

Submitted by: Chair of the Assembly at
the Request of the Mayor
Prepared by: Community Development
Department, Development
Services Division
For reading: March 8, 2011

CLERK'S OFFICE
APPROVED

Date:

3-29-11

**ANCHORAGE, ALASKA
AO NO. 2011-36**

**AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE SECTIONS
24.75.030, 24.75.040, 24.75.070, 24.75.080, 24.75.090 AND 24.75.110 TO
PROVIDE TECHNICAL CLARIFICATIONS REGARDING THE SIDEWALK
VENDOR PROGRAM.**

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. Anchorage Municipal Code section 24.75.030 is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

24.75.030 Transferability.

*** *** ***

B. A permit shall only be operated by the permittee or alternate, or by the permittee's employee.

1. A person named as a permittee or alternate on a permit shall not be named as a permittee or alternate on any other permit.

2. A person named as a permittee or alternate on a permit shall not operate any other permit site.

(AO No. 2005-160, § 8, 11-1-05; AO No. 2007-145, § 3, 11-1-07)

Section 2. Anchorage Municipal Code section 24.75.040 is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

24.75.040 Sidewalk vendor permits--Bidding and award.

*** *** ***

B. Permits shall be valid from April 1 through December 1 of each calendar year [AN INVITATION TO BID SHALL BE ISSUED NO LATER THAN MARCH 1 OF EACH YEAR].

C. At the conclusion of bidding, successful bidders for a sidewalk vending site shall provide the following licensing requirements to

1 the right-of-way division prior to issuance of a permit [, BUT NO LATER
2 THAN APRIL 1 OF THE PERMIT YEAR]:

- 3
- 4 1. A permit fee of \$230.00; this fee shall not be prorated based
5 on date of award or operation.
 - 6
 - 7 2. Proof of insurance as required by Section 24.75.090; and
 - 8
 - 9 3. Proof the applicant obtained health permits required for the
10 preparation and sale of food or beverages [, AND ANY PERMIT
11 REQUIRED BY TITLE 11].
 - 12
 - 13 4. Proof the applicant obtained a state business license in the
14 applicant's name and the name of the business to be
15 conducted pursuant to the desired permit.
 - 16

17 D. If an applicant fails to meet the licensing requirements [BY APRIL 1
18 OF THE PERMIT YEAR], the purchasing officer may reassign the
19 vendor site to another applicant.

20

21 E. A list of the bidder's names shall be compiled by the purchasing
22 department and preserved. In the event [ADDITIONAL SITES BECOME
23 AVAILABLE, OR] an applicant fails to meet the licensing requirements,
24 [BY APRIL 1 OF THE PERMIT YEAR,] bidders who were not awarded a
25 permit may be contacted, in order according to original bid [, FROM
26 THIS LIST UNTIL A VENDOR ACCEPTS THE SITE].

27
28 *** **

29 (AO No. 2005-160, § 8, 11-1-05; AO No. 2007-145, § 4, 11-1-07)

30

31 **Section 3.** Anchorage Municipal Code section 24.75.070 is hereby amended
32 to read as follows (*the remainder of the section is not affected and therefore not*
33 *set out*):

34

35 **24.75.070 Posting of permits, permits and certificates; equipment.**

36
37 *** **

38 B. A vendor shall maintain the following documents, as applicable, at
39 the vendor site or in the vehicle from which the business is
40 conducted pursuant to the permit and shall display them to any
41 person upon request:

- 42
- 43 1. Current state business license for the business operated
44 pursuant to the permit;
- 45
- 46 2. All government permits relating to the service of food or
47 beverages offered by the vendor; and

1
2 3. A certificate of the insurance as required by Section
3 24.75.090 [; AND]

4
5 [4. ALL GOVERNMENT PERMITS RELATING TO THE PROVISION OF
6 TRANSPORTATION SERVICES OFFERED BY THE VENDOR].
7

8 (AO No. 2005-160, § 8, 11-1-05)
9

10 **Section 4.** Anchorage Municipal Code section 24.75.080 is hereby amended
11 to read as follows (*the remainder of the section is not affected and therefore not*
12 *set out*):
13

14 **24.75.080 Sidewalk vendors--Permitted types of goods and services.**

15 *** **

16
17
18 4 [5]. Shoeshine services; and [TOURIST SERVICES REGULATED BY
19 TITLE 11;]
20

21 5 [6]. Flowers.
22

23 (AO No. 2005-160, § 8, 11-1-05)
24

25 **Section 5.** Anchorage Municipal Code section 24.75.090 is hereby amended
26 to read as follows (*the remainder of the section is not affected and therefore not*
27 *set out*):
28

29 **24.75.090 Insurance.**

30
31 A. Before any permit is issued for a vendor, the applicant shall obtain
32 insurance as listed below and furnish one or more policies or
33 certificates of liability insurance and workers' compensation
34 insurance issued by an insurance company authorized to do
35 business in the state and reflecting the applicable coverage with a
36 Waiver of Subrogation. The Municipality of Anchorage shall be
37 named as an additional insured on all liability policies.
38

39 *** **

40 (AO No. 2005-160, § 8, 11-1-05; AO No. 2007-145, § 5, 11-1-07)
41
42

43 **Section 6.** Anchorage Municipal Code section 24.75.110 is hereby amended
44 to read as follows:
45

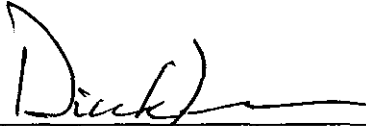
46
47 **24.75.110 Inspections.**

1
2 The right-of-way division or law enforcement officials may inspect
3 [, DURING THE NORMAL WORKING HOURS OF] a vending business permitted
4 under this chapter [, INSPECT THE BUSINESS] for the purpose of
5 determining whether the permittee is conducting the business in
6 accordance with the specific requirements of this chapter or the permit
7 requirements. Fees for inspection shall be charged in accordance with
8 section 24.30.100 C.

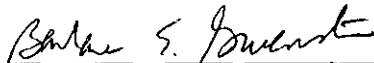
9
10 (AO No. 2005-160, § 8, 11-1-05)

11
12 **Section 7.** This ordinance shall be effective immediately upon passage and
13 approval by the Anchorage Assembly.

14
15 PASSED AND APPROVED by the Anchorage Assembly this 29th day of
16 March, 2011.

17
18
19
20
21 
22 _____
23 Chair

24 ATTEST:

25 
26 _____
27 Municipal Clerk
28

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects -- General Government

AO Number: 2011-36

Title: **AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE SECTIONS 24.75.030, 24.75.040, 24.75.070, 24.75.080, 24.75.090, AND 24.75.110 TO PROVIDE TECHNICAL CLARIFICATIONS REGARDING THE SIDEWALK VENDOR PROGRAM.**

Sponsor: **MAYOR**
 Preparing Agency: Community Development Department
 Others Impacted: Purchasing Department

CHANGES IN EXPENDITURES AND REVENUES:		(In Thousands of Dollars)				
	FY11	FY12	FY13	FY14	FY15	
Operating Expenditures	<0>	<0>	<0>	<0>	<0>	
1000 Personal Services						
2000 Non-Labor						
3900 Contributions						
4000 Debt Service						
TOTAL DIRECT COSTS:	<0>	<0>	<0>	<0>	<0>	
Add: 6000 Charges from Others						
Less: 7000 Charges to Others						
FUNCTION COST:	\$ -	\$ -	\$ -	\$ -	\$ -	
REVENUES:						
CAPITAL:						
POSITIONS: FT/PT and Temp						

PUBLIC SECTOR ECONOMIC EFFECTS:

Clarifying the language in Anchorage Municipal Code Title 24 regarding the vendor program will reduce departmental overhead, improve internal efficiencies, and reduce confusion for the public sector. The estimated amount of savings is undetermined at this time.

PRIVATE SECTOR ECONOMIC EFFECTS:

Clarifying the language in Anchorage Municipal Code Title 24 regarding the vendor program will reduce confusion and provide better procedures for the public sector, requiring no additional fees to the private sector.

Prepared by: Jack L. Frost, Code Enforcement

Telephone: 343-8033

MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 144-2011

Meeting Date: March 8, 2011

1 From: Mayor

2
3 Subject: **AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE**
4 **SECTIONS 24.75.030, 24.75.040, 24.75.070, 24.75.080, 24.75.090**
5 **AND 24.75.110 TO PROVIDE TECHNICAL CLARIFICATIONS**
6 **REGARDING THE SIDEWALK VENDOR PROGRAM.**
7

8 Anchorage Municipal Code chapter 24.75 regulates Sidewalk Vendors. These
9 amendments clarify procedures and improve public service for the Right-of-Way
10 Section in the Community Development Department.
11

12 The ordinance provides technical clarification regarding the vendor program in
13 the following sections.
14

- 15 • In "operation," the ability to have an alternate operator is added.
- 16 • In the "bidding" process, it is clarified by removing the "absolute" bidding
17 and award dates deadline to provide flexibility.
- 18 • In the "posting of permits" and "goods and services" categories,
19 "transportation services" are eliminated, which are not under the right-of-
20 way purview.
- 21 • In the "insurance and inspections," it is amended to require a Waiver of
22 Subrogation.
23

24 **THE ADMINISTRATION RECOMMENDS APPROVAL OF AN ORDINANCE**
25 **AMENDING ANCHORAGE MUNICIPAL CODE SECTIONS 24.75.030,**
26 **24.75.040, 24.75.070, 24.75.080, 24.75.090 AND 24.75.110 TO PROVIDE**
27 **TECHNICAL CLARIFICATIONS REGARDING THE SIDEWALK VENDOR**
28 **PROGRAM.**
29

30 Prepared by: Jack Frost, Chief, Code Enforcement
31 Community Development Department

32 Concur: Sharen Walsh, Deputy Director
33 Development Services Division

34 Approved by: Jerry T. Weaver, Jr., Director
35 Community Development Department

36 Concur: Dennis A. Wheeler, Municipal Attorney

37 Concur: George J. Vakalis, Municipal Manager

38 Respectfully submitted: Daniel A. Sullivan, Mayor

Content ID: 009916**Type:** Ordinance - AO**Title:** AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE SECTIONS 24.75.030, 24.75.040, 24.75.070, 24.75.080, 24.75.090 AND 24.75.110 TO PROVIDE TECHNICAL CLARIFICATIONS REGARDING THE SIDEWALK VENDOR PROGRAM.**Author:** maglaquijp**Initiating Dept:** Dev_Svs**Description:** ANCHORAGE MUNICIPAL CODE 24.75 TO PROVIDE TECHNICAL CLARIFICATIONS REGARDING THE SIDEWALK VENDOR PROGRAM**Keywords:** Sidewalk Vendor Program**Date Prepared:** 2/17/11 4:41 PM**Director Name:** Jerry T. Weaver, Jr.**Assembly Meeting Date:** 3/8/11**Public Hearing Date:** 3/29/11

Workflow Name	Action Date	Action	User	Security Group	Content ID
Clerk_Admin_SubWorkflow	2/25/11 12:30 PM	Exit	Joy Maglaqui	Public	009916
MuniManager_SubWorkflow	2/25/11 12:30 PM	Approve	Joy Maglaqui	Public	009916
MuniManager_SubWorkflow	2/25/11 12:30 PM	Checkin	Joy Maglaqui	Public	009916
Legal_SubWorkflow	2/25/11 12:19 PM	Approve	Rhonda Westover	Public	009916
Finance_SubWorkflow	2/22/11 3:37 PM	Approve	Lucinda Mahoney	Public	009916
OMB_SubWorkflow	2/22/11 8:28 AM	Approve	Cheryl Frasca	Public	009916
Commun_Dev_SubWorkflow	2/18/11 2:48 PM	Approve	Jerry Weaver Jr.	Public	009916
Dev_Svs_SubWorkflow	2/18/11 2:34 PM	Approve	Sharen Walsh	Public	009916
AllOrdinanceWorkflow	2/18/11 2:24 PM	Checkin	Susan Perry	Public	009916
Commun_Dev_SubWorkflow	2/18/11 9:49 AM	Reject	Jerry Weaver Jr.	Public	009916
Dev_Svs_SubWorkflow	2/18/11 9:00 AM	Approve	Sharen Walsh	Public	009916
AllOrdinanceWorkflow	2/17/11 4:51 PM	Checkin	Susan Perry	Public	009916