or unwanted animals and that is owned, operated or  
17 maintained by an animal welfare organization, organization for the prevention of  
18 cruelty to animals, or other nonprofit organization, or by a person or persons devoted  
19 to the welfare, protection or humane treatment of animals, for the purpose of finding  
20 a permanent adoptive home.  
21

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24 *Fine* means a civil penalty or civil fine imposed as restitution for wrongdoing.  
25

26 \*\*\*      \*\*\*      \*\*\*  
27

28 *Primary enclosure* means any structure used to immediately restrict an  
29 animal or animals to a limited amount of space, such as a room, pen, cage, kennel,  
30 compartment, or hutch. For tethered animals, the term includes the shelter and the  
31 area within reach of the tether.  
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35 *Shelter* means a structure that is accessible to an animal and that is suitable  
36 for the species, age, condition, breed, and size of the animal to protect the animal  
37 from exposure to the elements.  
38

39 1. For dogs, shelter shall be:

- 40 a. Inside the home of the dog's owner or custodian; or  
41 b. A sound, weatherproof structure with a solid floor raised above  
42 the ground that, at a minimum:  
43 i. has sufficient ventilation;  
44 ii. contains clean and dry bedding that does not retain  
45 moisture, such as straw or wood chips, of a sufficient  
46 amount to protect the dog from inclement weather;  
47 iii. is small enough to allow a dog to warm the interior of the  
48 structure and maintain body heat, and large enough to  
allow the dog adequate freedom of movement to make  
normal postural adjustments, including the ability to turn  
around and lie down;

- iv. is maintained in a sanitary condition, free of the buildup of excretions or other waste material; ~~and~~
- v. has shade by natural or artificial means to protect the dog from direct sunlight; [-]
- vi. is free of surrounding debris or other materials that could endanger the dog;
- vii. is designed for the purpose of sheltering if used for long term confinement; and
- viii. is constructed of materials that provide protection from the elements.

~~**2. Examples of inadequate shelter for a dog include, but are not limited to:**~~

- ~~a. Underneath steps, decks, stoops, buildings, mobile homes, sheds, machinery, or motor vehicles;~~
- ~~b. Metal barrels;~~
- ~~c. Cardboard boxes;~~
- ~~d. Animal carriers or crates;~~
- ~~e. Shelters surrounded by debris that may endanger the dog;~~
- ~~f. Cloth or other material that does not provide sufficient protection from the elements; or~~
- ~~g. Long term confinement (over 30 days) in an enclosed shelter not specifically designed for that purpose.]~~

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(AO No. 2001-158(S-4), § 1, 1-1-03, AO No. 2004-86, § 3, 5-18-04; AO No. 2009-88, § 1, 9-10-09; AO No. 2013-142, § 1, 12-17-13; AO No. 2016-55, § 2, 6-7-16; AO No. 2017-87, § 1, 6-13-17)

**Section 2.** Anchorage Municipal Code section 17.10.020, Control and confinement of animals, is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

**17.10.020 – Control and confinement of animals.**

A. Except as otherwise required or permitted by this title, an owner of an unclassified animal [, INCLUDING A WOLF HYBRID,] shall restrain it at all times. An owner of a classified animal shall confine and control such animal as required by Chapter 17.40.

- 1. A dog left outdoors shall not be restrained by a choke-type collar, pinch-type collar, any collar that is too small for the dog, or by any rope, chain, or cord directly attached to the animal's neck.

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(AO No. 2001-158(S-4), § 1, 1-1-03, AO No. 2004-86, § 3, 5-18-04)

1 **Section 3.** Anchorage Municipal Code section 17.10.030, Care and sanitation, is  
2 hereby amended to read as follows (*the remainder of the section is not affected and*  
3 *therefore not set out*):

4  
5 **17.10.030 – Care and sanitation.**

- 6  
7 A. An animal owner or custodian shall provide an animal with adequate  
8 fresh food, water, shelter, [FROM INCLEMENT WEATHER, AND]  
9 proper veterinary care and humane care, as required.

10 \*\*\* \*\*

11  
12 (AO No. 2001-158(S-4), § 1, 1-1-03, AO No. 2004-86, § 3, 5-18-04)

13  
14 **Section 4.** Anchorage Municipal Code section 17.10.050, Standards for  
15 operating animal facilities, is hereby amended to read as follows (*the remainder of*  
16 *the section is not affected and therefore not set out*):

17  
18 **17.10.050 – Standards for operating animal facilities.**

- 19  
20 A. An owner or operator of a commercial facility, multi-animal facility,  
21 Animal Rescue, Animal Rescue Shelter, mushing facility, or any  
22 other facility associated with keeping of domestic animals for which  
23 a license is required, as specified under chapter 17.15 and any other  
24 municipal regulations, shall:
- 25  
26 1. Provide adequate and appropriate shelter to ensure animal  
27 health, safety, and welfare. Each animal shall be provided with  
28 adequate floor space to allow it, according to its species, breed,  
29 and size to stand and turn freely and exercise normal postural  
30 movements, as well as allow adequate room for bedding and  
31 food and water bowls.
  - 32  
33 2. Maintain the facility in a sanitary condition. Primary enclosures  
34 shall be cleaned daily so the animal avoids contact with  
35 excrement.
  - 36  
37 3. Provide timely veterinary care as necessary, so the animal  
38 does not suffer due to lack of or delay of veterinary care.
  - 39  
40 4. Provide for the humane [ADEQUATE AND APPROPRIATE]  
41 care and feeding of animals and ensure the availability of  
42 adequate food and fresh water.
  - 43  
44 5. Ensure no animals prohibited by federal, state and municipal  
45 laws are kept.
  - 46  
47 6. Provide lighting, whether natural or artificial or a combination of  
48 both, at a sufficient level for inspection of the animals, routine  
49 cleaning, and proper animal care.

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7[6]. Ensure all animals are confined or in control on any premises where the animals are kept.

8[7]. Keep only the number of animals in the facility or on premises which allows for appropriate space, safe keeping, humane care and sanitary environment consistent with the animal's breed, size, age, and species for all animals kept.

9[8]. Comply with the provisions of this title, municipal regulations, and the terms, conditions and limitations of any license issued under chapter 17.15.

10[9]. Comply with the provisions of Title 21 (Land Use Planning) of this Code.

B. An owner or operator of an Animal Rescue or Animal Rescue Shelter shall maintain:

1. Medical records for each animal under its care. All medical records shall be made available to the new owner.

2. A current listing of foster homes within their network to be made available for review upon request by Anchorage Animal Care and Control and kept confidential.

3. Except for the rescue organization facility address on the license application, all other foster homes in the network shall obtain a multi-animal facility license as required per 17.15.060A.2 ~~[not exceed animals that are more than four months of age; including their own animals, without a multi-animal license].~~

\*\*\*      \*\*\*      \*\*\*  
(AO No. 2001-158(S-4), § 1, 1-1-03, AO No. 2017-87, § 3, 6-13-17)

**Section 5.** Anchorage Municipal Code section 17.10.080, Temporary quartering of dogs used in competition, is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

**17.10.080 – Temporary quartering of dogs used in competition.**

A. In order to quarter four or more dogs for a period of between 14 to 31 days for use in competition, both the dog owner or custodian and owner of the property upon which the dogs are quartered shall be responsible to:

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[B. WOLF HYBRIDS SHALL NOT BE QUARTERED UNDER THIS SECTION.]

(AO No. 2001-158(S-4), § 1, 1-1-03)

**Section 6.** Anchorage Municipal Code section 17.10.090, Off-leash dog park spaces, is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

**17.10.090 – Off-leash dog park spaces.**

A. Notwithstanding any other provision of this Code, legally licensed dogs with current rabies vaccinations may be allowed, unleashed, in areas recommended by the animal control advisory board with concurrence of the parks and recreation commission and the mayor, subject to approval by the assembly. Off-leash dog parks spaces are listed on the municipal website. [SUCH AREAS SHALL INCLUDE BUT ARE NOT LIMITED TO DESIGNATED AREAS WITHIN THE FOLLOWING LOCATIONS:  
UNIVERSITY LAKE PARK;  
FAR NORTH BICENTENNIAL PARK (NORTH GASOLINE TRAIL);  
RUSSIAN JACK PARK;  
CONNORS BOG;  
SOUTH ANCHORAGE SPORTS PARK;  
ARCTIC BENSON PARK;  
VALLEY OF THE MOON PARK.]

[SEE ATTACHED MAP OF OFF-LEASH DOG PARK SPACES (FOLLOWING THIS SECTION).]

[SEE ATTACHED MAP OF OFF-LEASH DOG PARK SPACES (FOLLOWING THIS SECTION).]

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**[OFF-LEASH DOG PARK SPACES MAP]**

(AO No. 2003-108(S), § 1, 7-22-03; AO No. 2003-127, § 1, 9-30-03; AO No. 2004-86, § 4, 5-18-04; AO No. 2015-74, § 1, 7-14-15)

**Section 7.** Anchorage Municipal Code section 17.15.010, Municipality of Anchorage dog license required, is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

**17.15.010 – Municipality of Anchorage dog license required.**

A. Any person who owns or has custody of a dog [OR WOLF HYBRID] over the age of four months shall obtain a Municipality of Anchorage

dog license for the dog [OR WOLF HYBRID] except a dog brought into the municipality for less than 30 days.

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(AO No. 2001-158(S-4), § 1, 1-1-03)

**Section 8.** Anchorage Municipal Code section 17.15.030, Municipality of Anchorage dog license procedure, is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

**17.15.030 – Municipality of Anchorage dog license procedure.**

A. Application for a dog license shall be to the chief animal control officer or an authorized vendor. The application shall include:

- 1. The name and residence address of the owner of the dog [OR WOLF HYBRID];
- 2. The name, breed, color, age, sex, and reproductive status of the dog [OR WOLF HYBRID];
- 3. Proof that the dog [OR WOLF HYBRID] has a current rabies vaccination and tag; and
- 4. The license fee required by regulation.

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(AO No. 2001-158(S-4), § 1, 1-1-03)

**Section 9.** Anchorage Municipal Code section 17.15.050, Municipal dog license tags and receipts, is hereby amended to read as follows:

**17.15.050 – Municipal dog license tags and receipts.**

A. A dog [OR WOLF-HYBRID] shall bear a current Municipality of Anchorage dog license tag securely fastened to its collar, chain collar, or harness at all times except:

- 1. Any licensed dog [OR WOLF HYBRID] while confined on the owner's or custodian's premises; or
- 2. While in competition, in training or while hunting.

B. The animal care and control center or authorized vendor shall issue the dog [OR WOLF HYBRID] owner a numbered receipt and a tag stamped with a number, authorized by the chief animal control officer, for each license purchased under section 17.15.010.

- 1 C. No person shall use a municipal dog license tag, microchip, or receipt  
2 for a dog [OR WOLF HYBRID] other than the one for which it was  
3 issued.  
4

5 (AO No. 2001-158(S-4), § 1, 1-1-03, AO No. 2004-86, § 5, 5-18-04)  
6

7 **Section 10.** Anchorage Municipal Code section 17.15.060, Special purpose  
8 license, is hereby amended to read as follows (*the remainder of the section is not*  
9 *affected and therefore not set out*):

10  
11 **17.15.060 – Special purpose license.**  
12

- 13 A. The following special purpose licenses shall be required for persons  
14 or facilities keeping animals in the municipality:  
15

- 16 1. *Animal litter license.* A person who sells or reconveys not more  
17 than three litters of dogs and/or cats in a calendar year shall be  
18 required to obtain an animal litter license:  
19

- 20 a. Each litter shall be registered with the animal care and  
21 control center within seven weeks of birth for a fee set in  
22 accordance with chapter 17.70. Advertisements of any  
23 kind must show the litter license number in the ad. Any  
24 person who sells more than three litters in a calendar  
25 year must apply for a commercial facility license.  
26

27 [B. THIS SECTION DOES NOT APPLY TO RESCUE  
28 GROUPS APPROVED BY AND REGISTERED WITH  
29 THE ANIMAL CARE AND CONTROL CENTER.]  
30

- 31 2. *Multi-animal facility license.* A person or facility, including a  
32 dwelling unit, residence, or business premise, that owns,  
33 possesses or is the custodian of four or more dogs, four or more  
34 cats, four or more rabbits, four or more ferrets, four or more  
35 horses or any combination of seven or more of the above  
36 animals, shall be required to obtain a multi-animal facility  
37 license:  
38

- 39 a. This section shall not apply to a person who has a single  
40 litter of dogs and/or cats that are not for sale and under  
41 the age of four months.  
42

- 43 b. This license shall be valid for two years from date of  
44 issuance.  
45

- 46 3. *Commercial facility license.* A person or facility that, for any  
47 period of time, boards or grooms dogs, cats, rabbits, ferrets,  
48 and/or horses for fees or services, or any person or facility that  
49 reconveys four or more dogs or cats in a calendar year, or any



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person or facility that breeds more than three litters of dogs and/or cats in a calendar year shall be required to obtain a commercial facility license.

a. This license shall be valid for one year from date of issuance.

b. A pet store is a commercial facility for purposes of this section.

c. A veterinary clinic is not a commercial facility for purposes of this section.

[D. THIS SECTION DOES NOT APPLY TO RESCUE GROUPS APPROVED BY AND REGISTERED WITH THE ANIMAL CARE AND CONTROL CENTER.]

4. *Mushing facility license* means a person or facility, including a dwelling unit, residence, or business premise that owns, houses, possesses, or acts as custodian of four or more dogs over the age of four months, that have been trained to be harnessed and pull sleds, carts, vehicles with humans and/or cargo for the sport of mushing whether for recreation, competition or for remuneration shall be required to obtain a mushing facility license.

a. This license shall be valid for two years from date of issuance.

b. This license shall be valid for any dogs, cats, rabbits, ferrets, or horses owned by the same person or facility of the mushing dogs on the same premises.

[C. THIS SECTION DOES NOT APPLY TO RESCUE GROUPS APPROVED BY AND REGISTERED WITH THE ANIMAL CARE AND CONTROL CENTER.]

5. Animal Rescue License: Animal Rescues and Animal Rescue Shelters shall be required to obtain an animal rescue license.

a. This license shall be valid for one year from date of issuance.

b. A veterinary clinic is not a rescue organization for purposes of this section.

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(AO No. 2001-158(S-4), § 1, 1-1-03; AO No. 2017-87, § 4, 6-13-17)

1 **Section 11.** Anchorage Municipal Code section 17.15.070, Special purpose  
2 licensing procedures for multi-animal, mushing and commercial facility licenses, is  
3 hereby amended to read as follows (*the remainder of the section is not affected and*  
4 *therefore not set out*):

5  
6 **17.15.070 – Special purpose licensing procedures for multi-animal,  
7 mushing, [AND] commercial facility, and animal rescue licenses.**

8  
9 A. Application for a special purpose license is made to the animal care  
10 and control center. The application shall include:

11 \*\*\* \*\*

12  
13  
14 2. The name, address, and telephone number of the applicant,  
15 and the physical address and telephone number where animals  
16 are to be kept (*A current listing of foster homes shall be made*  
17 *available for review upon request and kept confidential*);

18  
19 ~~10. A current listing of foster homes with an animal rescue~~  
20 ~~license application. The listing shall include name,~~  
21 ~~address, and phone/email. The listing shall be kept~~  
22 ~~confidential.~~

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24 \*\*\* \*\*

25 B. Renewal applications shall be made at least thirty days prior to the  
26 expiration of the current license and may rely upon facility drawings  
27 [MATERIALS] submitted with a prior application provided it portrays  
28 the current condition and layout of the facility or location [EXCEPT  
29 CURRENT RABIES VACCINATION BY LAW; AND UPON  
30 CERTIFICATION]. Applicants must certify that there have been no  
31 significant changes in the numbers, types and species of animals  
32 since the prior application. Upon request, applicants must provide  
33 current rabies vaccinations proof for each animal over the age of four  
34 months where the species is required to have a rabies vaccination by  
35 law.

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38 D. Upon receipt of a complete and timely application for renewal of a  
39 special purpose license, such license shall be issued within 30 days  
40 unless the applicant has received notice the special purpose license  
41 has been revoked or there has been a structural change to the  
42 property. No new or previously revoked special purpose [MULTI-  
43 ANIMAL, MUSHING, OR COMMERCIAL FACILITY] license shall be  
44 issued until an inspection of the premises where the animals will be  
45 kept is made.

46  
47 (AO No. 2001-158(S-4), § 1, 1-1-03; AO No. 2007-79, § 2, 6-26-07; AO No.  
48 2017-87, § 5, 6-13-17)

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1 **Section 12.** Anchorage Municipal Code section 17.25.040, Redemption of  
 2 impounded animal, is hereby amended to read as follows (*the remainder of the*  
 3 *section is not affected and therefore not set out*):

4  
 5 **17.25.040 – Redemption of impounded animal.**

6  
 7 \*\*\* \*\*

8  
 9 C. An animal that has been classified at level five behavior [OR A WOLF  
 10 HYBRID THAT HAS BEEN CLASSIFIED AT LEVEL 3 OR LEVEL  
 11 4.A,] is not redeemable.

12  
 13 D. Within seven days from the date of impoundment, any animal  
 14 classified level 1, 2, 3 or 4 under Section 17.40.020, [EXCEPT A  
 15 WOLF HYBRID THAT HAS BEEN CLASSIFIED AT LEVEL 3 OR  
 16 LEVEL 4.A.,] shall be released to the owner upon payment of all fees  
 17 required and upon verification of compliance with Sections 17.30.080  
 18 and 17.40.040, including any classification requirements set by the  
 19 chief animal control officer. Upon failure of the owner to comply with  
 20 Section 17.40.040, the chief animal control officer may impound or re-  
 21 impound the animal and require the owner to forfeit the animal to the  
 22 municipality. An animal shall not be allowed to reside with or be  
 23 redeemed by anyone who has been convicted, nor to a person  
 24 residing in the same household with a person convicted, of a crime  
 25 under Title 8.55 or inhumane treatment of an animal in another  
 26 jurisdiction.

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29 (AO No. 2001-158(S-4), § 1, 1-1-03; AO No. 2009-88, § 4, 9-10-09)

30  
 31 **Section 13.** Anchorage Municipal Code section 17.25.075, Impoundment at  
 32 business facility or owner's home is hereby amended to read as follows (*the*  
 33 *remainder of the section is not affected and therefore not set out*):

34  
 35 **17.25.075 - Impoundment at business facility or owner's home.**

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38 B. The chief animal control officer or designee may permit an impounded  
 39 animal which is the subject of a hearing or appeal to be held in the  
 40 owner's home so long as the owner and the chief animal control officer  
 41 or designee agree in writing that the owner shall abide by all the  
 42 conditions as stated in subsections A.1. through A.7. above.

- 43  
 44 1. If an animal classified as level five is permitted to be impounded  
 45 at home pending an appeal, the owner must comply with all  
 46 restrictions of a level three and four animal per subsection  
 47 17.40.040B.3. and restrictions of a level five per subsection  
 48 17.040.040B.4.b.

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2           (AO No. 2001-158(S-4), § 1, 1-1-03)

3  
4 **[Section 14. Anchorage Municipal Code section 17.25.090, Protective custody is**  
5 **hereby amended to read as follows:**

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7           **17.25.090 – Protective custody.**

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9           **A. Probable cause. An officer shall take an animal not subject to**  
10 **impoundment into protective custody when there is probable cause**  
11 **that protective custody is necessary to protect and preserve the**  
12 **animal's health, [OR] safety, [AND] humane care, or [AND] treatment.**

13  
14           **B. Cruelty charges and cost of care. If an animal has been placed in**  
15 **protective custody due to charges of cruelty against the owner, the**  
16 **animal shall not be released to its owner or eligible for redemption until**  
17 **a final determination is made pursuant to chapter 8.55 (Cruelty to**  
18 **Animals).**

19  
20           **1. Cost of care. An owner charged under chapter 8.55 shall be**  
21 **required to pay for their animal's cost of care every 30 days so**  
22 **long as the animal remains in protective custody and the owner**  
23 **does not release entitlement to the animal.**

24  
25           **a. Cost of care shall be billed to the owner every 30 days.**  
26 **If the owner fails to pay for the animal's care within 15**  
27 **days, the animal shall be forfeited to the municipality.**  
28 **The owner shall have notice provided within two days of**  
29 **forfeiture and instructions on how to request a hearing**  
30 **pursuant to subsection 3.**

31  
32           **b. Payment of cost of care is not dependent on the**  
33 **outcome of chapter 8.55 charges.**

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35           **2. Notice.**

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37           **a. Animal care and control shall provide written notice to an**  
38 **owner charged under chapter 8.55 within ten days of the**  
39 **animal being taken into custody. Notice shall include**  
40 **that the animal is in protective custody; that the animal**  
41 **shall not be released to its owner or eligible for**  
42 **redemption until a final determination is made pursuant**  
43 **to chapter 8.55; that the owner is responsible for their**  
44 **animal's cost of care no matter the outcome of chapter**  
45 **8.55 charges; that nonpayment shall result in the**  
46 **animal's forfeiture to the Municipality; and the owner's**  
47 **right to a hearing in the event of forfeiture.**  
48

1 b. Animal care and control shall provide written notice to an  
2 owner whose animal is subject to forfeiture within two  
3 business days of the animal being forfeited. Notice shall  
4 include the reason for forfeiture and the owner's right to  
5 a hearing.

6  
7 a. Notice shall be delivered in person, posted at the  
8 owner's residence, or mailed. If the animal's owner is  
9 unlocatable, notice may be given by posting on the  
10 municipality's website for ten days.

11  
12 3. Hearing. A hearing may be requested in writing within seven  
13 business days of the forfeiture notice being issued and shall be  
14 held before an administrative hearing officer within three  
15 business days after the request is received. The hearing may  
16 be postponed upon agreement of the parties with the hearing  
17 officer's determination for just cause shown.

18  
19 a. The hearing shall be conducted in accordance with the  
20 procedures as laid out in sections 3.60.045, and  
21 3.60.055 through 3.60.070.

22  
23 b. An animal subject to appeal shall stay in protective  
24 custody pending a final decision in any administrative  
25 proceeding.

26  
27 c. Findings by the administrative hearing officer shall not  
28 collaterally estop the issue of probable cause or any  
29 other factual or legal issue from being decided by the  
30 court.

31  
32 [C. An owner whose animal is in protective custody and subject to  
33 chapter 8.55 charges shall be required to pay animal care costs,  
34 billed every 30 days. [post a 30 day boarding bond with Animal  
35 Care and Control.]

36  
37 1. Costs shall be the actual cost of providing care to the  
38 animal including but not limited to boarding fees and  
39 veterinary services in accordance with section 17.70.010.  
40 Payment of animal care is not dependent on the outcome  
41 of chapter 8.55 charges.

42  
43 2. The owner shall be billed for animal care costs every 30  
44 days. The owner shall pay animal care costs within 15  
45 days of receiving the bill. If the owner fails to pay animal  
46 care costs within 15 days of receiving the bill, the animal  
47 shall be forfeited to the municipality.]  
48

1 ~~1. The chief animal control officer shall set the bond amount~~  
2 ~~to be sufficient to provide for the animal's care for a~~  
3 ~~minimum of 30 days, including the day on which the animal~~  
4 ~~was taken into custody. Payment of this bond is not~~  
5 ~~dependent on the outcome of chapter 8.55 charges.~~

6  
7 ~~2. The chief animal control officer shall give notice to the~~  
8 ~~owner of the bond amount due within two business days~~  
9 ~~of the animal being placed in protective custody. The~~  
10 ~~owner shall pay the bond amount within ten days of~~  
11 ~~receiving notice. If the owner fails to pay the new bond~~  
12 ~~amount within ten days of receiving notice, the animal~~  
13 ~~shall be forfeited to the municipality.~~

14  
15 ~~3. Ten days prior to a bond's expiration, the chief animal~~  
16 ~~control officer shall give notice to the owner that a new 30~~  
17 ~~day boarding bond is due and the amount due. The owner~~  
18 ~~shall pay the new bond amount within ten days of receiving~~  
19 ~~notice. If the owner fails to pay the new bond amount~~  
20 ~~within ten days of receiving notice, the animal shall be~~  
21 ~~forfeited to the municipality.~~

22  
23 ~~4. When a 30 day boarding bond has been posted pursuant~~  
24 ~~to subsections 1. - 3. above, the chief animal control officer~~  
25 ~~shall draw from the bond the actual reasonable costs~~  
26 ~~incurred in providing minimum care to the animal pursuant~~  
27 ~~to AMC 17.70.010 from the date on which the animal was~~  
28 ~~placed in custody to the date of final determination is made~~  
29 ~~pursuant to chapter 8.55.~~

30  
31 ~~5. An owner subject to the bond requirement may obtain~~  
32 ~~review of the bond amount required and forfeiture as~~  
33 ~~provided in section 17.05.100.]~~

34  
35 ~~[D]C. Redemption. The animal care and control center shall maintain an~~  
36 ~~animal in protective custody which is subject to redemption until the~~  
37 ~~animal is redeemed by its owner or for a minimum of five days, after~~  
38 ~~which time the animal may be disposed of as an impounded animal~~  
39 ~~except:~~

40  
41 ~~1. Where an animal was placed in protective custody because the~~  
42 ~~owner or custodian is arrested and charged with a crime and is~~  
43 ~~unable to redeem the animal in person in which case the~~  
44 ~~minimum period shall be ten days.~~

45  
46 ~~[E]D. Fees, fines, and costs. An animal that is in protective custody and~~  
47 ~~which is subject to redemption may be redeemed by the owner or the~~  
48 ~~owner's designee upon demand and payment of any outstanding fees,~~  
49 ~~fines, and costs [not covered by bond]. The owner shall not be~~

~~charged an impound fee [, BUT SHALL BE CHARGED BOARDING FEES AS SET BY REGULATION]. [Animal Care and Control shall refund to the owner any balance remaining in the bond at the date of redemption.]~~

~~[F]E. Review. A person who owns an animal taken into protective custody and disposed of as an impounded [or forfeited] animal may obtain a review of that disposition as provided in section 17.05.100.~~

~~(AO No. 2001-158(S-4), § 1, 1-1-03; AO No. 2009-88, § 4, 9-10-09)~~

**Section 15.** Anchorage Municipal Code section 17.25.010[100], Impoundment and animals subject to impoundment is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

**17.25.010[100] – Impoundment and animals subject to impoundment.**

A. An animal control officer shall check an animal subject to impoundment for identification. If the animal is wearing a current municipal dog license, the owner or custodian is known, and the animal poses no threat to another animal or the public health, welfare and safety, the officer may take reasonable measures to return the animal to its owner or custodian with the issuance of a notice to comply or NOV, provided there are no outstanding verifiable fees or fines due to the animal care and control center. The following animals are subject to impoundment:

- \*\*\*      \*\*\*      \*\*\*
- 5. An animal required to be forfeited to the municipality pursuant to sub[S]ections 17.10.015A.3., 17.10.030D.3., 17.25.040D., ~~[17.25.090B.1.,] [17.25.090C.2.,]~~ or 17.40.040D.; or

\*\*\*      \*\*\*      \*\*\*

(AO No. 2001-158(S-4), § 1, 1-1-03; AO No. 2009-88, § 4, 9-10-09)

**Section 16.** Anchorage Municipal Code section 17.30.020, Rabies immunization required, is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

**17.30.020 – Rabies immunization required.**

It is unlawful to own or have custody of a dog, [WOLF HYBRID,] cat, ferret, or any other animal required by state law, over the age of four months, that does not have a current rabies vaccination administered in accordance with state law.

(AO No. 2001-158(S-4), § 1, 1-1-03)

**Section 17.** Anchorage Municipal Code section 17.40.020, Classifications and exceptions to classification of animals, is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

**17.40.020 – Classifications and exceptions to classification of animals.**

A. *Classifications.* Subject to the authority of the chief animal control officer under subsection B<sub>2</sub> below, an animal may be classified based on one of the following levels:

\*\*\*      \*\*\*      \*\*\*

5. *Level five behavior* is established if any of the following occur:

\*\*\*      \*\*\*      \*\*\*

c. An animal regardless of whether it is restrained, for a third time injures or kills a domestic animal.

d.[C.] An animal previously classified as a level three or four, or as a potentially dangerous animal under a prior enactment of this Code, commits a level three or four behavior described in subsection A.3. or A.4. above after the owner receives notice of the prior level three or four classification.

\*\*\*      \*\*\*      \*\*\*

(AO No. 2001-158(S-4), § 1, 1-1-03; AO No. 2009-88, § 5, 9-10-09)

**Section 18.** Anchorage Municipal Code section 17.40.040, Regulation of classified animals, is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

**17.40.040 – Regulation of classified animals.**

\*\*\*      \*\*\*      \*\*\*

B. In addition to other requirements of this chapter, the owner of a classified animal shall comply with the following classification requirements:

\*\*\*      \*\*\*      \*\*\*

3. *Levels three and four.* Animals classified as level three or four shall at all times be confined in a locked secure enclosure or under control by a substantial leash or chain not to exceed six feet in length, and under the control of a competent adult who is familiar with and in control of the animal. The requirement of control is not satisfied by an electronic collar or electronic fence. Animals classified as level three or four shall also be muzzled when not on the owner's property. [WOLF HYBRIDS CLASSIFIED AS LEVEL 3 OR 4.A SHALL BE EUTHANIZED.] It is a violation of this subsection to breed, sell, exchange or



abandon an animal classified as level three or four, except as specifically provided in this chapter.

(AO No. 2001-158(S-4), § 1, 1-1-03; AO No. 2009-88, § 7, 9-10-09; AO No. 2015-55, § 4, 5-26-15)

**Section 19.** Anchorage Municipal Code section 17.40.085, Removal, reduction or modification of classification, is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

**17.40.085 – Removal, reduction or modification of classification.**

\*\*\*      \*\*\*      \*\*\*

B. Restrictions for level three and level four animals [, EXCEPT WOLF HYBRIDS,] may be reduced, modified or removed, except the requirement for the use of a secure enclosure.

\*\*\*      \*\*\*      \*\*\*

(AO No. 2001-158(S-4), § 1, 1-1-03; AO No. 2009-88, § 8, 9-10-09)

**Section 20.** Anchorage Municipal Code section 17.60.040, Vaccination of wolf hybrids, is hereby repealed as follows:

**17.60.040 – Vaccination of wolf hybrids. (Repealed)**

[UNTIL AN APPROVED USDA RABIES VACCINATION IS AVAILABLE FOR WOLF HYBRIDS, ANY WOLF HYBRID THAT BITES A HUMAN SHALL BE IMMEDIATELY EUTHANIZED BY THE ANIMAL CARE AND CONTROL CENTER AND ITS HEAD SUBMITTED FOR RABIES TESTING.]

(AO No. 2001-158(S-4), § 1, 1-1-03)

**Section 21.** Anchorage Municipal Code section 17.70.010, Animal control fee schedule, is hereby amended to read as follows (*the remainder of the table is not affected and therefore not set out*):

**17.70.010 - Animal control fee schedule.**

Type	Fee	Refund
<b>1. Special purpose license fees:</b>		
***      ***      ***		
<u>e. Animal Rescue License:</u>	<u>\$150.00 annually</u>	<u>None</u>
***      ***      ***		

<b>4. Redeemed Animals – Impound Fees:</b>
*** **
<b>5. Adoption:</b>
*** **
e. For all animals, there shall [ALSO] be [AND] <u>an</u> adoption fee, in addition to the fees described in subsections A.5.a-d. above. [I.] The separate adoption fee shall be in accordance with a fee schedule established by the chief animal control officer, and shall not exceed \$150.00.
*** **

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\*\*\* \*\*

(AO No. 2001-158(S-4), § 1, 1-1-03; AO No. 2003-152S, § 11, 1-1-04; AO No. 2004-86, § 8, 5-18-04; AO No. 2008-129, § 2, 12-17-08; AO No. 2009-29, § 2, 3-3-09; AO No. 2009-88, § 10, 9-10-09; AO No. 2015-111(S-1), § 7, 1-1-16 ; AO No. 2017-87 , § 7, 6-13-17)

**Section 22.** This ordinance shall be effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 3rd day of December, 2019.

  
 \_\_\_\_\_  
 Chair

ATTEST:  
  
 \_\_\_\_\_  
 Municipal Clerk

# MUNICIPALITY OF ANCHORAGE

## ASSEMBLY MEMORANDUM

No. AM 473-2019(A-1)

Meeting Date: November 5, 2019

1 **From:** MAYOR

2  
3 **Subject:** AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE  
4 TITLE 17, ANIMALS, TO ADD REQUIREMENTS FOR ANIMAL  
5 RESCUE GROUPS AND DOG SHELTERS; TO REQUIRE A BOND  
6 PAYMENT FOR ANIMALS IN PROTECTIVE CUSTODY; AND TO  
7 ADDRESS OBSOLETE LANGUAGE AND OTHER RELATED  
8 MATTERS, BY AMENDING SECTIONS 17.05.010, 17.10.020,  
9 17.10.030, 17.10.050, 17.10.080, 17.10.090, 17.15.010, 17.15.030,  
10 17.15.050, 17.15.060, 17.15.070, 17.25.040, 17.30.020, 17.30.070,  
11 17.30.080, 17.30.090, 17.40.020, 17.40.040, AND 17.70.010  
12

13 AO 2019-91 was introduced at the Assembly meeting on July 9, 2019. Members  
14 of the Assembly, Animal Control Advisory Board, Municipal Attorney's Office, and  
15 Anchorage Health Department held two work sessions to address concerns raised  
16 at the Assembly Health Policy Committee meeting on July 24, 2019. AO 2019-  
17 91(S) was introduced at the Assembly meeting on September 10, 2019, where  
18 citizens from local dog organizations expressed concerns to the Assembly.  
19 Subsequently, the Anchorage Health Department met with representatives from  
20 the local dog groups to address their questions and concerns. At the Assembly  
21 meeting on September 24, 2019, citizens both in and outside of the Municipality  
22 representing animal rescue groups testified on the proposed ordinance. To  
23 address the additional testimony, the Animal Control Advisory Board took  
24 additional public input from the animal rescue groups on September 26, 2019.  
25 Members of the Animal Control Advisory Board, Municipal Attorney's Office,  
26 Animal Care and Control Contractor and Anchorage Health Department met at the  
27 Animal Control Advisory Board Title 17 Committee meeting. Based on the input  
28 received, AO 2019-91(S-1) is submitted with the following changes;  
29

### 30 Section 4

31 AMC 17.10.050 – Standards for operating animal facilities. Modified the  
32 requirement for animal rescues and animal rescue facilities to maintain a current  
33 list of foster homes so that they will only be required to provide the list of foster  
34 homes upon request. Removed language on the number of animals allowed in a  
35 home or facility before a multi-animal license is required and included a reference  
36 to 17.15.060.A.2 that addresses the multi-animal facility license requirements in  
37 detail.  
38

### 39 Section 11

40 AMC 17.15.070 – Special purpose licensing procedures for multi-animal, mushing,  
41 commercial facility, and animal rescue license. Modified the requirement for  
42 animal rescues and animal rescue facilities to provide a current list of foster homes  
43 with an application for a special purpose license so that they will only be required  
44 to provide the list of foster homes upon request.

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Section 14

AMC 17.25.090 – Protective custody. This section was rewritten to require probable cause to impound in protective custody cases. Additionally, it is revised to clarify the cost of care and associated notice requirements as well as timeframes and procedures for administrative hearings.

There is no financial impact expected to the public or private sector, therefore no Summary of Economic Effects is attached.

**THE ADMINISTRATION RECOMMENDS APPROVAL.**

Prepared by:	Michael P. Tierney, Administrative Manager, Anchorage Health Department
Approved by:	Natasha M. Pineda, Director, Anchorage Health Department
Concur:	Rebecca A. Windt Pearson, Municipal Attorney
Concur:	William D. Falsey, Municipal Manager
Respectfully submitted:	Ethan A. Berkowitz, Mayor