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(S) Reviewed by: Assembly Counsel's Office
(S) For reading: January 23, 2024

**ANCHORAGE, ALASKA
AO No. 2023-110(S)**

1 **AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING**
2 **ANCHORAGE MUNICIPAL CODE TITLE 10 TO ADD A NEW CHAPTER FOR**
3 **THE LICENSING AND REGULATION OF SHORT-TERM RENTAL OPERATIONS**
4 **IN THE MUNICIPALITY AND AMENDING AMC SECTION 14.60.030, THE**
5 **MUNICIPAL FINE SCHEDULE, TO ADD CORRESPONDING FINES.**
6

7
8 **WHEREAS**, Short-Term Rentals (STR) is a relatively new rental housing market
9 that has grown exponentially in recent years through rental hosting platforms such
10 as AirBnB, VRBO, and others; and
11

12 **WHEREAS**, there is a need to understand this market to ensure the proper
13 operation of the STR for the enjoyment of the renter and the neighborhoods in which
14 they operate; and
15

16 **WHEREAS**, there is a desire to provide additional assurances that STR units meet
17 current applicable provisions of the land use, fire, health and other applicable
18 Anchorage Municipal Codes for the safety of renters and property owners, **and**
19 **provide for appropriate and adequate financial protection, such as insurance**
20 **coverage, for unexpected incidents and resulting damage or injury;** and
21

22 **WHEREAS**, there is a desire to provide additional assurances for the quiet and
23 peaceful enjoyment of residents living near an STR **who do not have input into**
24 **rental platform ratings;** and
25

26 **WHEREAS, it is not the intent of this ordinance to raise funds for other**
27 **purposes, only the administration of the Short Term Rental licensing program,**
28 **enforcement and other related expenses reasonable and necessary for the**
29 **purposes of the program, such as third party verification of STR properties;**
30 **and**
31

32 **WHEREAS**, the Municipality of Anchorage is facing a housing shortage and is
33 working to increase housing supply in the Municipality through a variety of measures
34 **and Short Term Rentals have shown to be a factor in the housing crisis in**
35 **some communities in the United States both for the positive and for the**
36 **negative;** and
37

38 **WHEREAS**, there is a need for the Municipality of Anchorage to proactively respond
39 to the impact of Short-Term Rentals **by first gathering data, that is currently**
40 **considered proprietary information by platform hosts and is not provided to**
41 **the level required, to understand the market and whether a problem exist;** now,
42 therefore
43

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. Anchorage Municipal Code Title 10 is hereby amended to add a new chapter 10.90 for Permitting and Regulation of Short-Term Rentals, to read as follows:

CHAPTER 10.90 LICENSING AND REGULATION OF SHORT-TERM RENTALS**10.90.005 – Purpose and Definitions.**

- A. Purpose. The purpose of this chapter is to establish the Short-Term Rental license and to facilitate the permitting of Short-Term Rental units subject to appropriate restrictions and standards of this Code, to ensure the safety and enjoyment of the renter, and to allow for retaining the character of and quiet and peaceful enjoyment of residential neighborhoods while respecting individual property owner rights in alignment with this code.
- B. Definitions. The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Advertisement: A form of marketing communication that employs a non-personal message to promote the rental of a Short-Term Rental unit. This includes, but is not limited to, mailing, brochures, print, internet listing, e-mail publication, social media, other electronic means, or other means or methods regardless of the medium used.

[BEDROOM: A BEDROOM MUST MEET THE CRITERIA SET FORTH IN SECTION 9 OF THIS CHAPTER.

OCCUPANCY LIMIT: THE MAXIMUM NUMBER OF PERSONS PERMITTED TO OCCUPY OVERNIGHT IN A SHORT-TERM RENTAL UNIT.]

Rent is the monetary value of any consideration, whether money or property, given in exchange for the right to use or occupy an STR unit.

Rental agent: A management company, rental agent, or other person employed or engaged by the license holder to advertise the Short-Term Rental unit for rent, or to remit any required tax to the Municipality.

Responsible Manager: A management company, rental agent, or individual who is identified in writing to the Municipal Clerk as the person responsible for code complaints made about the Short-Term Rental unit and shall be capable of responding, or directing someone with management authority to respond, within a

1 reasonable time and at least daily by person, phone, e-mail or
 2 other means.
 3

4 *Short-Term Rental (STR) Unit:* A separate and distinct living unit ,
 5 which may be a condominium, town home, house, studio unit,
 6 condominium unit, bedroom or any such other similar unit which is
 7 rented to any person, who, for consideration, uses, possesses or has
 8 the right to use or possess such Short-Term Rental Unit for a period
 9 of less than thirty (30) consecutive days, regardless of the number of
 10 days during a license year such unit is rented.

11
 12 **[STUDIO: A SHORT-TERM RENTAL UNIT WHICH DOES NOT**
 13 **CONTAIN A SEPARATE AND DISTINCT BEDROOM.]**
 14

15 *To rent or rent* (in any conjugation of the verb form) an STR means to
 16 provide or obtain the right to use or occupy an STR unit in exchange
 17 for rent.
 18

19 **10.90.010 – Short-Term Rental Unit License required.**
 20

- 21 A. It shall be unlawful for any person to operate any Short-Term Rental
 22 unit without a valid Short-Term Rental unit license, as approved by the
 23 Municipality. This license requirement shall be effective beginning on
 24 a date to be determined by the municipal clerk and no less than
 25 180 days and no more than 540 days from [insert date of passage
 26 of this AO] [May 1, 2024].
 27
- 28 B. The Short-Term Rental unit license does not reside with the property
 29 but is issued to the specific owner of the property. The license shall
 30 expire upon sale or transfer of the property. The license shall not be
 31 transferred or assigned to another individual, person, entity, or
 32 address but may be managed by a third party on behalf of the owner.
 33
- 34 C. The initial Short-Term Rental unit license for a property shall have a
 35 term duration no greater than two years. The municipal clerk may
 36 determine the license term for the initial license, and renewal date.
 37 Other than the initial term, the license period for renewed
 38 licenses may be annual or biennial, as determined by the clerk
 39 [with an end date of April 30].
 40
- 41 D. Chapter 10.10 shall not apply to Short-Term Rental unit licenses
 42 unless specifically made applicable by provisions of this chapter.
 43 [A license may be renewed for additional two-year periods with a
 44 term that begins May 1 and ends two years later on April 30.]
 45

46 **10.90.015 – License application.**
 47

- 48 A. Applications submitted for licenses and license renewals shall set forth
 49 the following information on the forms prescribed and furnished by
 50 [obtained from] the Municipal Clerk's Office and shall pay all fees

1 required for a license application. **Section 10.10.015 applies to the**
2 **application content and the authority of the municipal clerk to**
3 **review and verify the information therein.**
4

5 B. The license application or renewal application shall **also** include:

- 6
- 7 1. **T**[t]he completed application form;
- 8
- 9 2. Owner Safety self-inspection certification;
- 10
- 11 3. Owner **statement** **[Affidavit]**: a statement under penalty of
12 unsworn falsification that the owner has read and understands
13 the rules and regulations for a Short-Term Rental unit set forth
14 in this chapter, **and [including]** that the owner **and Short-**
15 **Term Rental unit** is in compliance with criteria **and**
16 **requirements of this chapter [in section 10.90.]**;
- 17
- 18 4. **[A description specifying how each required license**
19 **review criteria will be met;**
- 20
- 21 **5.]** A copy of the licensee's room tax certificate of registration , if
22 required to obtain one under chapter 12.20;
- 23
- 24 **5[6].** Proof of property liability insurance in the amount of not less
25 than **an amount required for a bed and breakfast of**
26 **comparable size within the municipality or** five hundred
27 thousand dollars (\$500,000.00), **whichever is less,** or provide
28 proof that property liability coverage in an equal or higher
29 amount is provided by any hosting platforms through which the
30 owner will rent the Short-Term Rental unit. Proof of liability
31 insurance is not required if Short-Term Rental reservations are
32 handled exclusively by hosting platforms (websites) that extend
33 liability coverage of not less than **the amount required by this**
34 **section [five hundred thousand dollars (\$500,000.00)]**
35 under terms acceptable to the Municipal Risk manager.
- 36
- 37 **6[7].** The name, address, email address and other contact
38 information, including a 24-hour contact phone number for the
39 owner or the owner's Responsible Manager, **and an alternate**
40 **person in the event of an absence of the owner or**
41 **Responsible Manager from the municipality. The owner or**
42 **Responsible Manager, and/or the alternate, shall reside**
43 within the municipality, **[who]** can be contacted in the event of
44 an emergency **or immediate concern at the property,** and
45 **shall be capable of [can]** physically responding, **or directing**
46 **someone with management authority to respond,** at the
47 Short-Term Rental unit **to address immediate issues or**
48 **concerns on a daily basis [within one hour];**
- 49
- 50 **7[8].** The name, address, telephone number, and email address of

any current Rental Agent for the Short-Term Rental unit; and

8. Such other information as the Municipal Clerk may reasonably require.

~~[9. License holder shall designate in writing a Responsible Manager. The person may be the license holder/owner, and the license holder may designate one or more alternate Responsible Manager(s) at the time of application. The Responsible Manager or an alternate shall be able to physically respond to the Short-Term Rental unit in no more than one hour at all times the unit is rented. Responsible Manager and Rental Agent may be one and the same.]~~

C. License holder shall notify the Municipal Clerk in writing within thirty (30) days of any change in the information set forth in the current application on file with the Clerk. ~~[However, the license holder shall notify the Municipal Clerk within three (3) days in writing of any change in Rental Agent or Responsible Manager by including the name, address, telephone number, and email address of the license's replacement Rental Agent or Responsible Manager.]~~

D. The application shall be reviewed administratively by the Municipal Clerk for completeness and compliance with application requirements in this chapter. The municipal clerk shall circulate the application only to the Finance Department in accordance with subsection 10.10.020A.1.a. ~~[chapter 10.10, License Administration. If any provision of chapter 10.10 is inconsistent or conflicts with this chapter 10.90, this chapter shall govern.]~~

10.90.020 – Short-term rental unit license review criteria.

A. The Municipal Clerk may approve or approve with conditions an application for, or renewal of, a Short-Term Rental unit license if the following criteria and specific regulations are met:

1. ~~[Sleeping quarters for Short-Term guests shall not be in non-residential areas within buildings or accessory structures (e.g., shed, garages, closets, etc.) that do not contain finished living space; or in commercial (office/retail) or industrial (warehouse) spaces; or in a recreational vehicle.]~~

~~[2. Sleeping quarters for Short-Term Rentals shall meet applicable Municipal Code for a sleeping area.]~~

3.] The license fee has been paid and the applicant shall not be indebted or obligated in any manner to the Municipality.

1 **2[4].** The real property used for the STR unit shall not be delinquent
2 in payment of property or other applicable municipal taxes, **as**
3 **certified by the Finance Department.**
4

5 ~~**5.** The owner shall maintain or provide for regular trash
6 collection services in compliance with this Code.~~
7

8 **3[6].** The owner shall maintain the insurance coverage required by
9 **this chapter** and provide proof **thereof with the application.**
10

11 **4[7].** Short-Term Rental units must remain compliant with all **land**
12 **use [Planning], z[Z]oning, b[B]uilding and other applicable**
13 **m[M]unicipal c[C]odes. The owner's certification of self-**
14 **inspection and statement of compliance shall be sufficient**
15 **to satisfy this paragraph, except for the status of taxes and**
16 **obligations owed to the municipality, for application**
17 **approval.**
18

19 **5[8].** The owner shall not have had a Short-Term Rental unit license
20 revoked or denied within the preceding twenty-four (24)
21 months.
22

23 **6. Sleeping quarters for Short-Term Rentals shall meet**
24 **applicable municipal code for a sleeping area.**
25

26 **7. The owner shall maintain or provide for trash and garbage**
27 **from the Short Term Rental unit shall be stored and**
28 **disposed in compliance with municipal code.**
29

30 **10.90.025 – License issuance.**

31
32 A. The Municipal Clerk shall issue a license for a Short-Term Rental unit
33 under this chapter only if the applicant has complied with the
34 requirements of this chapter and paid the license fee, in addition to
35 compliance with all other applicable business license and tax
36 requirements under federal **and[,] state [and municipal] law. The**
37 **license term shall be in accordance with section 10.90.10C. [An**
38 **initial license issued for a property may have a term shorter than**
39 **two years, as described in section 10.90.035C.]**
40

41 B. A Short-Term Rental unit license issued pursuant to this chapter shall
42 be valid for **a single Short-Term Rental unit and for the term of the**
43 **license unless [two years or until] abandoned, voluntarily**
44 **surrendered, suspended or revoked prior to expiration. The**
45 **municipal clerk may extend the license term past the expiration**
46 **date in accordance with section 10.10.030B. if a renewal**
47 **application is pending approval.**
48

49 C. Renewal shall not be unreasonably withheld. **If the STR unit was**
50 **subjected to any notices of violation or a license suspension in**

the license term preceding the renewal application, the municipal clerk shall circulate it to the department charged with enforcement of such violation(s) for certification of compliance in accordance with section 10.10.020A. The municipal clerk, in consultation with such departments, has

~~[D. Conditions of approval: In the licensing of such use, or in the renewal of a license, the Municipal Manager, Planning Director, or Anchorage Assembly shall have]~~ authority to require such reasonable conditions as necessary to protect the public health, safety and general welfare and to ensure that the use, value, and qualities of the neighborhood surrounding the STR unit's [proposed] location will not be adversely affected.

10.90.030 – Licenses non-transferable.

A. Except as otherwise provided in this section, no license granted pursuant to this chapter shall be transferable from one entity or person to another or from one location to another. No License shall be transferred as part of a like-kind exchange under Internal Revenue Code section 1031 or other federal law.

B. Exceptions to the prohibition on transfer of a [non-transferable] license: permissible voluntary transfers.

1. If the title to or leasehold interest in real property for which a valid Short-Term Rental unit license has been issued is transferred by the licensee as a grantor or lessor pursuant to a conveyance meeting any of the following conditions, the Municipal Clerk may re-issue the Short-Term Rental unit license to the grantee or lessee named in such deed or leasehold conveyance:

a[1]. The ~~[transfer of title to real property if the]~~ grantee or lessee is a member of the grantor's immediate family. For purposes of this section, "immediate family" means the spouse, child (including a stepchild and an adoptive child), parent, sibling, grandparent, aunt, or uncle of the person, and a parent or sibling of the person's spouse.

b[2]. The transfer is [of title to real property from a grantor] to a trust established by the grantor, and the grantor is the trustee.

c[3]. The transfer is [of title to real property from a grantor] to a limited liability company or another form of business entity recognized by Alaska law so long as the grantor or lessor has a controlling interest in such limited liability company or other business entity.

d[4]. Any transfer of the property between the same parties

1 creating or terminating a ~~[joint]~~ tenancy in common or
 2 by the entirety in such property.

3
 4 e[5]. The transfer of title or change of interest ~~[in real~~
 5 ~~property]~~ by reason of death, pursuant to a will, the law
 6 of descent and distribution, a devise pursuant to these
 7 occurrences, or otherwise.

8
 9 **2. Other exceptions to prohibition on transfer of a license.**

10
 11 a[6]. The transfer ~~[of title]~~ required by order of a court of
 12 competent jurisdiction.

13
 14 b[7]. A transfer of an interest in the property without
 15 consideration for the purpose of confirming, correcting,
 16 modifying, or supplementing a transfer previously
 17 recorded; making minor boundary adjustments;
 18 removing clouds of titles.

19
 20 ~~[: or granting rights-of-way, easements, or permits.]~~

21
 22 **10.90.035 – Fees.**

23
 24 A. Purpose and Use of the License Fees: Funds collected by the
 25 Municipality from the Short-Term Rental unit fee established by this
 26 section shall be used to defray the costs to the Municipality, including,
 27 but not limited to, for staff and personnel required for the
 28 administration, ~~[and]~~ enforcement, and audit of the program, and for
 29 data collection, analysis and research of the STR market and
 30 trends in the Municipality. License fees ~~[are not a tax, but]~~ are for
 31 the privilege of operating an STR unit in the municipality, they are not
 32 a tax.

33
 34 B. Commencing with licenses for Short-Term Rental units issued for the
 35 initial ~~[on or after March 1, 2024,]~~ licensing period there shall be
 36 added to each Short-Term Rental unit license issued by the Municipal
 37 Clerk pursuant to this chapter, and there shall be paid by the license
 38 holder of such license, an annual Short-Term Rental unit license fee.
 39 The amount of the ~~[annual]~~ Short-Term Rental unit fee ~~[for 2024]~~
 40 shall be the equivalent of four hundred dollars (\$400.00) for one
 41 year per Short-Term Rental unit; provided, however,

42
 43 1. A portion of the fee is non-refundable to cover the costs of
 44 application processing and review, in the amount of \$50.00.

45
 46 2. The license fee established in this section shall be waived
 47 where the Short-Term Rental unit is the applicant's primary
 48 residence, resides on site or the premises, resides in
 49 immediately adjacent property, or is rented out to a single
 50 guest for an aggregate of more than 180 days of the previous

1 12 months~~[, none of which may be consecutive occupancy~~
2 ~~of more than 30 days].~~

3
4 3. The license fee established in this section shall be waived
5 where a Short-Term Rental unit is owned by an active-duty
6 military service member whose permanent duty station is within
7 Municipality of Anchorage and receives orders to report to a
8 temporary duty station outside of the Municipality of Anchorage
9 (i.e. deployment), for the duration of the deployment for the
10 initial application and each annual renewal upon presentation
11 of orders.

12
13 4. ~~[No Short-Term Rental unit license shall be issued until the~~
14 ~~applicable Short-Term Rental unit fee has been received by~~
15 ~~the Municipality.]~~

16
17 ~~5.]~~ Biannual License Fee Due Date: The Short-Term Rental unit
18 fee shall be due and payable to the Municipality at the time of
19 application. Failure to pay the fee in accordance with this
20 section will result in the non-issuance or nonrenewal of a
21 license.

22
23 ~~[6. Excess fees collected may be used broadly for affordable~~
24 ~~workforce housing development as long as they do not~~
25 ~~adversely affect the administration of the STR licensing~~
26 ~~program or lead to license fee increase due to a program~~
27 ~~short-fall.]~~

28
29 C. Before September 1 of each year, the municipal clerk may
30 recommend to the assembly an adjustment to the annual fee and
31 non-refundable application fee amount. The municipal clerk
32 shall evaluate the amount of the fee revenues and costs to
33 administer and enforce this chapter, and determine if the fee
34 should be adjusted to cover the costs of the program.

35
36 D. License Fees shall not be prorated or refunded if STR License is
37 revoked or suspended, or due to a sale of the property. The
38 refundable portion of a license fees may be prorated by the Municipal
39 Clerk if the initial license is for a period of at least a calendar quarter
40 less than two full years. The proration shall be in units of calendar
41 quarters.

42
43 E[D]. Administration of the Fund:

44
45 1. All sums of money collected by the Municipality per this section
46 are intended exclusively for use as outlined in this section.

47
48 2. The fees collected in accordance with this section shall be
49 accounted for in such a manner that the collection and
50 expenditure of such fees can be separately tracked by the

1 municipality.

2
3 3. The fees collected in accordance with this section shall not be
4 used for general municipal or governmental purposes or
5 spending. Nor shall the fund ever be transferred to or become
6 part of the Municipality's General Fund.

7
8 4. The amount of the fee shall bear a reasonable relationship to
9 the direct and indirect costs of implementing the municipality's
10 regulatory program established by this chapter, including
11 enforcement. The Municipal Clerk shall review the fee amount
12 every two years and recommend adjustment to the chair of the
13 assembly.

14
15 **10.90.040. – Rules and regulations.**

16
17 A. In addition to the rules set forth in this section, the Municipal clerk is
18 authorized to adopt reasonable and necessary rules and regulations
19 to implement the requirements of this Short-Term Rental unit license
20 code.

21
22 B. It shall be a violation of this part for the owner or Short-Term Rental
23 guests to fail to comply with the following rules and regulations under
24 Municipal Code:

25
26 1. All Short-Term Rental guests shall abide by all applicable
27 noise, housing and public health ordinances of the Municipality
28 and with all other municipal fire and safety ordinances. Notices
29 of violation for these may be issued to a guest under the
30 relevant code provisions.

31
32 2. No **regular** meals shall be prepared for or served to the Short-
33 Term guests by the owner or the owner's agents. **However, a**
34 **welcome snack or a sharing of cultural or local cuisine is**
35 **permitted.**

36
37 3. The license with all local contact information and emergency
38 safety information shall be prominently displayed within the
39 Short-Term Rental unit. Care should be taken to not be
40 viewable from outside of the STR.

41
42 4. The municipally issued license number shall be used in all
43 rental marketing materials.

44
45 5. During the term that a Short-Term Rental unit is occupied by a
46 Short-Term guest, the owner and/or the **Responsible**
47 **Manager or alternate [local contact person designated by**
48 **the owner]** shall be available twenty four (24) hours per day,
49 seven (7) days per week, for the purpose of responding within
50 one hour to complaints **by person, phone, email or other**

means regarding the condition or operation of the Short-Term Rental unit or the conduct of Short-Term guests. If the local **Responsible Manager or alternate [contact person designated by the owner]** changes, then the owner shall update the license on file within **thirty (30) [three (3)]** days.

~~[6. Maximum overnight occupancy of a Short-Term Rental unit, except studios shall be limited to two (2) adults per bedroom, plus an additional two (2) adults per dwelling unit.~~

~~a. Studios shall be limited to two (2) adults.~~

~~b. Minors, <18 years of age, will not be counted as long as under the care and supervision of an adult on the premises.~~

~~10.90.045 - Criteria for a bedroom under the Short-Term Rental regulations.~~

~~A. The number of bedrooms that exist in a Short-Term Rental unit shall be presumed to be as established by the municipal property tax information database; or~~

~~B. In order to establish a different number of bedrooms than in the municipal property tax information database, the licensee may request and pay for an inspection conducted by the municipality, and determine the number of bedrooms that meet the criteria in section 15.10.130.~~

~~C. Advertising of the STR unit may not indicate a number of bedrooms greater than established by this section.]~~

10.90.050. – Advertising requirements.

A. An advertisement offering to rent a Short-Term Rental unit must prominently display:

1. The municipality's business license number in the advertisement as, "Municipality of Anchorage Short-Term Rental Unit License No. [insert number]"; and

2. The adult occupancy limit for the Short-Term Rental unit as, "Maximum overnight occupancy [insert number] adults."

B. The license holder and/or owner of a unit shall be given written notice of an advertising violation of this section and **thirty (30) [fifteen (15)]** days within which to comply with the requirements of this section.

10.90.055 - Mitigation of health, safety and secondary impacts.

1
2 A. Accommodation unit licensees shall be responsible for the safety of
3 the occupants and welfare of the surrounding areas and residential
4 habitants. In so doing, the licensee or the Responsible Manger shall:

5
6 B. Short-Term Rental unit license holders shall be responsible for the
7 safety of the occupants and welfare of the surrounding areas and
8 residential habitants. In so doing, the license holder or the
9 Responsible Manager shall:

10
11 1. Short-Term Rental units shall at all times be equipped with a
12 functioning smoke detector, carbon monoxide detector, and fire
13 extinguisher.

14
15 2. ~~[Motor vehicles used by occupants shall be parked only on
16 the site of the Short-Term Rental unit or in a public
17 Municipality designated parking area located off of the site
18 of the Short-Term Rental unit.]~~

19
20 ~~3.]~~ Motor vehicles shall be parked in accordance with Municipal
21 Code.

22
23 ~~[4. Occupants shall not sleep in motor vehicles and further,
24 shall cause motor vehicles parked at a Short-Term Rental
25 unit to comply with the requirements and be subject to the
26 limitations of this Code.]~~

27
28 ~~3[5].~~ Trash and garbage from a Short-Term Rental unit shall be
29 stored and disposed of in compliance with Municipal Code.

30
31 ~~4[6].~~ Noise emanating from the Short-Term Rental shall be in
32 accordance with Municipal Code.

33
34 **10.90.060. – Right of entry for inspections or investigations;
35 complaints.**

36
37 A. Inspections are authorized under section 10.10.050. In addition to the
38 municipal clerk or law enforcement officials, code enforcement officers
39 as directed by the municipal clerk may enter and inspect the premises
40 of the Short-Term Rental unit as reasonable and necessary to ensure
41 and enforce compliance with this chapter and applicable provisions of
42 this code.

43
44 B. Complaints.

45
46 1. The Responsible Manager shall be available twenty-four (24)
47 hours per day, seven (7) days per week, to respond to any
48 complaint filed with or through the Municipality, or a website
49 provided by the Municipality for such purpose, about the
50 operation or condition of the license holder's Short-Term Rental

1 unit.

- 2
3 2. The Responsible Manager shall be able to reasonably
4 respond to a complaint within sixty (60) minutes of receiving
5 notice of such complaint in person, phone, email or other
6 means.

7
8 **10.90.065. – Fines, penalties, and denial of license.**

- 9
10 A. Penalties and remedies for violations of this chapter shall be as
11 provided in the general provisions for this title. Fine amounts for
12 specific violations may be set forth in section 14.60.030 of this code.
13
14 B. If a license application is denied, the municipal clerk shall return the
15 refundable portion of the fee to the applicant. An appeal from a
16 decision of the Municipal Clerk to deny an application for a license or
17 deny renewal shall be within the jurisdiction of the administrative
18 hearings officer as provided in Title 14, whom is hereby designated to
19 hear and decide such appeals. Hearing procedures shall be
20 conducted in accordance with chapter 3.60. A notice of appeal shall
21 be submitted on a form provided by and filed with the municipal clerk,
22 whom shall forward the notice to the administrative hearings office. A
23 notice of appeal must be filed with the municipal clerk within thirty (30)
24 [fifteen (15)] after the decision. ~~[The final decision of the~~
25 ~~administrative hearing officer shall be made to the Superior~~
26 ~~Court, Third Judicial District, Anchorage, Alaska, no later than 30~~
27 ~~days following service of that decision. Review by the court shall~~
28 ~~be limited to determining whether the decision of the hearing~~
29 ~~officer is supported by substantial evidence.]~~

30
31
32 **10.90.070 – License suspension or revocation.**

- 33
34 A. The Municipal Clerk may recommend suspension or revocation of
35 [suspend or revoke] a license if it finds, by a preponderance of the
36 evidence, that:
37
38 1. The operation of the Short-Term Rental unit no longer conforms
39 with the review criteria of this part; or
40
41 2. The owner has violated a condition of approval without taking
42 reasonable measures to respond and correct violations; or
43
44 3. The owner has violated the rules and regulations provided for
45 in this part without taking reasonable measures to respond
46 and correct violations.
47
48 B. License suspension or revocation proceedings shall be in accordance
49 with section 10.10.040 and require Assembly action.
50 C. A license suspension shall not exceed thirty (30) days, and for so long

thereafter until reinstated by the Municipality upon proof that the cause of the suspension has been remedied. A shorter suspension period may be imposed considering a totality of the circumstances and the grounds for suspension.

- D. Suspension or revocation of a license may be in addition to any other penalty or remedy provided for in this title.
- E. The STR License Fee is forfeited in case of revocation and no credit shall be offered for time where the license is suspended.

Section 2. Anchorage Municipal Code section 14.60.030 is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

14.60.030 Fine schedule.

The fine schedule under this chapter is as follows:

Code Section	Offense	Penalty/Fine
***	***	***
10.90	Violation of provisions of 10.90 not listed below	1st Offense: warning 2nd Offense: \$100 3rd and subsequent offenses: \$300
10.90.010	Operating STR unit without license	300.00 per overnight occupancy rented
10.90.050	Advertising violation	300.00
10.90.040	Failure of Responsible Manager to respond to complaints or concerns [1 hour]	75.00
***	***	***

(AO No. 93-167(S-1), § 1, 4-13-94; AO No. 94-108, § 1, 10-5-94; AO No. 94-134, § 2, 9-8-94; AO No. 95-42, § 2, 3-23-95; AO No. 95-67(S), § 9, 7-1-95; AO No. 95-102, § 1, 4-26-95; AO No. 95-118, § 3, 9-1-95; AO No. 95-163(S), § 21, 8-8-95; AO No. 95-195(S-1), 1-1-96; AO No. 96-51(S-1), § 2, 8-1-96; AO No. 96-96(S-1), § 2, 2-1-97; AO No. 96-126(S), § 3, 10-1-96; AO No. 96-137(S), § 9, 1-2-97; AO No. 97-88, § 3, 6-3-97; AO No. 97-107, § 3, 11-17-97; AO No. 97-133(S), § 1, 11-11-97; AO No. 98-27(S-1), § 2, 11-11-97; AO No. 98-160, § 2, 12-8-98; AO No. 99-13(S), 2-9-99; AO No. 99-91(S), § 4, 7-13-99; AO No. 2000-64, § 1, 4-18-00; AO No. 2000-116(S), § 4, 7-18-00; AO No. 2000-127(S), § 2, 10-14-00; AO No. 2000-129(S), § 26, 11-21-00; AO No. 2001-48, § 1, 3-13-01; AO No. 2001-74(S), § 2, 4-17-01; AO No. 2001-4, § 2, 2-6-01; AO No. 2001-145(S-1), § 11, 12-11-01; AO No. 2003-68, § 1, 9-30-03; AO No. 2003-97, § 4, 9-30-03; AO No. 2003-117, § 2, 1-28-03; AO No. 2003-130, § 8, 10-7-03; AO No. 2003-152S, § 10, 1-1-04; AO No. 2004-1, § 2, 1-1-03; AO No. 2004-99, § 2, 6-22-04; AO No. 2004-100(S-1), § 6, 1-1-05; AO No. 2004-171, § 1, 1-11-05; AO No. 2005-160, § 9, 11-1-05; AO

No. 2005-84(S), § 3, 1-1-06; AO No. 2005-185(S), § 35, 2-28-06; AO No. 2005-124(S-1A), § 33, 4-18-06; AO No. 2006-39, § 6, 4-11-06; AO No. 2006-54, § 1, 5-2-06; AO No. 2006-80, § 1, 6-6-06; AO No. 2007-50, § 4, 4-10-07; AO No. 2007-60, § 4, 11-1-07; AO No. 2007-70, § 3, 5-15-07; AO No. 2008-84(S), § 5, 7-15-08; AO No. 2009-61, § 3, 7-7-09; AO No. 2009-82, § 5, 7-7-09; AO No. 2009-40(S), § 3, 7-21-09; AO No. 2009-112, § 4, 10-13-09; AO No. 2009-122, § 2, 12-17-09; AO-2010-35(S), § 7, 5-11-10; AO No. 2010-39, § 2, 5-11-10; AO No. 2010-87(S), § 3, 12-7-10; AO No. 2011-46, § 4, 4-12-11; AO No. 2011-59, § 10, 5-24-11; AO No. 2011-106(S), § 3, 11-8-11; AO No. 2011-112, § 4, 11-22-11, eff. 12-22-11; AO No. 2012-10, § 1, 1-31-12; AO No. 2012-77, § 29, 8-7-12; AO No. 2013-109(S-1), § 5, 12-3-13; AO No. 2013-130(S-1), § 1, 1-14-14; AO No. 2014-42, § 31, 6-21-14; AO No. 2014-85, § 4, 8-5-14; AO No. 2014-110(S), § 2, 9-9-14; AO No. 2014-137(S), § 3, 11-18-14; AO No. 2015-23(S), § 20, 3-24-15; AO No. 2015-48, § 16, 5-14-15; AO No. 2015-54, § 1, 5-26-15; AO No. 2015-65, § 4, 6-9-15; AO No. 2015-111(S-1), § 2, 1-1-16; AO No. 2016-16(S), § 4, 2-9-16; AO No. 2016-76(S), § 7, 7-12-16; AO No. 2016-81(S), § 4, 8-25-16; AO No. 2016-83(S), § 9, 7-26-16; AO No. 2016-82, § 3, 8-9-16; AO No. 2016-116, § 2, 10-18-16; AO No. 2016-115(S), § 2, 11-15-16; AO No. 2016-124(S), § 11, 12-20-16; AO No. 2017-26, § 2, 5-1-17; AO No. 2017-29(S), § 61, 6-1-17; AO No. 2017-30, § 3, 3-21-17; AO No. 2017-31(S), § 5, 5-26-17; AO No. 2017-119(S), § 4, 11-9-17; AO No. 2017-101, § 2, 2-5-18; AO No. 2017-161(S), § 3, 2-27-18; AO No. 2017-16, § 3, 2-14-17; AO No. 2017-129, § 2, 1-23-18; AO No. 2018-63(S), § 2, 8-28-18; AO No. 2018-100(S), § 2, 1-1-19; AO No. 2018-110, § 2, 12-18-18; AO No. 2019-9(S), § 2, 2-12-19; AO No. 2019-12, § 2, 3-5-19; AO No. 2019-15(S), § 2, 3-19-19; AO No. 2019-34, § 5, 4-18-19; AO No. 2019-50(S), § 2, 6-6-19; AO No. 2019-66, § 26, 6-18-19; AO No. 2019-74(S), § 2, 6-18-19; AO No. 2019-79(S), § 2, 7-9-19; AO No. 2019-90(S), § 7, 8-20-19; Ord. No. 2020-4(S), § 3, 6-24-20; AO No. 2020-65, § 2, 9-25-20; AO No. 2020-103, § 2, 11-4-20; AO No. 2022-97, § 1, 11-9-22; AO No. 2023-27, § 2, 3-21-23)

Section 3. The Municipality Assembly hereby finds, determines and declares that this ordinance is necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the order, comfort and convenience of the Municipality of Anchorage and the inhabitants thereof.

Section 4. The Municipal Clerk shall not accept applications for an STR unit license under this ordinance sooner than **120 days from the passage of this ordinance [March 1, 2024]**.

Section 5. This ordinance shall be effective immediately after passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this ___ day of _____, **2024** **[2023]**.

ATTEST:

Chair of the Assembly

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3
4

Municipal Clerk



**MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM**

No. AM ____-2024

Meeting Date: January 23, 2024

1 **From: Assembly Member Sulte and Vice Chair Zaletel**

2
3 **Subject: AO 2023-110(S): AN ORDINANCE OF THE ANCHORAGE**
4 **MUNICIPAL ASSEMBLY AMENDING ANCHORAGE MUNICIPAL**
5 **CODE TITLE 10 TO ADD A NEW CHAPTER FOR THE LICENSING**
6 **AND REGULATION OF SHORT-TERM RENTAL OPERATIONS IN**
7 **THE MUNICIPALITY AND AMENDING AMC SECTION 14.60.030,**
8 **THE MUNICIPAL FINE SCHEDULE, TO ADD CORRESPONDING**
9 **FINES.**

10
11 This supplemental memorandum is provided with the (S) version of the ordinance
12 pursuant to AMC 2.30.050E. The original AO 2023-110 is modified by the (S)
13 version in several ways, many of these changes further the objective of not being
14 overly burdensome to current owners and operators of Short-Term rental properties.
15 Many changes in the (S) are for clarity, to reduce redundancy, cross referencing of
16 Municipal Code, grammar and code integrity, and for accuracy of legal terminology;
17 these are not described in this memorandum and are clearly marked. The significant
18 and substantive changes in the (S) from the original version are summarized as
19 follows:

- 20
21
- 22 • Provisions to define or regulate the sleeping rooms are removed.
 - 23 • The owner or Responsible Manager must be able to respond to complaints
24 or concerns, or direct someone to respond, on at least a daily basis, in person
25 or by phone, e-mail or other means.
 - 26 • The purposes of the fees for an STR Unit license re restricted to only fund
27 the administrative and enforcement costs for the program, including data
28 collection, analysis, and market research of STRs in the Municipality.
29 Moreover, the Municipal Clerk is directed to annually evaluate the license fee
30 amount and the costs to administer the program, and recommend
31 adjustments to the Assembly.
 - 32 • Provides flexibility for when the STR licenses may begin to issue and when
33 they will be required. After the effective date of the ordinance, the Municipal
34 Clerk needs time to ramp up and prepare the licensing program, no more
35 than 540 days after passage of the ordinance, and may not begin accepting
36 applications sooner than 120 days, and may not require licenses sooner than
37 180 days.
 - 38 • Allows the Municipal Clerk to determine the initial license period, and then to
39 issue licenses on an annual or biennial basis. Proration of the license fee by
40 quarterly periods will be allowed, but not when the license is surrendered or
41 the property is sold.
 - 42 • Establishes minimum insurance coverage requirements comparable to a bed
43 and breakfast business in Alaska.
 - 44 • The completed application includes a safety-self inspection form, and an
owner's statement under penalty of unsworn falsification that the owner has

1 read and understands the regulations in the Code, and that the STR unit
2 property is compliant with the requirements of the chapter and the land use,
3 health, building safety, and trash and garbage storage and disposal
4 provisions of Municipal Code. Inspections and certifications by public
5 officials will not be required, with one exception: the Finance Department is
6 required to certify the owner and property do not owe taxes or other
7 obligations to the Municipality. This streamlines the application process
8 compared to other municipal licenses.

- 9 • However, if notices of violations are issued to the STR Unit, the next renewal
10 application process may allow inspection for remedy of the violations and
11 imposition of conditions.
- 12 • Removes limits on overnight occupancy.
- 13 • Establishes a general fine for any violation of new Chapter 10.90, graduated
14 from a warning for the first offense, to a \$100 fine for the second, and \$300
15 for third and subsequent offenses.

16
17 **We request approval of AO 2023-110(S)..**

18
19 Respectfully submitted: Randy Sulte, Assembly Member
20 District 6 – South Anchorage, Girdwood, and Turnagain
21 Arm

22
23 Meg Zaletel, Assembly Vice Chair
24 District 4 – Midtown Anchorage
25
26
27



Municipality of Anchorage
Mayor Dave Bronson

Office of the Mayor

Date: March 20, 2024
To: Anchorage Assembly
From: Mayor Dave Bronson
Subject: Veto of Ordinance No. 2023-110

Today, in accordance with Section 2.30.100 of the Anchorage Municipal Code (AMC) and Section 5.02 of the Municipal Charter, I am issuing a veto for AO 2023-110, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Title 10 to add a new chapter for the licensing and regulation of short-term rental operations in the municipality and amending AMC section 14.60.030, the Municipal Fine Schedule, to add corresponding fines. This ordinance was approved during the Assembly's regular meeting of March 19, 2024.

The Anchorage Assembly should not be meddling in an individual property owner's ability to make a living for themselves and their families. Private property owners deserve to continue to be able to provide valuable housing offerings within the municipality on AirBnB, VRBO, and other outlets. Regulating, licensing, notification requirements, taxation and fining of private property owners will further minimize options in the Anchorage housing market.

Homeowners have worked hard to sustain their investments over the course of many years and should be provided any opportunity to earn further income because of their hard work and home ownership.

For the above reasons, I hereby veto AO No. 2023-110.

GVSA Housing Goals established 5.13.24

Vision:

Girdwood has good-quality, stable, affordable housing for residents across the community's income distribution while maintaining the characteristics of the outdoor recreation community.

Housing Goals:

1. Increase the supply of safe, affordable housing units for sale and for rent
2. Diversify the housing market: housing types, sizes, price points, locations, accessibility, and ownership models
3. Increase the share of resident-occupied housing throughout the year and reduce the number of vacant units
4. Reduce housing development cost burden
5. Streamline municipal process to achieve Girdwood Comprehensive Plan Goals
6. Increase Girdwood local control and management of public land

Whereas the Girdwood is looking to both better regulate the licensing and utilization of short-term rentals in the 99587 zip code, the Girdwood Housing and Economic puts forth the following framework for consideration:

- \$200 annual registration fee paid for each individual short-term rental;
- The tracking of the registration fee using an online third party vendor;
- A requirement for the owner post their short-term rental license in an area visible from the street;
- Penalties for infractions that violates Municipality of Anchorage laws
 - o \$100 penalty for a first time offense;
 - o \$500 penalty for a second time offense;
 - o \$1,000 penalty for a third time offense;
 - o Removal of license for a fourth time offense.
- \$10,000 penalty for those who run a short-term rental without the required license.

The above rules will be applied equally across the 99587 zip code with no one property subject to a different set of rules.

January 17, 2024

A resolution of Girdwood Housing and Economic Committee to provide Long Term Rental (LTR) units in the Girdwood area by restricting the rental of Accessory Dwelling Units (ADU) to 30 days or longer.

Whereas:

- There is a lack of Long Term Rentals (LTR) available in Girdwood for workforce housing and seasonal employees
- There is an immediate need to make available additional LTR units
- Girdwood Housing and Economic Committee is looking for solutions that result in mitigation of the impact that Short Term Rentals (STR) activity has on available workforce housing
- There are no revenue sources immediately available to fund other incentive programs to increase the supply of LTR
- The intent and purpose of Accessory Dwelling Units is stated in 21.09.050B:
 - Increase the supply of supplemental housing through flexible use of existing housing stock, land supply, and infrastructure;
 - Respond to the local needs for seasonal housing
- There are no restrictions on the use of ADU for STR, which defeats the stated intent and purpose of these size limited properties

Therefore let it be resolved that GHEC advises GBOS to pursue a change in Title 21, Chapter 9, that defines the allowed use of ADUs to only permit rentals for 30 days or longer.

[NEW language]

21.09.50 Use Regulations

2. Use-specific standards for accessory uses:

a. Accessory Dwelling Units

iii. Requirements

(A)Maximum number of accessory units. Only one accessory dwelling unit, as defined in Section 21.05.070D., shall be allowed on any single-family residential lot. The accessory dwelling unit may be a rental unit. **[If rented or leased, the accessory dwelling unit shall not be used for rental periods of less than 30 days.]**