

CLERK'S OFFICE
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ANCHORAGE, ALASKA
AO NO. 2009-35(S-1)

1 AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE CHAPTER 23.10,
2 GOVERNING BUILDING PERMITS, AND AMENDING ANCHORAGE MUNICIPAL
3 CODE SECTION 23.15.H.101.3 GOVERNING SIGN PERMITS, TO CLARIFY CODE
4 COMPLIANCE ENFORCEMENT AFTER WORK IS COMPLETED IN ACCORDANCE
5 WITH APPROVED PLANS AND SPECIFICATIONS.
6

7
8 THE ANCHORAGE ASSEMBLY ORDAINS:
9

10 ~~Section 1.~~ Anchorage Municipal Code section 23.10.301.1 is set out for
11 context only and reads as follows:
12

13 ~~23.10.301.1 Permits required.~~
14

15 Any owner or authorized agent intending to construct, enlarge, alter, repair,
16 move, demolish, or change the occupancy of a building or structure, or to erect,
17 install, enlarge, alter, repair, remove, convert or replace any electrical, gas,
18 mechanical or plumbing system, the installation of which is regulated by this
19 code, or to cause any such work to be done, shall first make application to the
20 building official and obtain the required permit.

21 (AO No. 2007-174, § 1, 1-1-08)
22

23 ~~Section 2.~~ Anchorage Municipal Code section 23.10.303.1 is hereby amended
24 by amending subsection B and adding a new subsection C to read as follows (*language*
25 *indicating no amendment is included for context only*):
26

27 ~~23.10.303.1 Issuance.~~
28

29 A. ~~The application, plans, specifications, computations and other data filed by~~
30 ~~an applicant for permit shall be reviewed by the building official. Such plans may~~
31 ~~be reviewed by other departments of this jurisdiction to verify compliance with~~
32 ~~any applicable laws under their jurisdiction. If the building official finds the work~~
33 ~~described in an application for a permit and the plans, specifications and other~~
34 ~~data filed conform to the requirements of this code, the technical codes, and~~
35 ~~other pertinent laws and ordinances, and all permit fees have been paid, [;] the~~
36 ~~building official shall issue a permit to the applicant.~~
37

1 Exceptions:
2

3 1. ~~The building official may require a permittee to obtain a certificate~~
4 ~~of occupancy for a previous permit with an expired conditional certificate~~
5 ~~of occupancy prior to issuing another permit.~~

6
7 2. ~~The building official may require a permittee to reopen an expired~~
8 ~~permit and obtain a certificate of occupancy or certificate of completion for~~
9 ~~the expired permit prior to issuing another permit.~~

10
11 3. ~~The building official may require a permittee to remedy a stop work~~
12 ~~order, notice of violation, or notice of permit requirement on a permittee's~~
13 ~~other project or permit prior to issuing another permit.~~

14
15 4. ~~The building official may require a permittee to remedy a drainage~~
16 ~~problem on permittee's previous expired or unexpired permit prior to~~
17 ~~issuing another permit.~~

18
19 5. ~~The building official may require a permittee to remedy water~~
20 ~~accumulation in a crawlspace of a previous permit prior to issuing another~~
21 ~~permit.~~

22
23 B. ~~When a permit is issued and plans are required, the building official shall~~
24 ~~endorse in writing or stamp the plans and specifications APPROVED. Such~~
25 ~~approved plans and specifications shall not be changed, modified or altered~~
26 ~~without authorization from the building official, and all work regulated by this code~~
27 ~~shall be done in accordance with the approved plans and specifications.~~

28
29 C. ~~If all work is completed in accordance with the approved plans and~~
30 ~~specifications, the building official shall issue any required certificate of~~
31 ~~occupancy and no enforcement action against the permittee, or the permittee's~~
32 ~~successor in interest, shall be authorized based on a subsequent determination~~
33 ~~that the work approved under the permit is not in compliance with the code,~~
34 ~~unless one or more of the following conditions exist:~~

35
36 1. ~~Approval of the plans and specifications was a result of fraud,~~
37 ~~misconduct in office, or negligence warranting municipal personnel~~
38 ~~disciplinary action; or~~

39
40 2. ~~Life and safety are jeopardized; or~~

41
42 3. ~~The plans and specifications submitted with the application~~
43 ~~materially misrepresent the work; or~~
44

1 ~~4. The building or structure is not constructed substantially in~~
2 ~~compliance with approved plans and specifications.~~

3
4
5 ~~D [C]. The building official may issue a permit for the construction of part of a~~
6 ~~building, structure or building service equipment before the entire plans and~~
7 ~~specifications for the whole building, structure or building service equipment are~~
8 ~~submitted or approved, provided adequate information and detailed statements~~
9 ~~have been filed complying with all pertinent requirements of the technical codes.~~
10 ~~The holder of a partial permit shall proceed without assurance the permit for the~~
11 ~~entire building, structure or building service will be granted.~~
12 ~~(AO No. 2007-174, § 1, 1-1-08)~~

13
14 ~~**Section 3.** Anchorage Municipal Code section 23.10.303.3 is hereby amended~~
15 ~~to read as follows:~~

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17 ~~**23.10.303.3 Validity of permit.**~~

18
19 ~~[THE ISSUANCE OR GRANTING OF A PERMIT SHALL NOT BE CONSTRUED~~
20 ~~TO BE A PERMIT FOR, OR AN APPROVAL OF, ANY VIOLATION OF ANY OF~~
21 ~~THE PROVISIONS OF THIS CODE OR OF ANY OTHER ORDINANCE OF THE~~
22 ~~JURISDICTION. PERMITS PRESUMING TO GIVE AUTHORITY TO VIOLATE~~
23 ~~OR CANCEL THE PROVISIONS OF THIS CODE OR OTHER ORDINANCES~~
24 ~~OF THE JURISDICTION SHALL NOT BE VALID.] The issuance of a permit~~
25 ~~based on construction documents and other data shall not prevent the building~~
26 ~~official from requiring the correction of errors in the construction documents and~~
27 ~~other data. The building official is also authorized to prevent occupancy or use of~~
28 ~~a structure in violation of this code or of any other ordinances of this jurisdiction.~~
29 ~~(AO No. 2007-174, § 1, 1-1-08)~~

30
31 ~~**Section 4.** Anchorage Municipal Code section 23.15.H.101.3 is hereby~~
32 ~~amended to read as follows (*language indicating no amendment is included for context*~~
33 ~~*only*):~~

34
35 ~~**23.15.H.101.3 Permits required.**~~

36
37 ~~A. A sign permit shall be required before any sign is erected. No permit shall~~
38 ~~be issued unless the proposed sign fully conforms to all requirements of this~~
39 ~~chapter and of Anchorage Municipal Code Title 21.~~

40
41 ~~B. If a sign is erected as approved under a valid sign permit, the~~
42 ~~administrative official building is estopped from determining that the sign~~
43 ~~approved under the permit is not in compliance with this code unless:~~
44

