

See AO 2011-37(S)

Submitted by: ASSEMBLY CHAIR TRAINI  
Prepared by: Assembly Counsel  
For reading: March 8, 2011

ANCHORAGE, ALASKA  
AO NO. 2011-37

1 AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING THE  
2 REQUIREMENT FOR ANNUAL DISABILITY LETTERS IN ANCHORAGE MUNICIPAL  
3 CODE SECTION 12.15.015 AFTER FINAL DISABILITY HAS BEEN DETERMINED.

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5 THE ANCHORAGE ASSEMBLY ORDAINS:

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7 **Section 1.** Anchorage Municipal Code section 12.15.015 is hereby amended to read as  
8 follows (*provisions in the referenced section that are unaffected are not set out*):  
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10 **AMC 12.15.015 Real property exemptions.**

11 \*\*\* \*\*

12 g. After a disabled veteran exemption is granted, an application for successive tax  
13 years is not required if there is no change in ownership, in residency or  
14 permanent place of abode, status of disability, or other factor affecting  
15 qualification for the exemption.  
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17  
18 [i. A DISABLED VETERAN WHO HAS LESS THAN A PERMANENT DISABILITY SHALL  
19 SUBMIT AN OFFICIAL DISABILITY PERCENTAGE LETTER EACH YEAR PRIOR TO  
20 MARCH 15.]  
21

22 ii[i]. The assessor may require written proof or an updated letter on the  
23 official disability percentage on a case-by-case basis under this section  
24 at any time.  
25

26 iii[i]. It shall be the responsibility of every person who obtains an exemption  
27 under this section to notify the assessor of any change in ownership,  
28 property use, residency, permanent place of abode, status of disability or  
29 other factor affecting qualification for the exemption.  
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32 (AO No. 86-211(S-1); AO No. 88-158; AO No. 92-56; AO No. 94-228(S-2), § 1, 2-7-95; AO  
33 No. 95-199, § 1, 1-1-96; AO No. 97-146, § 1, 1-1-98; AO No. 2003-149, § 1, 11-4-03; AO No.  
34 2008-18, § 1, 2-12-08; AO No. 2009-133(S-1), § 2, 1-12-10)

35 **Section 2.** This ordinance shall become effective immediately upon its passage and  
36 approval by the Assembly.  
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1            PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_\_ day of  
2 \_\_\_\_\_, 2011.

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Chair

ATTEST:

10 \_\_\_\_\_  
Municipal Clerk



**MUNICIPALITY OF ANCHORAGE**  
**ASSEMBLY MEMORANDUM**  
**NO. AM 147-2011**

**Meeting Date:** March 8, 2011

1 **From:** Assembly Chair Traini  
2 **Subject:** **AO 2011-37 — AN ORDINANCE OF THE ANCHORAGE MUNICIPAL**  
3 **ASSEMBLY AMENDING THE REQUIREMENT FOR ANNUAL**  
4 **DISABILITY LETTERS IN ANCHORAGE MUNICIPAL CODE SECTION**  
5 **12.15.015 AFTER FINAL DISABILITY HAS BEEN DETERMINED.**  
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7 In passage of 2010 amendments to AMC chapter 12.15, efforts were made to eliminate  
8 unnecessarily burdensome processing and filing requirements to maintain real property  
9 tax exemptions authorized under state and municipal law.  
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11 After a disabled veteran exemption is granted based on full application showing a final  
12 determination of disability, the requirement for re-application for successive tax years  
13 was eliminated unless there is a change in ownership, residency, status of disability, or  
14 other factor affecting qualification for the disabled veteran exemption. There remains an  
15 affirmative duty for any person who obtains an exemption to notify the assessor of any  
16 change that would affect qualification for the exemption. The assessor may require  
17 written proof on a case-by-case basis.  
18

19 Under current practice of the Veteran's Administration, annual letters are not routinely  
20 provided, once a determination of final disability is issued. It was not the Assembly's  
21 intent to create an affirmative requirement to produce documentation not annually  
22 issued, or routinely updated, by the Veteran's Administration.  
23

24 The municipal code requires amendment to reflect routine practice of the Veteran's  
25 Administration. The obligation for the disabled resident to initiate notice with the  
26 Assessor's Office of any change that might affect exemption status, and to respond to  
27 case-by-case routine inquiries initiated by the Assessor's Office, are adequate to protect  
28 the public interest. Codification of a municipal requirement which does not reflect  
29 routine Veteran's Administration practice should be avoided, and our municipal code  
30 should be updated with this change.  
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34 Respectfully submitted:

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36 Dick Traini, Assembly Chair  
37 Section 4