

1 activities by vendors on those municipal lands and facilities managed by the parks and
2 recreation department [OF CULTURAL AND RECREATIONAL SERVICES].
3 (AO No. 88-19)
4

5 **Section 3.** Anchorage Municipal Code section 10.60.055, sidewalk vendors—Site selection
6 drawings; licensing requirements, is hereby repealed. A copy of existing text accompanies this
7 ordinance.
8

9 **Section 4.** Anchorage Municipal Code section 10.60.0057, Roving vendors—Licensing
10 requirements, is hereby amended to read as follows (*language showing no amendment is set*
11 *out for context only*):
12

13 **10.60.057 Roving vendors--Licensing requirements.**
14

15 Applicants for a roving vendor license shall provide the following licensing
16 requirements to the municipal clerk's office prior to issuance of a license:
17

- 18 A. Proof of insurance as required by Section 10.60.110, to include insurance
19 coverage of each vehicle to be used in the vending business;
20 B. Proof of state vehicle registration for each vehicle to be used in the vending
21 business;
22 C. Proof that the applicant has health permits required by Chapter 16.60 for
23 preparation and sale of food or beverages, and any license required by Title 11;
24 and
25
26 D. For ice cream truck vendors, proof of the following:
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28 1. Each truck to be used in the vending business has the markings required
29 by subsections 10.60.140.A.1.c., and 10.60.140.A.1.d.
30
31 2. Each ice cream truck to be used in the vending business has passed a
32 safety inspection required by subsection 10.60.140.B.
33
34 E. An ice cream truck vendor, and any vendor selling ice cream on a roving basis,
35 shall request a Criminal Justice Information Report (background check), to be
36 mailed or faxed directly from the Department of Public Safety to the Municipal
37 Clerk's office.
38
39 1. The applicant shall have no conviction for any sexual offense, as defined
40 within Article 4 of Chapter 11.41 of the Alaska Statutes; and
41
42 2. If vending is from an ice cream truck, the applicant shall have no
43 conviction for **operating or driving** a motor vehicle while under the
44 influence (**OUI/DUI**) under state or local law within the past 12 months,
45 and no more than one such conviction within five years of the date of
46 municipal license application.
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48

1 3. The requirements and restrictions of this subsection shall apply to the
2 applicant for the municipal roving vendor license and permit to sell ice
3 cream, and any person selling ice cream on a roving basis under the
4 applicant's municipal license. The applicant is responsible for ensuring
5 that the background checks, required for each person operating an ice
6 cream truck or selling ice cream on a roving basis on behalf of the
7 licensee, are mailed or faxed directly from the Department of Public Safety
8 to the Municipal Clerk's office.
9

10 The licensee shall be responsible for ensuring that all pertinent insurance policies,
11 vehicle registrations, health permits, and licenses required by this section remain
12 current and valid during the license year.

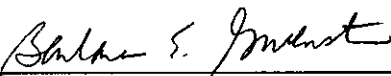
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14 (Ord. No. 98-139(S-2), § 4, 10-1-98)

15
16 **Section 5.** This ordinance shall become effective immediately upon its passage and
17 approval by the Assembly.

18
19 PASSED AND APPROVED by the Anchorage Assembly this 29th day of
20 March, 2011.

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23
24 
25 _____
26 Chair

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28
29 ATTEST:

30 
31 _____
32 Municipal Clerk

Text of AMC 10.60.055 for Repeal

10.60.055 Sidewalk vendors--Site selection drawings; licensing requirements.

- [A. ONLY THOSE APPLICANTS WHO COMPLETE THE APPLICATION PROCESS UNDER SECTION 10.60.050 PRIOR TO CLOSE OF BUSINESS ON THE LAST WORKING DAY OF OCTOBER SHALL BE INCLUDED IN THE SITE SELECTION DRAWINGS FOR THE FOLLOWING YEAR'S VENDOR SITES.
- B. THE SITE SELECTION DRAWINGS WILL BE HELD BY THE MUNICIPAL CLERK ON THE FIRST WORKING DAY AFTER NOVEMBER 15 OF EACH YEAR AT A TIME AND PLACE DESIGNATED BY THE MUNICIPAL CLERK.
- C. ONLY APPLICANTS WILL BE ALLOWED TO SELECT SITES. NO PROXIES, RELATIVES OR ASSOCIATES WILL BE PERMITTED TO SELECT A SITE FOR AN APPLICANT. APPLICANTS MUST BE PRESENT, IN PERSON, AT THE SITE SELECTION DRAWINGS AND MUST BE PREPARED TO PROVE THEIR IDENTITY PRIOR TO SELECTING A SITE.
- D. EACH APPLICANT WILL BE LIMITED TO ONE SITE SELECTION PER LICENSE YEAR.
- E. THE SITE SELECTION DRAWINGS SHALL CONSIST OF, AND BE CONDUCTED IN THE FOLLOWING ORDER:
 - 1. *FIRST-PRIORITY DRAWING.* A FIRST-PRIORITY DRAWING SHALL BE CONDUCTED FROM THE LOTTERY CARDS OF THOSE APPLICANTS WHO, AT THE TIME OF APPLICATION, PROVIDED PROOF SUFFICIENT TO THE MUNICIPAL CLERK THAT THE APPLICANT ACTIVELY OPERATED A SIDEWALK VENDING SITE FOR AT LEAST 60 DAYS DURING THE YEAR PREVIOUS TO THE LICENSING YEAR BEING APPLIED FOR, UNDER A VALID LICENSE ISSUED BY THE MUNICIPAL CLERK. NO MORE THAN 50 PERCENT OF THE NUMBER OF AVAILABLE VENDOR SITES WILL BE OFFERED FOR SELECTION THROUGH THIS DRAWING
 - 2. *GENERAL DRAWING.* A GENERAL DRAWING WILL THEN BE CONDUCTED FROM THE LOTTERY CARDS OF THOSE APPLICANTS WHO WERE NOT DRAWN IN THE FIRST PRIORITY DRAWING AND FROM APPLICANTS WHO DID NOT ACTIVELY OPERATE A SIDEWALK VENDOR SITE FOR AT LEAST 60 DAYS DURING THE YEAR PREVIOUS TO THE LICENSING YEAR BEING APPLIED FOR, UNDER A VALID LICENSE ISSUED BY THE MUNICIPAL CLERK. NAMES WILL BE DRAWN UNTIL THE LOTTERY CARDS OF ALL APPLICANTS PRESENT HAVE BEEN DRAWN.
- F. APPLICANTS SELECTING A SIDEWALK VENDING SITE SHALL PROVIDE THE FOLLOWING LICENSING REQUIREMENTS TO THE MUNICIPAL CLERK PRIOR TO ISSUANCE OF A LICENSE, BUT NO LATER THAN APRIL 1 OF THE LICENSE YEAR.
 - 1. A LICENSE FEE OF \$100.00;

Text of AMC 10.60.055 for Repeal

2. PROOF OF INSURANCE AS REQUIRED BY SECTION 10.60.110; AND
3. PROOF THAT THE APPLICANT HAS OBTAINED HEALTH PERMITS REQUIRED FOR THE PREPARATION AND SALE OF FOOD OR BEVERAGES, AND ANY LICENSE REQUIRED BY TITLE 11.

SHOULD AN APPLICANT FAIL TO MEET THE ABOVE REQUIREMENTS BY APRIL 1 OF THE LICENSE YEAR, THE MUNICIPAL CLERK MAY REASSIGN THE VENDOR SITE TO ANOTHER APPLICANT PER SUBSECTION 10.60.055G.

- G. A LIST OF THE APPLICANTS' NAMES, IN THE ORDER IN WHICH THEY WERE DRAWN STARTING WITH THE FIRST-PRIORITY DRAWING AND CONTINUING WITH THE GENERAL DRAWING, WILL BE COMPILED BY THE MUNICIPAL CLERK AND PRESERVED. IN THE EVENT ADDITIONAL SITES ARE AVAILABLE, OR BECOME AVAILABLE, APPLICANTS WHO DID NOT RECEIVE A VENDING SITE DURING THE SITE SELECTION DRAWINGS WILL BE CONTACTED, IN ORDER, FROM THIS LIST UNTIL A VENDOR ACCEPTS THE SITE.

IF NO VENDOR ON THE LIST ACCEPTS THE SITE OR COMPLETES THE APPLICATION PROCESS WITHIN THE SPECIFIED TIME, THE SITE WILL BE DEEMED AVAILABLE TO THE FIRST PERSON COMPLETING THE APPLICATION PROCESS UNDER SECTION 10.60.050 AND PROVIDING ALL LICENSING REQUIREMENTS UNDER SECTION 10.60.055.

- H. A APPLICANT MAY REMOVE HIS/HER NAME FROM THE LIST UPON WRITTEN REQUEST TO THE MUNICIPAL CLERK.]

(AO No. 98-143(S), § 4, 8-1-99; AO No. 2005-117, § 2, 9-13-05)