

Submitted by: Chair of the Assembly at the
Request of the Acting Mayor

Prepared by: Dept. of Law

For reading: July 7, 2009

CLERK'S OFFICE

APPROVED

7-7-09

Date:

ANCHORAGE, ALASKA

AO No. 2009-83(S)

1 AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE SECTIONS
2 15.20.010 AND 15.20.020 TO ADD ILLEGAL CAMPSITES AS A PUBLIC
3 NUISANCE AND AUTHORIZE ABATEMENT.
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5
6 THE ANCHORAGE ASSEMBLY ORDAINS:
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8 **Section 1.** Anchorage Municipal Code section 15.20.010 is amended to read as
9 follows (*the remainder of the section is not affected and therefore not set out*):
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11
12 **15.20.010 Definitions.**
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14 The following words, terms and phrases, when used in this chapter, shall have
15 the meanings ascribed to them in this section, except where the context clearly
16 indicates a different meaning:
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18 *** **

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20 Camping means use of space for the purpose of sleeping or establishing a
21 temporary place to live including, but not limited to:
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- 23 1. Erection of a tent, lean-to, hut, or other shelter;
- 24 2. Setting up bedding or equipment in such a manner as to be
25 immediately usable for sleeping purposes, whether indoors or outdoors,
26 on or under any structure not intended for human occupancy;
- 27 3. Sleeping outdoors with or without bedding, tent, tarpaulin, hammock or
28 other similar protection or equipment; or
- 29 4. Setting up cooking equipment, including a campfire, with the intent to
30 remain in that location overnight.
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37 (GAAB 18.15.010, 18.20.020, 18.20.050; CAC 8.10.010, 8.10.050; AO No. 79-
38 63; AO No. 92-129(S); AO No. 97-109(S), § 1, 8-26-97; AO No. 2003-130, §§
39 2, 3, 10-7-03)
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1 **Section 2.** Anchorage Municipal Code section 15.20.020 is amended to read as
 2 follows (*the remainder of the section is not affected and therefore not set out*):
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4 **15.20.020 Public nuisances prohibited; enumeration.**

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 6 A. No person shall allow, maintain or permit a public nuisance to exist or
 7 allow, maintain or permit recurrence of a public nuisance. Such
 8 existence, allowance, maintenance, permitting or recurrence of a public
 9 nuisance is a violation of this chapter.
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 11 B. Public nuisances include, but are not limited to, the following acts and
 12 conditions:

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 16 15. Illegal campsites. An illegal campsite is an area where one or
 17 more persons are camping on public land in violation of
 18 chapter 25.70 or any other provision of this code. An illegal
 19 campsite is subject to abatement by a police officer, or a
 20 contractor, association or organization working under the
 21 authority of a police officer. The following procedure is required
 22 to abate an illegal campsite:

- 23
 24 a. At least twelve (12) ~~twenty-four (24)~~ hours prior to
 25 beginning the removal of an illegal campsite, a notice
 26 shall be posted on a tent, shelter, other equipment
 27 thereon, or affixed in a conspicuous place on a tree or to
 28 the ground. The notice shall:
 29
 30 i. Identify the approximate location of the campsite,
 31 state the campsite is illegal and shall be removed
 32 by a specified time and date, and that any
 33 personal property remaining at that time shall be
 34 considered abandoned and disposed of as waste.
 35 ii. ~~Also be posted at any charitable shelter,~~
 36 ~~social services agency, or similar place in the~~
 37 ~~vicinity where the illegal campsite occupants~~
 38 ~~are reasonably likely to congregate.~~
 39 iii. Also be given orally to any persons in or upon the
 40 illegal campsite or who identifies oneself to the
 41 responsible police officer as an occupant of the
 42 campsite.
 43
 44 b. At the time removal is to begin, if any individuals are
 45 present at the campsite, they shall be verbally notified the
 46 campsite is illegal and shall be removed forthwith. Prior
 47 to actual removal:
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 49 i. The individuals shall be given at least twenty (20)
 50 minutes to gather their personal property and

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disperse from the area; and
ii. The police or persons working under their authority shall not prevent individuals claiming personal property that is reasonably recognizable as belonging to a person and that has apparent utility from removing that property immediately, unless the personal property is unlawful or otherwise evidence of criminal activity.

c. Personal property remaining at the illegal campsite after the 12-hour [24-hour] notice period and the twenty-minute wait period expire is abandoned and may be disposed of as waste.

d. Exceptions: The procedures in subsections a. through c. above are not required for removal of an illegal campsite when:

i. Police officers have probable cause to believe criminal activities other than illegal camping are occurring;

ii. An emergency poses an imminent threat to human life or safety; or

iii. The public land where the illegal campsite is located is clearly posted with no trespassing signage or as not being open to the public.

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(GAAB 16.68.110, 18.15.020, 18.15.030, 18.20.030, 18.20.060; CAC 8.10.020, 8.10.050; AO No. 113-76; AO No. 78-48; AO No. 79-63; AO No. 93-173(S), § 3, 2-24-94; AO No. 95-42, § 3, 3-23-95; AO No. 2001-145(S-1), § 12, 12-11-01; AO No. 2003-130, § 4, 10-7-03)

Section 3. This ordinance shall be effective immediately after passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 7th day of July, 2009.

Debbie Osslander
Chair of the Assembly

ATTEST:

Barbara S. Grant
Municipal Clerk