

**ANCHORAGE, ALASKA  
AO NO. 2010-86(S)**

1 **AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING**  
2 **ANCHORAGE MUNICIPAL CODE SECTION 8.75.040, FIREWORKS, TO PROVIDE FOR**  
3 **PERSONAL USE OF CERTAIN COMMON FIREWORKS ON PRIVATE PROPERTY**  
4 **WITHOUT A MUNICIPAL PERMIT FOR A LIMITED NUMBER OF HOURS IN ANNUAL**  
5 **CELEBRATION OF THE NEW YEAR, SUBJECT TO RESTRICTIONS.**

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7 THE ANCHORAGE ASSEMBLY ORDAINS:

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9 **Section 1.** Anchorage Municipal Code section 8.75.040, Fireworks, is hereby amended to  
10 read as follows:

11  
12 **8.75.040 Fireworks.**

13  
14 A. It is unlawful for any person to knowingly sell, possess, or use any explosive  
15 fireworks or stench bomb to which fuses are attached or which are capable of  
16 ignition by matches or percussion, without permission of that municipal official  
17 charged with issuing permits for such activities. This section does not apply to  
18 sale, possession, or use of highway or other warning flares, or [OF]  
19 ammunition for firearms, unless used for other than their intended purposes.

20  
21 B. A municipal permit under this section or section 15.70.070 is not required for  
22 possession or use of 1.4G fireworks, as defined by the National Fire Protection  
23 Association, subject to these limitations:

24  
25 1. Subject to the prohibition against using fireworks in areas described in  
26 subsection B.3, fireworks shall only be used on private property by the  
27 private property owner.

28  
29 2. Fireworks in use or possession under this section shall be lawful  
30 "salable fireworks" as defined in Alaska Statute 18.72.100, with proof of  
31 lawful purchase outside the Municipality of Anchorage.

32  
33 3. Fireworks shall not be discharged or used in restricted areas without a  
34 permit. The following are restricted areas:

35  
36 a. Property zoned B-2A Central Business District Core;

37  
38 b. Property zoned PLI Public Lands and Institutions District;

39  
40 c. Within 500 feet of any commercial overnight visitor  
41 accommodation, health care or assisted living facility, library,  
42 school, or place of religious worship;

- d. Within 500 feet of any automotive service station or other premises where flammable liquids or gases are:
    - 1. Stored in quantities in excess of 50 gallons for liquids or 100 pounds for gases; or
    - 2. Offered for sale to the public.
  - e. Within or from any structure or vehicle;
  - f. Any location designated a noise-sensitive zone under AMC 15.70.040;
  - g. Any location determined in writing by the municipality to pose a fire danger.
- 5. Fireworks shall only be used [DURING THE 6-HOUR PERIOD] beginning 9:30 p.m. [7:30 P.M.] Alaska Standard Time on December 31 and ending 1:00 a.m. [1:30 A.M.] Alaska Standard Time on January 1.
  - 6. For purposes of this section, use means the handling, ignition or operation of fireworks and, when considering area restrictions in subsection 3, includes the location where the firework comes to rest after ignition or operation.

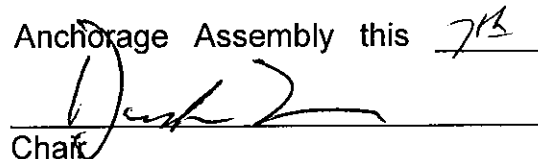
C. [B.] It is unlawful within the Municipality for any person to advertise for sale any explosive fireworks or stench bomb to which fuses are attached or which are capable of ignition by matches or percussion without a specific declaration in the advertising stating: "it is unlawful for any person to sell [, possess or use] fireworks within the Municipality of Anchorage. Possession or use of fireworks is regulated under AMC 8.75.040."

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(GAAB 18.05.010.Y; AO No. 97-90, § 1, 7-1-97; AO No. 98-59(S), § 1, 5-19-98; AO No. 2001-145(S-1), § 4, 12-11-01; AO No. 2003-73, § 3, 4-22-03)

**Section 2.** This ordinance shall become effective immediately upon its passage and approval by the Assembly. **This ordinance expires two years from date of passage.**

PASSED AND APPROVED by the Anchorage Assembly this 7<sup>th</sup> day of December, 2010.

  
Chair

ATTEST:

  
Municipal Clerk



**MUNICIPALITY OF ANCHORAGE**  
**ASSEMBLY MEMORANDUM**  
No. AM 621-2010

Meeting Date: November 23, 2010

1 **From:** ASSEMBLY CHAIR TRAINI  
2

3 **Subject:** AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY  
4 **AMENDING ANCHORAGE MUNICIPAL CODE SECTION 8.75.040,**  
5 **FIREWORKS, TO PROVIDE FOR PERSONAL USE OF CERTAIN**  
6 **COMMON FIREWORKS ON PRIVATE PROPERTY WITHOUT A**  
7 **MUNICIPAL PERMIT FOR A LIMITED NUMBER OF HOURS IN ANNUAL**  
8 **CELEBRATION OF THE NEW YEAR, SUBJECT TO RESTRICTIONS.**  
9

10 This proposed ordinance would allow the discharge of certain state-allowed fireworks  
11 for an annual limited time period, measured in hours, in celebration of the New Year.  
12 This proposed ordinance does not change the status quo on the sale of fireworks within  
13 the Municipality of Anchorage: Sale of fireworks within the municipality is prohibited.  
14

15 Under this proposed ordinance, there are many restricted areas in which no discharge  
16 is permitted. Under these restrictions, no fireworks are allowed within 500 feet of any  
17 commercial overnight visitor accommodation, health care or assisted living facility,  
18 library, school, or place of worship; and no fireworks are allowed within 500 feet of any  
19 automotive service station or other premises where flammable liquids or gases are  
20 stored. Additional "off-limits" areas include: The Central Business District Core; the PLI  
21 Public Lands and Institutions District; all Municipal parks. Enforcement and prosecution  
22 of violations in these especially sensitive areas is encouraged.  
23

24 Discharge of fireworks within or from any structure or vehicle, or within any location  
25 designated a noise-sensitive zone under AMC 15.70.040, or determined to pose a fire  
26 danger to the public or property, remain unlawful.  
27

28 This proposed ordinance allows certain fireworks for only a few hours each year to  
29 celebrate the change from old to new: Beginning in the evening of December 31 and  
30 continuing until 1:30 a.m. on January 1, no permit would be required for a person to  
31 discharge on their own private property personal use fireworks, defined as lawful  
32 "salable" and not "dangerous fireworks" under Alaska law (AS 18.72.100).  
33

34 Current law has no defined allowable time period, and no enumeration of especially  
35 sensitive areas, making enforcement under current law difficult on New Year's Eve. By  
36 enumerating the especially sensitive areas as "off limits", and allowing a limited period  
37 of hours for fireworks in other areas, law enforcement can focus on the prosecution of  
38 fireworks life-safety violations and critical disturbances.  
39

40 Respectfully submitted: Dick Traini, Assembly Chair, Section 4