

Chapter 24.20 - IMPROVEMENT OF PUBLIC PLACES

24.20.010 - Title of chapters 24.20 through 24.95.

Chapters 24.20 through 24.95 constitute the street use ordinance of the municipality, and may be referred to as such.

(CAC 10.28.010)

24.20.020 - Interpretation of chapters 24.20 through 24.95.

Chapters 24.20 through 24.95 are declared to be an exercise of the governmental power of the municipality for the promotion of the public safety, health and welfare, and their provisions shall be liberally construed for the accomplishment of that purpose.

(CAC 10.28.020)

24.20.030 - Permit, approval of plans required.

- A. *Permit required.* It is unlawful for anyone to receive a building or land use permit without first having applied for and obtained a permit required by this chapter. In addition to any other remedy available at law, fines for failure to have a permit under this subsection may be assessed according to the schedule provided in Title 14.
- B. *Approval of plans required.* Plans, specifications and other data as set forth in section 24.30.030 shall be submitted to project management and engineering for approval prior to the start of any work. The plans shall clearly state that all work will be performed in accordance with municipal standards and specifications, including the applicable standards in Title 21. Improvements will not be allowed or accepted unless the plans have been approved by the municipal engineer.

(GAAB 25.15.010; AO No. 2003-68, § 6, 9-30-03)

24.20.040 - Payment of fees; deposits.

- A. A developer shall pay the municipality's actual cost associated with the work the developer performs in a public place under a development or subdivision agreement. The municipality's cost shall include but is not limited to administering the agreement, plan checking, surveillance and administrative overhead.
- B. Prior to issuance of a notice to proceed to the developer, the developer shall pay a deposit toward the municipality's costs based upon the estimated cost of the improvements to be constructed under the development or subdivision agreement, as follows:

Estimated Cost	Deposit
\$10,000.00 or less	\$300.00
Over \$10,000.00 up to \$50,000.00	4% of estimated cost
Over \$50,000.00 up to \$150,000.00	3% of estimated cost
Over \$150,000.00 up to \$500,000.00	2.5% of estimated cost

Over \$500,000.00

\$13,000.00

The deposit shall be paid in accordance with the following schedule:

1. Upon application for the development or subdivision agreement: \$300.00.
 2. Upon submission of plans for the improvements: 0.5 percent of the estimated cost of the improvements or \$150.00, whichever is greater.
 3. Prior to issuance of the notice to proceed: The balance of the deposit.
- C. If at any time the municipality finds its costs exceed the total deposit received, the municipality may periodically bill and receive payment from the developer for those actual incurred costs in excess of the amount of deposit. After the municipality finds the improvements meet municipal specifications, it shall determine its costs to date. If the costs plus any deposit required under subsection D of this section exceed the total deposits received, the developer shall pay the balance to the municipality prior to final acceptance of the improvements. If the total deposits exceed the costs, the municipality shall refund the balance, less any deposit required under subsection D of this section, to the developer.
- D. Prior to acceptance of completion by the municipality of the undertaking by the developer, the developer shall also pay a deposit toward the municipality's costs incurred during the warranty period under the development or subdivision agreement in an amount determined by the director of public works, but not exceeding \$2,000.00. This deposit may be retained from any balance remaining in the deposit paid under subsection B of this section. At the end of the warranty period, the municipality shall determine its costs during that period. If the costs exceed the deposit, the developer shall pay the balance to the municipality. If the deposit exceeds the costs, the municipality shall refund the balance to the developer.
- E. Deposits paid under this section shall not bear interest. The deposits shall be held in a separate account and disbursed only as authorized by this section.

(GAAB 25.15.020; AO No. 79-37; AO No. 85-184; AO No. 2003-68, § 7, 9-30-03)

24.20.050 - Performance bond; acceptance of improvements.

A performance bond, to be approved by the risk manager, in the amount of 100 percent of the estimated construction cost, shall be required from the permittee or his contractor to provide assurance that the construction of the improvement will be completed. The municipality will accept improved streets, avenues, alleys, ways, drives, courts and roads after completion and upon approval of construction, and after all plan checking and inspection fees have been paid. In addition, acceptance will be conditioned upon posting of a warranty bond in the amount of 50 percent of the construction costs with and in favor of the municipality assuring the repair and correction of defects that may appear within two years of the date of acceptance. However, no street maintenance will be performed unless the completed improvement is within a road maintenance service area. The provisions of this section are not applicable to work performed under the provisions of chapter 21.87, nor does anything in this section lessen the applicability of section 24.50.020.B or chapter 24.80 to the permittee or to any other person.

(GAAB 25.15.030)

24.20.060 - Applicability of title to Anchorage Telephone Utility (Repealed).

(AO No. 91-173(S); AO No. 2003-68, § 8, 9-30-03)

Editor's note— AO No. 2003-68, § 8, effective Sept. 30, 2003, repealed § 24.30.060. See also the Code Comparative Table.