Municipal Clerk's Office Amended and Approved Date: February 12, 2019

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41 42 Submitted by:

Prepared by: For reading: Chair of the Assembly at the Request of the Mayor Department of Law January 29, 2019

### ANCHORAGE, ALASKA AO No. 2019-9(S), As Amended

# 1AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE TITLES 6, 14 AND215 TO IMPOSE ADDITIONAL FEES AND PENALTIES FOR LONG-TERM VACANT3PROPERTIES AND PERSISTENT NUISANCE PROPERTIES, CREATING A4DEDICATED NUISANCE PROPERTY ABATEMENT FUND, AND ESTABLISHING A5FORECLOSURE REGISTRY.6

**WHEREAS,** long-term vacant properties and persistent nuisance properties are a blight on neighborhoods across the municipality, attracting vagrancy and criminal behavior, presenting elevated fire risks, posing threats to public health and safety, and adversely impacting adjacent and nearby properties; and

WHEREAS, on July 26, 2016, the Assembly adopted AO No. 2016-81(S), creating a vacant building and abandoned real property registry, and corresponding duties to sign, secure, and maintain such properties; and

WHEREAS, a working group including representatives of the Department of Law, Code Enforcement, Real Estate, and the Department of Finance has worked throughout 2018 to identify and abate persistently problematic properties, and to identify additional code changes which would assist in addressing long-term vacant properties and persistent nuisance properties; and

**WHEREAS,** the municipality currently lacks a fine or fee structure which provides additional disincentives for long-term or persistently problematic properties, an effective means of identifying, communicating with, and holding accountable banks and financial institutions during the foreclosure process, and dedicated funds to support nuisance property abatement; and

**WHEREAS**, cities across the country addressing parallel issues make use of escalating fines and fees for long-term vacant properties and persistent nuisance properties, and require banks foreclosing on properties to submit to a local registration process; now, therefore,

THE ANCHORAGE ASSEMBLY ORDAINS:

**Section 1.** Anchorage Municipal Code chapter 6.140 is hereby adopted to create a dedicated nuisance property abatement fund, as follows:

## CHAPTER 6.140 NUISANCE PROPERTY ABATEMENT FUND

### 6.140.010 Establishment; purpose.

There is a nuisance property abatement fund. Monies in the nuisance

1 2	property abatement fund are dedicated to addressing, mitigating, and abating nuisances on private property within the municipality in accordance with this
3	chapter.
4 5 6	6.140.020 Financing of nuisance abatement work.
7 8 9 10 11 12 13 14	A. Any department or division of the municipality may apply for use of money from the nuisance property abatement fund for completion of nuisance property abatement work. An application for use of money from the nuisance property abatement fund shall be made to the Executive Director of the Office of Economic and Community Development, his designee, or an alternate designee specified by the Mayor. A copy of each application received shall be forwarded to the Municipal Manager.
15 16 17 18 19	B. Nuisance property abatement work that may qualify for supplemental funding under this section may include, but need not be limited to, the following expenditures:
20 21 22	1. Labor, materials, equipment, training, and professional services required to abate targeted nuisance properties.
23 24 25	2. Labor, materials, equipment, training, and professional services required to sign, secure, and maintain vacant properties.
26 27	C. The municipality may contract with any qualified entity for nuisance property abatement projects authorized under this section.
28 29 30	6.140.030 Revenues.
31 32 33 34	The following revenues received by the municipality shall be accounted for separately from all other revenues and appropriated to the nuisance property abatement fund, provided that revenue from other sources also may be appropriated to the nuisance property abatement fund:
35 36 37 38	A. Annual fees paid by owners of vacant buildings, and former owners of abandoned real property, pursuant to AMC 15.20.105.
39 40 41 42	B. <u>Net p[P]roceeds of any foreclosure proceedings which are instituted as</u> <u>a result of violations of Titles 15, 21, or 23 of the Anchorage Municipal</u> <u>Code.</u>
42 43 44 45 46	C. Funds recovered via tax foreclosure or other means of collection as reimbursement for prior expenditures on the abatement of violations of Titles 15, 21, or 23 of the Anchorage Municipal Code.
47	<u><b>D</b>[<b>C</b>]</u> . Investment earnings on monies in the nuisance property abatement

$ \begin{array}{c} 1\\2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\end{array} $	E[Đ]. Revenu 6.140.0 6.140.0 The E Develo shall a abatem propert and sh Section 2. follows (the res	Annual report. Executive Director of the Office of E pment, his designee, or an alternate design nually review and report on the operation nent fund. The annual report shall include ty abatement work financed by the nuisand all be submitted to the assembly for review Anchorage Municipal Code section 14.60 emainder of the section is not affected and	to the dedication in section conomic and Community nee specified by the Mayor, on of the nuisance property de a report on all nuisance ce property abatement fund <u>w.</u> .030 is hereby amended as
22 23	14.60.0 Code	030 Fine Schedule Offense	Penalty/Fine
24 25 26	Section ***	*** ***	
20	<u>15.05.170</u>	<u>Failure to File with Foreclosure</u> <u>Registry</u>	<u>\$50.00 per day</u>
	15.10.020	Violation of Federal Standards	First offense in a calendar year: \$ <u>5[</u> 3]00.00 per violation and all

		administrative costs.
		Second offense in a calendar year: \$ <u>1,0[</u> 6]00.00 per violation and all administrative costs.
		Third and subsequent offenses in a calendar year: \$ <u>2,0[</u> 1,5]00.00 per violation and all administrative costs.
		First offense in a calendar year: \$ <u>5[</u> 3]00.00 per violation and all administrative costs.
15.10.050A.	Occupancy of dwelling unit(s) not clean, fit for human occupancy or compliant with the standards of the State of Alaska or the municipality	Second offense in a calendar year: \$ <u>1,0[</u> 6]00.00 per violation and all administrative costs.
		Third and subsequent offenses in a calendar year: \$ <u>2,0[</u> 1,5]00.00 per violation and all administrative costs.
15.10.050B.	Failure to maintain a shared or public area in a clean and sanitary condition	First offense in a calendar year: \$ <u>50[</u> 25]0.00 per violation and all administrative costs.
	area in a clean and samary condition	Second offense in a calendar year: \$ <u>1,0[</u> 5]00.00 per violation and all administrative

		costs. Third and subsequent offenses in a calendar year: \$ <u>2[</u> 1],000.00 per violation and all administrative costs.
15.10.050C.	Failure to provide and maintain appropriate receptacles and conveniences for the removal of ashes, garbage, rubbish, and other waste	First offense in a calendar year: \$ <u>50</u> [25]0.00 per violation and all administrative costs. Second offense in a calendar year: \$ <u>1,0</u> [5]00.00 per violation and all administrative costs. Third and subsequent offenses in a calendar year: \$ <u>2</u> [1],000.00 per violation and all administrative costs.
15.10.050D., E.	Accumulating, placing or storing in a manner that may harbor, attract or feed rodents	First offense in a calendar year: \$50[25]0.00 per violation and all administrative costs. Second offense in a calendar year: \$1,0[5]00.00 per violation and all administrative costs. Third and subsequent offenses in a calendar year: \$2[1],000.00 per violation and all

		administrative costs.
15.10.050F.	Failure to maintain habitable rooms at the required temperature standards	First offense in a calendar year: \$ <u>50</u> [25]0.00 per violation and all administrative costs. Second offense in a calendar year: \$ <u>1,0</u> [5]00.00 per violation and all administrative costs. Third and subsequent offenses in a calendar year: \$ <u>2</u> [1],000.00 per violation and all administrative costs.
***	***	***
15.10.0501.	Failure to provide for extermination or insects or rodents	First offense in a calendar year: \$ <u>5[</u> 3]00.00 per violation and all administrative costs. Second offense in a calendar year: \$ <u>1,0[</u> 6]00.00 per violation and all administrative costs. Third and subsequent offenses in a calendar year: \$ <u>2,0[</u> 1,5]00.00 per violation and all administrative costs.
15.10.060A.	Failure to maintain a dwelling unit in a clean and sanitary condition	First offense in a calendar year: \$ <u>5[</u> 1]00.00 per

		violation and all administrative costs. Second offense in a calendar year: \$ <u>1,0[</u> 2]00.00 per violation and all administrative costs. Third and subsequent offenses in a calendar year: \$ <u>2,0[</u> 3]00.00 per violation and all administrative costs.
15.10.060B.	Failure to store and dispose of rubbish in a clean, sanitary and safe manner	First offense in a calendar year: \$ <u>5</u> [3]00.00 per violation and all administrative costs. Second offense in a calendar year: \$ <u>1,0</u> [6]00.00 per violation and all administrative costs. Third and subsequent offenses in a calendar year: \$ <u>2,0</u> [1,5]00.00 per violation and all administrative costs.
15.10.060C.	Failure to store and dispose of all garbage, refuse and any other organic waste which might provide food for insects or rodents in a clean sanitary, safe manner	First offense in a calendar year: \$ <u>5</u> [3]00.00 per violation and all administrative costs. Second offense in a calendar year: \$ <u>1,0[</u> 6]00.00 per violation

		and all administrative costs. Third and subsequent offenses in a calendar year: \$ <u>2,0[</u> 1,5]00.00 per violation and all administrative costs.
15.10.060D., E.	Accumulating, placing or storing in a manner that may harbor, attract or feed rodents	First offense in a calendar year: \$ <u>50[</u> 25]0.00 per violation and all administrative costs. Second offense in a calendar year: \$ <u>1,0[</u> 5]00.00 per violation and all administrative costs. Third and subsequent offenses in a calendar year: \$ <u>2[</u> 1],000.00 per violation and all administrative costs.
***	***	***
15.10.080	Occupying as owner, occupant or let to another for occupancy any dwelling or dwelling unit, for the purposes of living, sleeping, cooking or eating therein, that does not comply with title 15 requirements	First offense in a calendar year: \$ <u>5</u> [3]00.00 per violation and all administrative costs. Second offense in a calendar year: \$ <u>1,0[</u> 6]00.00 per violation and all administrative costs. Third and subsequent

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		offenses in a calendar year: \$ <u>2,0[</u> 1,5]00.00 per violation and all administrative costs.
***	***	***
15.10.120	Failure to meet general requirements relating to the safe and sanitary maintenance parts of dwellings and dwelling units	First offense in a calendar year: \$ <u>50[</u> 25]0.00 per violation and all administrative costs. Second offense in a calendar year: \$ <u>1,0[</u> 5]00.00 per violation and all administrative costs. Third and subsequent offenses in a calendar year: \$ <u>2[</u> 1],000.00 per violation and all administrative costs.
***	***	***
15.10.140	Failure to meet standards for roominghouses, rooming units, dormitories, dormitory rooms	First offense in a calendar year: \$ <u>50[</u> 25]0.00 per violation and all administrative costs. Second offense in a calendar year: \$ <u>1,0[</u> 5]00.00 per violation and all administrative costs. Third and subsequent offenses in a calendar year: \$ <u>2[</u> 1],000.00 per

	violation and all
	administrative costs.

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15.20.105A.	Failure to Register	<u>25[</u> 10].00/day
		<u>First offense in a calendar year:</u> <u>\$200.00 per violation and all</u> <u>administrative costs</u> . <u>Second offense in a calendar year:</u>
15.20.105B.	Failure to Sign	<u>\$500.00 per violation and</u> all administrative costs.
		<u>Third and subsequent offenses in</u> <u>a calendar year: \$1,000 per violation</u> <u>and all administrative costs.</u>
		First offense in a calendar year: \$200.00 per violation and all administrative costs.
15.20.105C.	Failure to Secure	<u>Second offense in a calendar year:</u> <u>\$500.00 per violation and</u> <u>all administrative costs.</u>
		<u>Third and subsequent offenses in</u> <u>a calendar year: \$1,000 per violation</u> and all administrative costs. [100.00/DAY]
		First offense in a calendar year: \$200.00 per violation and all administrative costs.
15.20.105D.	Failure to Maintain	Second offense in a calendar year: \$500.00 per violation and all administrative costs.
		Third and subsequent offenses in

			a calendar year: \$1,000 per violation
			and all administrative costs. [100.00/DAY]
1			
2			O No. 94-108, § 1, 10-5-94; AO No. 94-134, § 2,
3	9-8-94; AO No.	95-42, § 2, 3-23-95; /	AO No. 95-67(S), § 9, 7-1-95; AO No. 95-102, §
4	1, 4-26-95; AO I	No. 95-118, § 3, 9-1-9	95; AO No. 95-163(S), § 21, 8-8-95; AO No. 95-
5	195(S-1), 1-1-9	6; AO No. 96-51(S-1	), § 2, 8-1-96; AO No. 96-96(S-1), § 2, 2-1-97;
6	AO No. 96-126(	S), § 3, 10-1-96; AO	No. 96-137(S), § 9, 1-2-97; AO No. 97-88, § 3,
7	6-3-97; AO No.	97-107, § 3, 11-17-9	7; AO No. 97-133(S), § 1, 11-11-97; AO No. 98-
8	27(S-1), § 2, 11	-11-97; AO No. 98-1	60, § 2, 12-8-98; AO No. 99-13(S), 2-9-99; AO
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5 6 8 9 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; 10 AO No. 2001-48, § 1, 3-13-01; AO No. 2001-74(S), § 2, 4-17-01; AO No. 2001-4, § 2, 11 2-6-01; AO No. 2001-145(S-1), § 11, 12-11-01; AO No. 2003-68, § 1, 9-30-03; AO 12 13 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. 2004-14 99, § 2, 6-22-04; AO No. 2004-100(S-1), § 6, 1-1-05; AO No. 2004-171, § 1, 1-11-05; 15 AO No. 2005-160, § 9, 11-1-05; AO No. 2005-84(S), § 3, 1-1-06; AO No. 2005-16 185(S), § 35, 2-28-06; AO No. 2005-124(S-1A), § 33, 4-18-06; AO No. 2006-39, § 6, 17 4-11-06; AO No. 2006-54, § 1, 5-2-06; AO No. 2006-80, § 1, 6-6-06; AO No. 2007-18 19 50, § 4, 4-10-07; AO No. 2007-60, § 4, 11-1-07; AO No. 2007-70, § 3, 5-15-07; AO No. 2008-84(S), § 5, 7-15-08; AO No. 2009-61, § 3, 7-7-09; AO No. 2009-82, § 5, 7-20 7-09; AO No. 2009-40(S), § 3, 7-21-09; AO No. 2009-112, § 4, 10-13-09; AO No. 21 2009-122, § 2, 12-17-09; AO-2010-35(S), § 7, 5-11-10; AO No. 2010-39, § 2, 5-11-22 10; AO No. 2010-87(S), § 3, 12-7-10; AO No. 2011-46, § 4, 4-12-11; AO No. 2011-23 59, § 10, 5-24-11; AO No. 2011-106(S), § 3, 11-8-11; AO No. 2011-112, § 4, 11-22-24 11, eff. 12-22-11; AO No. 2012-10, § 1, 1-31-12; AO No. 2012-77, § 29, 8-7-12; AO 25 26 No. 2013-109(S-1), § 5, 12-3-13; AO No. 2013-130(S-1), § 1, 1-14-14; AO No. 2014-42, § 31, 6-21-14; AO No. 2014-85, § 4, 8-5-14; AO No. 2014-110(S), § 2, 9-9-14; 27 28 AO No. 2014-137(S), § 3, 11-18-14; AO No. 2015-23(S) , § 20, 3-24-15; AO No. 2015-48, § 16, 5-14-15; AO No. 2015-54, § 1, 5-26-15; AO No. 2015-65, § 4, 6-9-15 29 30 ; AO No. 2015-111(S-1), § 2, 1-1-16 ; AO No. 2016-16(S), § 4, 2-9-16 ; AO No. 2016-76(S), § 7, 7-12-16 ; AO No. 2016-81(S), § 4, 8-25-16 ; AO No. 2016-83(S), § 9, 7-31 32 26-16 ; AO No. 2016-82 , § 3, 8-9-16; AO No. 2016-116 , § 2, 10-18-16; AO No. 2016-115(S), § 2, 11-15-16; AO No. 2016-124(S), § 11, 12-20-16; AO No. 2017-26, 33 § 2, 5-1-17; AO No. 2017-29(S) , § 61, 6-1-17; AO No. 2017-30 , § 3, 3-21-17; AO 34 35 No. 2017-31(S), § 5, 5-26-17; AO No. 2017-119(S), § 4, 11-9-17; AO No. 2017-101, § 2, 2-5-18) 36 37

Section 3. Anchorage Municipal Code section 15.05.120 is hereby amended as follows (the remainder of the section is not affected and therefore is not set out):

### 15.05.120 Enforcement

Α. In addition to any other remedy or penalty provided by this title, any person who violates any provision of this title or any rule, regulation,

1 2 3 4 5 6 7		a civil pena included in and not mor restrain the	Ity as set fo section 14.6 e than \$ <u>2[</u> 1], person from	issued pursuant to this title shall be subject to rth in section 14.60.030, or, if no penalty is 0.030, a civil penalty of not less than \$50.00 000.00 for each offense, or injunctive relief to continuing the violation or threat of violation, or a civil penalty.
8 9 10 11 12 13 14 15	B.	or permit is less than \$ except that B.12.c shall	sued pursua 50.00 and r the fine for be set at \$3	any provision of this title or any rule, regulation of to this title shall be subject to a fine of not not more than \$5[3]00.00 for each offense, a violation of sections 15.20.020B.6.a and 300.00 for the first offense and not less than than \$600.00 for second and subsequent
16		* * *	* * *	* * *
17	(AO No. 79-6	63: AO No. 79	9-80(AM): AC	No. 80-2; AO No. 80-70; AO No. 80-131; AO
18				124(S-3), § 3, 4-13-94; AO No. 93-167(S-1), §
19				2-17-96; AO No. 2016-90 , § 3, 8-23-16)
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21		0		ode section 15.05.170 is hereby adopted to
22 23	create a mur	nicipal foreció	osure registry	, as follows:
24	15.50	.170. Fore	closure reai	strv
25				
	-			
26	<u>A.</u>	<u>Duty to Not</u>	tify. A mortg	age or deed of trust lender and its servicing
26 27	<u>A.</u>	company or	assignee (ea	ach, a "lender") filing a complaint in an action to
27 28	<u>A.</u>	company or foreclose, o	assignee (earrighter (earrighter a constraint) a second ing a constraint a constrai	ach, a "lender") filing a complaint in an action to notice of default, with respect to a mortgage or
27 28 29	<u>A.</u>	company or foreclose, o deed of tru	assignee (ea r recording a ist on any p	ach, a "lender") filing a complaint in an action to notice of default, with respect to a mortgage or property within the municipality shall, within
27 28 29 30	<u>A.</u>	company or foreclose, o deed of tru thirty[ten] (3	assignee (ea r recording a ist on any p 30[ <del>10</del> ]) days	ach, a "lender") filing a complaint in an action to notice of default, with respect to a mortgage or roperty within the municipality shall, within of the date of filing or recording, notify the Real
27 28 29 30 31	<u>A.</u>	company or foreclose, o deed of tru thirty[ten] ( Estate Depa	assignee (ea r recording a ist on any p <b>30</b> [ <del>10</del> ]) days artment in wri	ach, a "lender") filing a complaint in an action to notice of default, with respect to a mortgage or property within the municipality shall, within of the date of filing or recording, notify the Real ting that an action to foreclose on a mortgage
27 28 29 30 31 32	<u>A.</u>	company or foreclose, o deed of tru thirty[ten] ( Estate Depa	assignee (ea r recording a ist on any p <b>30</b> [ <del>10</del> ]) days artment in wri	ach, a "lender") filing a complaint in an action to notice of default, with respect to a mortgage or roperty within the municipality shall, within of the date of filing or recording, notify the Real
27 28 29 30 31 32 33	<u>A.</u>	company or foreclose, o deed of tru thirty[ten] ( Estate Depa or deed of t	assignee (ea r recording a ist on any p 30[10]) days artment in wri rust has bee	ach, a "lender") filing a complaint in an action to notice of default, with respect to a mortgage or property within the municipality shall, within of the date of filing or recording, notify the Real ting that an action to foreclose on a mortgage in filed against the subject property.
27 28 29 30 31 32 33 34	<u>A.</u>	company or foreclose, o deed of tru thirty[ten] ( Estate Depa or deed of t	assignee (ea r recording a ist on any p <b>30</b> [ <del>10</del> ]) days artment in wri	ach, a "lender") filing a complaint in an action to notice of default, with respect to a mortgage or property within the municipality shall, within of the date of filing or recording, notify the Real ting that an action to foreclose on a mortgage in filed against the subject property.
27 28 29 30 31 32 33 34 35	<u>A.</u>	company or foreclose, o deed of tru thirty[ten] (3 Estate Depa or deed of t 1. The l	assignee (ea r recording a ist on any p <b>30</b> [ <b>10</b> ]) days artment in wri rust has been Notice shall o	ach, a "lender") filing a complaint in an action to notice of default, with respect to a mortgage or roperty within the municipality shall, within of the date of filing or recording, notify the Real ting that an action to foreclose on a mortgage in filed against the subject property.
27 28 29 30 31 32 33 34	<u>A.</u>	company or foreclose, o deed of tru thirty[ten] ( Estate Depa or deed of t	assignee (ea r recording a ist on any p <b>30</b> [ <b>10</b> ]) days artment in wri rust has been Notice shall o	ach, a "lender") filing a complaint in an action to notice of default, with respect to a mortgage or property within the municipality shall, within of the date of filing or recording, notify the Real ting that an action to foreclose on a mortgage in filed against the subject property.
27 28 29 30 31 32 33 34 35 36	<u>A.</u>	company or foreclose, o deed of tru thirty[ten] (3 Estate Depa or deed of t 1. The l	assignee (ea r recording a ist on any p <b>30</b> [ <del>10</del> ]) days artment in wri rust has been Notice shall o Property or	ach, a "lender") filing a complaint in an action to notice of default, with respect to a mortgage or roperty within the municipality shall, within of the date of filing or recording, notify the Real ting that an action to foreclose on a mortgage in filed against the subject property.
27 28 29 30 31 32 33 34 35 36 37	<u>A.</u>	company or foreclose, o deed of tru thirty[ten] (i Estate Depa or deed of t 1. The l a.	assignee (ea r recording a ist on any p <b>30</b> [ <del>10</del> ]) days artment in wri rust has been Notice shall o Property or	ach, a "lender") filing a complaint in an action to notice of default, with respect to a mortgage or property within the municipality shall, within of the date of filing or recording, notify the Real ting that an action to foreclose on a mortgage in filed against the subject property.
27 28 29 30 31 32 33 34 35 36 37 38 39 40	<u>A.</u>	company or foreclose, o deed of tru thirty[ten] (i Estate Depa or deed of t 1. The l a.	assignee (ea r recording a ist on any p 30[10]) days artment in wri rust has been Notice shall o Property or Complete I street addr	ach, a "lender") filing a complaint in an action to notice of default, with respect to a mortgage or property within the municipality shall, within of the date of filing or recording, notify the Real ting that an action to foreclose on a mortgage in filed against the subject property. contain: wher name, egal description of subject property, including ess, and
27 28 29 30 31 32 33 34 35 36 37 38 39 40 41	<u>A.</u>	company or foreclose, o deed of tru thirty[ten] (i Estate Depa or deed of t 1. The l a.	assignee (ea r recording a ist on any p 30[10]) days artment in wri rust has been Notice shall o Property ov Complete I street addr Full name	ach, a "lender") filing a complaint in an action to notice of default, with respect to a mortgage or property within the municipality shall, within of the date of filing or recording, notify the Real ting that an action to foreclose on a mortgage in filed against the subject property. contain: wher name, egal description of subject property, including ess, and and contact information, including direct
27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42	<u>A.</u>	company or foreclose, o deed of truethirty[ten] (1)Estate Depa or deed of t1.The Ia.b.	assignee (ea r recording a ist on any p 30[10]) days artment in wri rust has been Notice shall o Property ov Complete I street addr Full name telephone	ach, a "lender") filing a complaint in an action to notice of default, with respect to a mortgage or property within the municipality shall, within of the date of filing or recording, notify the Real ting that an action to foreclose on a mortgage in filed against the subject property.         contain:         wner name,         egal description of subject property, including ess, and         and contact information, including direct number and e-mail address, for the
27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43	<u>A.</u>	company or foreclose, o deed of truethirty[ten] (1)Estate Depa or deed of t1.The Ia.b.	assignee (ea r recording a ist on any p 30[10]) days artment in wri rust has been Notice shall o Property or Complete I street addr Full name telephone representa	ach, a "lender") filing a complaint in an action to notice of default, with respect to a mortgage or property within the municipality shall, within of the date of filing or recording, notify the Real ting that an action to foreclose on a mortgage in filed against the subject property. contain: wher name, egal description of subject property, including ess, and and contact information, including direct number and e-mail address, for the tive of the lender who shall be responsible for
27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44	<u>A.</u>	company or foreclose, o deed of truethirty[ten] (1)Estate Depa or deed of t1.The Ia.b.	assignee (ea r recording a ist on any p 30[10]) days artment in wri rust has been Notice shall o Property ov Complete I street addr Full name telephone representa the care,	ach, a "lender") filing a complaint in an action to notice of default, with respect to a mortgage or property within the municipality shall, within of the date of filing or recording, notify the Real ting that an action to foreclose on a mortgage in filed against the subject property. contain: wher name, egal description of subject property, including ess, and and contact information, including direct number and e-mail address, for the tive of the lender who shall be responsible for maintenance, security, and upkeep of the
27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 5	<u>A.</u>	company or foreclose, o deed of truethirty[ten] (i Estate Depa or deed of t1.The I a.a.b.	assignee (ea r recording a ist on any p 30[10]) days artment in wri rust has been Notice shall o Property or Complete I street addr Full name telephone representa the care, property ar	ach, a "lender") filing a complaint in an action to notice of default, with respect to a mortgage or property within the municipality shall, within of the date of filing or recording, notify the Real ting that an action to foreclose on a mortgage in filed against the subject property. contain: wher name, egal description of subject property, including ess, and and contact information, including direct number and e-mail address, for the tive of the lender who shall be responsible for maintenance, security, and upkeep of the and for receiving and responding to complaints
27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44	<u>A.</u>	company or foreclose, o deed of truethirty[ten] (i Estate Depa or deed of t1.The I a.a.b.	assignee (ea r recording a ist on any p 30[10]) days artment in wri rust has been Notice shall o Property or Complete I street addr Full name telephone representa the care, property ar of property ar	ach, a "lender") filing a complaint in an action to notice of default, with respect to a mortgage or property within the municipality shall, within of the date of filing or recording, notify the Real ting that an action to foreclose on a mortgage in filed against the subject property. contain: wher name, egal description of subject property, including ess, and and contact information, including direct number and e-mail address, for the tive of the lender who shall be responsible for maintenance, security, and upkeep of the

0		<u>2</u> .	In the event the lender is located outside of Alaska, the notice
2			shall also contain:
3			
4			a. Full name and contact information, including direct
5			<u>telephone number and e-mail address, of a</u>
6			representative in Alaska who shall be responsible for the
7			care, maintenance, security, and upkeep of the property
8			and for receiving and responding to complaints of
9			property maintenance and code violations during the
10			pendency of the foreclosure proceedings; and
11			
12			b. Full name and contact information of an individual
13			located within Alaska who is authorized to accept service
14			on behalf of the lender.
15			
16		3.	The fee for filing such a notice shall be two hundred dollars
17			(\$200.00) per property, payable to the Real Estate
18			Department.
19			
20	<u>B.</u>	Duty	to Maintain During Foreclosure Process. Upon registration with
21			unicipality as required in subsection 15.05.170A, a lender shall be
22			dered an "owner" of the subject property for the purposes of
23		-	ations, enforcement actions, and penalties provided under this
24		<u>title, ι</u>	until foreclosure proceedings conclude and title vests in the lender
25		<u>or a t</u>	hird party.
26			
26 27	Section 5.		Assembly herby waives application of AMC 3.99.020 to
26 27 28			Assembly herby waives application of AMC 3.99.020 to fines enacted by this ordinance.
26 27 28 29	increase fee	es and	fines enacted by this ordinance.
26 27 28 29 30	increase fee	<u>es and</u> _Anch	fines enacted by this ordinance. orage Municipal Code section 15.20.105 is hereby amended as
26 27 28 29 30 31	increase fee	<u>es and</u> _Anch	fines enacted by this ordinance.
26 27 28 29 30 31 32	increase fee	es and _Anch remain	fines enacted by this ordinance. orage Municipal Code section 15.20.105 is hereby amended as oder of the section is not affected and therefore is not set out):
26 27 28 29 30 31	increase fea Section 6. follows ( <i>the</i>	es and _Anch remain	<ul> <li>fines enacted by this ordinance.</li> <li>orage Municipal Code section 15.20.105 is hereby amended as oder of the section is not affected and therefore is not set out):</li> <li>Vacant buildings and abandoned real property; registration;</li> </ul>
26 27 28 29 30 31 32 33	increase fea Section 6. follows ( <i>the</i>	es and _Anch remain	fines enacted by this ordinance. orage Municipal Code section 15.20.105 is hereby amended as oder of the section is not affected and therefore is not set out):
26 27 28 29 30 31 32 33 34	increase fea Section 6. follows ( <i>the</i>	Anch _Anch remain	<ul> <li>fines enacted by this ordinance.</li> <li>orage Municipal Code section 15.20.105 is hereby amended as oder of the section is not affected and therefore is not set out):</li> <li>Vacant buildings and abandoned real property; registration;</li> </ul>
26 27 28 29 30 31 32 33 34 35	increase fea Section 6. follows ( <i>the</i> 15.20	Anch remain .105	I fines enacted by this ordinance. orage Municipal Code section 15.20.105 is hereby amended as oder of the section is not affected and therefore is not set out): Vacant buildings and abandoned real property; registration; duties to sign, secure, and maintain.
26 27 28 29 30 31 32 33 34 35 36	increase fea Section 6. follows ( <i>the</i> 15.20	Anch remain .105 Duty an ab	<ul> <li>fines enacted by this ordinance.</li> <li>orage Municipal Code section 15.20.105 is hereby amended as oder of the section is not affected and therefore is not set out):</li> <li>Vacant buildings and abandoned real property; registration; duties to sign, secure, and maintain.</li> <li>to register. The owner of a vacant building or former owner of</li> </ul>
26 27 28 29 30 31 32 33 34 35 36 37 38 39	increase fea Section 6. follows ( <i>the</i> 15.20	Anch remain 0.105 Duty an ab must	<ul> <li>I fines enacted by this ordinance.</li> <li>orage Municipal Code section 15.20.105 is hereby amended as oder of the section is not affected and therefore is not set out):</li> <li>Vacant buildings and abandoned real property; registration; duties to sign, secure, and maintain.</li> <li>to register. The owner of a vacant building or former owner of bandoned real property not registered pursuant to this section</li> </ul>
26 27 28 29 30 31 32 33 34 35 36 37 38 39 40	increase fea Section 6. follows ( <i>the</i> 15.20 A.	Anch remain 0.105 Duty an ab must	<ul> <li>fines enacted by this ordinance.</li> <li>orage Municipal Code section 15.20.105 is hereby amended as oder of the section is not affected and therefore is not set out):</li> <li>Vacant buildings and abandoned real property; registration; duties to sign, secure, and maintain.</li> <li>to register. The owner of a vacant building or former owner of bandoned real property not registered pursuant to this section file a complete registration statement within 30 days of the ng becoming vacant or abandoned.</li> </ul>
26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41	increase fea Section 6. follows ( <i>the</i> 15.20	Anch remain 0.105 Duty an ab must	<ul> <li>I fines enacted by this ordinance.</li> <li>orage Municipal Code section 15.20.105 is hereby amended as oder of the section is not affected and therefore is not set out):</li> <li>Vacant buildings and abandoned real property; registration; duties to sign, secure, and maintain.</li> <li>to register. The owner of a vacant building or former owner of pandoned real property not registered pursuant to this section file a complete registration statement within 30 days of the</li> </ul>
26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42	increase fea Section 6. follows ( <i>the</i> 15.20 A.	Anch remain <b>0.105</b> <i>Duty</i> an ab must buildi	Ifines enacted by this ordinance.orage Municipal Code section 15.20.105 is hereby amended as oder of the section is not affected and therefore is not set out):Vacant buildings and abandoned real property; registration; duties to sign, secure, and maintain.to register. The owner of a vacant building or former owner of pandoned real property not registered pursuant to this section file a complete registration statement within 30 days of the ng becoming vacant or abandoned.******
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26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45	increase fea Section 6. follows ( <i>the</i> 15.20 A.	Anch remain <b>0.105</b> <i>Duty</i> an ab must buildi	Ifines enacted by this ordinance.orage Municipal Code section 15.20.105 is hereby amended as oder of the section is not affected and therefore is not set out):Vacant buildings and abandoned real property; registration; duties to sign, secure, and maintain.to register. The owner of a vacant building or former owner of bandoned real property not registered pursuant to this section file a complete registration statement within 30 days of the ng becoming vacant or abandoned.******Annual fees. The owner of a vacant building, and the former owner of an abandoned real property, shall pay an annual registration fee. which shall be deposited into the municipality's
26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46	increase fea Section 6. follows ( <i>the</i> 15.20 A.	Anch remain <b>0.105</b> <i>Duty</i> an ab must buildi	I fines enacted by this ordinance. orage Municipal Code section 15.20.105 is hereby amended as oder of the section is not affected and therefore is not set out): Vacant buildings and abandoned real property; registration; duties to sign, secure, and maintain. to register. The owner of a vacant building or former owner of bandoned real property not registered pursuant to this section file a complete registration statement within 30 days of the ng becoming vacant or abandoned. **** Annual fees. The owner of a vacant building, and the former owner of an abandoned real property, shall pay an annual registration fee, which shall be deposited into the municipality's Nuisance Property Abatement Fund.[,] Annual registration fees
26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45	increase fea Section 6. follows ( <i>the</i> 15.20 A.	Anch remain <b>0.105</b> <i>Duty</i> an ab must buildi	Ifines enacted by this ordinance.orage Municipal Code section 15.20.105 is hereby amended as oder of the section is not affected and therefore is not set out):Vacant buildings and abandoned real property; registration; duties to sign, secure, and maintain.to register. The owner of a vacant building or former owner of bandoned real property not registered pursuant to this section file a complete registration statement within 30 days of the ng becoming vacant or abandoned.******Annual fees. The owner of a vacant building, and the former owner of an abandoned real property, shall pay an annual registration fee. which shall be deposited into the municipality's

	AO rega	rding aba	andoned	and nuisa	ance property abatement to	ools	Page 14 of 14		
$     \begin{array}{r}       1 \\       2 \\       3 \\       4 \\       5 \\       6 \\       7 \\       8 \\       9 \\       10 \\       11 \\       12 \\       13 \\       14 \\       15 \\       16 \\       17 \\       18 \\       20 \\       21 \\       22     \end{array} $	[			a.	\$100.00 for the firs	t year,			
				b.	\$ <u>5[</u> 2]00.00 for the s	second year,			
				C.	\$ <u>10[</u> 3]00.00 for the	third year, an	ıd		
				d.		<b>3</b> ]00.00 <del>]</del> for	al gross floor area with a the fourth and each mains registered.		
	* * *		* * *		* * *				
		C.	ngs shall be secured so rsons authorized by an						
			1.	weath trespa [PAIN EXTE	er-tight, and secu ssers by means of TED IN A WOR	red against e plywood or c KMANLIKE IT THAT MAT	ings shall be closed, entry by animals and commercial grade steel FASHION WITH AN CHES THE COLOR OF E].		
23 24	* * *		* * *		* * *				
25 26	(AO N	(AO No. 2016-81(S), § 3, 8-25-16)							
27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42	Section 6. This ordinance shall be effective immediately upon passage and approval by the Assembly.								
	PASSED AND APPROVED by the Anchorage Assembly this 12th day of February, 2019.								
	ATTE	ST:				Chair	à cat		
	Munic	ipal CI		<u>,</u> (	Jones.				



# MUNICIPALITY OF ANCHORAGE Assembly Memorandum

No. AM 95-2019

Meeting Date: January 29, 2019

1 2	From:		MAYOR					
3 4 5 6 7 8	Subje	ct:	MUNICIPAL FEES AND F AND PERS DEDICATED	9-9(S): AN ORDINANCE AMENDING ANCHORAGE CODE TITLES 6, 14 AND 15 TO IMPOSE ADDITIONAL PENALTIES FOR LONG-TERM VACANT PROPERTIES ISTENT NUISANCE PROPERTIES, CREATING A NUISANCE PROPERTY ABATEMENT FUND, AND NG A FORECLOSURE REGISTRY.				
9	After	diaguag	ion of the or	isingly version of this ordinance with the Assembly in				
10 11 12		After discussion of the original version of this ordinance with the Assembly in vorksession, the administration proposes the attached S-version for consideration.						
13 14	The S-version contains the following minor changes:							
15 16 17	1.	<ol> <li>Clarification that only the <u>net</u> proceeds of foreclosure proceedings are deposite in the nuisance property abatement fund, rather than all proceeds;</li> </ol>						
18 19 20 21 22 23 24 25	2.	include specifi examp proces \$10,00	e funds recov cally as reimbu ble, if the Munic ss and, in the 00 as reimburs	funds directed to the nuisance property abatement fund will vered via tax foreclosure or other means of collection ursement for prior expenditures on nuisance abatement (for cipality forecloses on a property through the tax foreclosure e course of the foreclosure and resale process, recoups sement for prior expenditures on eradicating a nuisance on 0,000 would go into the fund); and				
26 27 28 29	3.	<ol> <li>Addition of a \$200.00 fee for inclusion on the foreclosure registry, to offset administrative costs incurred by the Real Estate Department in managing the registry, and a \$50.00 per day fine for failure to register.</li> </ol>						
29 30 31 32 33 34	The foreclosure registry does not currently exist, and the number of properties which are anticipated to be registered is not currently known. As such, the net positive financial impact of the fees and fines imposed by these changes cannot be accurately predicted at this time.							
35 36	THE A	DMINI	STRATION RE	COMMENDS APPROVAL.				
30 37 38 39 40 41 42 43 44 45	Prepared by: Approved by: Concur: Concur: Concur: Concur: Respectfully submitted:		submitted:	Department of Law Rebecca A. Windt Pearson, Municipal Attorney Christopher M. Schutte, Director Office of Economic and Community Development Lance Wilber, Director Office of Management and Budget Alexander Slivka, CFO William D. Falsey, Municipal Manager Ethan A. Berkowitz, Mayor				