

Submitted by: Assembly Vice
Chair Constant &
Assembly Member
Kennedy at the
Request of the Mayor
Prepared by: Dept. of Law
For reading: March 1, 2022

**ANCHORAGE, ALASKA
AO No. 2022-40**

AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE, TITLE 1, TITLE 3, TITLE 9, TITLE 11, AND TITLE 25 TO CREATE THE AIRPORTS DEPARTMENT.

WHEREAS, the State of Alaska has requested that the Municipality assume FAA sponsorship of Birchwood Airport located in Chugiak; and

WHEREAS, the Municipality sees value to the citizens and users of Birchwood Airport and is qualified to effectively and efficiently assume the operations and future development of this asset; and

WHEREAS, to facilitate and structure such a transfer, legislation is required to make minor modifications to municipal code (AMC) now, therefore,

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. Anchorage Municipal Code section 1.35.010 Principal executive personnel, boards and commissions, is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

1.35.010 Principal executive personnel, boards and commissions.

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B. Principal executive personnel and members of boards and commissions who shall take the oath of office. The following officials and municipal executives shall take and subscribe to the oath of office:

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3. Municipal department heads, heads of divisions, directors and managers whose office is created under AMC 3.20, 25.35 or 25.40, including:

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f. Manager [DIRECTOR] – Airports [MERRILL FIELD AIRPORT] (section 3.20.070).

(AO No. 2000-131, § 1, 9-12-00; AO No. 2002-69, § 1, 5-14-02; AO No. 2018-24, § 1, 4-10-18)

Section 2. Anchorage Municipal Code section 3.20.010 Executive and administrative order; organizational chart, is hereby amended to read as follows

(the remainder of the section is not affected and therefore not set out):

3.20.010 - Executive and administrative order; organizational chart.

The executive branch of the municipal government shall be organized as provided in this chapter and the following plan:

[Code Revisor Note: Replace current chart with Exhibit A.]

(AO No. 79-27; AO No. 82-49; AO No. 88-82; AO No. 90-15(S); AO No. 91-173(S); AO No. 94-135(S), § 2, 7-12-94; AO No. 2000-105(S), § 2, 6-27-00; AO No. 2000-141(S), § 2, 9-26-00; AO No. 2002-130, § 4, 9-10-02; AO No. 2003-109, § 1, 9-9-03; AO No. 2004-136, § 1, 12-7-04; AO No. 2005-142, § 1, 10-25-05; AO No. 2009-21, § 1, 2-24-09; AO No. 2009-101, § 1, 8-25-09; AO No. 2010-64, § 1(Exh. A), 9-28-10; AO No. 2010-93, § 1(Exh. A), 1-11-11; AO No. 2011-22(S), § 1, 3-29-11; AO No. 2011-25, § 1, 5-24-11; AO No. 2012-106, § 1(Exh. A), 11-13-12; AO No. 2013-34, § 1(Exh. A), 2-26-13; AO No. 2015-112(S), § 1, 1-1-16 ; AO 2018-108(S) , § 1, 12-31-18; AO No. 2020-79(S) , § 1, 8-26-20; AO No. 2020-109 , § 1, 10-13-20; AO No. 2020-121 , § 1, 1-1-21)

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Section 3. Anchorage Municipal Code section 3.20.070 Executive branch organization, is hereby amended to read as follows (the remainder of the section is not affected and therefore not set out):

3.20.070 Executive branch organization.

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B. Within the office of the municipal manager and reporting to the municipal manager or his or her designee are the Office of Equal Opportunity, the Office of Emergency Management, Risk Management Safety, Transportation Inspection, and the following departments:

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5. Airports [MERRILL FIELD AIRPORT]. This department is responsible for operating and maintaining municipal airports [MERRILL FIELD AIRPORT].

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(AO No. 21-76; AO No. 59-76; AO No. 283-76; AO No. 77-359; AO No. 78-82; AO No. 78-113; AO No. 78-121; AO No. 79-27; AO No. 80-5; AO No. 82-49; AO No. 83-159; AO No. 85-8; AO No. 86-204; AO No. 88-47(S); AO No. 88-82; AO No. 89-10; AO No. 89-18; AO No. 89-39; AO No. 90-15(S); AO No. 91-173(S); AO No. 92-79; AO No. 92-148; AO No. 94-135(S), § 8, 7-12-94; AO No. 95-141, § 1, 7-11-95; AO No. 96-47, § 2, 3-5-96; AO No. 98-115(S), § 3, 7-1-98; AO No. 2003-109, § 6, 9-9-03; AO No. 2004-132, § 2, 10-12-04; AO No. 2004-136, § 2, 12-7-04; AO No. 2005-142, § 2, 10-25-05; AO No. 2008-90(S), § 2, 1-1-09; AO No. 2009-21, § 2, 2-24-09; AO No. 2009-101, § 6, 8-25-09; AO No. 2010-64, § 2, 9-28-10; AO No. 2010-93, § 2, 1-11-11; AO No. 2011-40, § 1, 3-29-11; AO No. 2011-25, § 2, 5-24-11; AO No. 2012-106, § 3, 11-13-12; AO No. 2013-34, § 3, 2-26-13; AO No. 2015-112(S), § 5, 1-1-16 ; AO No. 2017-

122(S) , § 4, 10-24-17; AO No. 2018-24 , § 3, 4-10-18; AO No. 2018-108(S) , § 3, 12-31-18; AO No. 2018-118 , § 2, 1-1-19; AO No. 2019-42 , § 2, 4-23-19; AO No. 2019-133 , § 1, 11-5-19; AO No. 2020-23 , § 2, 3-10-20; AO No. 2020-24 , § 1, 3-10-20; AO No. 2020-79(S) , § 2, 8-26-20; AO No. 2020-109 , § 2, 10-13-20; AO No. 2020-121 , § 2, 1-1-21)

Editor's note— AO No. 2000-105(S), § 2, adopted June 27, 2000, repealed § 3.20.070, which pertained to municipal organizations. See the Code Comparative Table. Subsequently, AO No. 2003-109, § 6, effective Sept. 9, 2003, added provisions designated as 3.20.070 to read as herein set out.

Charter reference— Appointment of department heads, § 5.02(a); municipal manager, § 5.03; municipal attorney, § 5.04.

Cross reference— Principal executive personnel, boards and commissions, § 1.35.010.

Section 4. Anchorage Municipal Code section 9.14.140 Restricted areas of Merrill Field, is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

9.14.140 Restricted areas of municipal airports [MERRILL FIELD].
It is unlawful for the driver of any unauthorized vehicle to enter or travel upon any portion of municipal airports [MERRILL FIELD] designated for use by aircraft. Those portions of municipal airports [MERRILL FIELD] designated for aircraft shall include but not be limited to taxiways, runways and runway approach zones.

(CAC 9.14.130; AO No. 78-72; AO No. 78-146; AO No. 2011-113(S), § 28, 11-22-11, eff. 12-22-11)

Section 5. Anchorage Municipal Code section 9.20.050 Additional restrictions on crossing, is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

9.20.050 Additional restrictions on crossing.
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C. Entering restricted areas at municipal airports [MERRILL FIELD]. No pedestrian may enter upon or travel on or across any [MERRILL FIELD] runway or taxiway or other restricted areas posted at a municipal airport by the airport manager.

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(CAC 9.20.050; AO No. 78-72)

Section 6. Anchorage Municipal Code section 9.48.130 Traffic offenses fine schedule, is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

9.48.130 Traffic offenses fine schedule.
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Title	Section	Fine Amount
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TRAFFIC SIGNS, SIGNALS AND MARKINGS		
Unauthorized traffic on <u>municipal airports</u> [MERRILL FIELD]	9.14.140	100.00
*** **		

(CAC 9.48.060; AO No. 78-72; AO No. 88-12; AO No. 88-167; AO No. 88-180; AO No. 89-134; AO No. 90-24; AO No. 94-68(S), § 38, 8-11-94; AO No. 95-67(S), § 5, 7-1-95; AO No. 95-102, § 1, 4-26-95; AO No. 95-117, § 3, 6-29-95; AO No. 95-163(S), § 20, 8-8-95; AO No. 99-15, § 1, 2-9-99; AO No. 2000-130, § 2, 9-12-00; AO No. 2001-51, § 1, 2-27-01; AO No. 2001-145(S-1), § 8, 12-11-01; AO No. 2003-157, § 2, 12-17-03; AO No. 2004-63, § 2, 4-13-04; AO No. 2011-113(S), § 160, 11-22-11, eff. 12-22-11; AO No. 2012-16, § 6, 2-14-12, retro eff. 12-22-11; AO No. 2013-41(S-1), § 2, 4-23-13; AO No. 2014-42, § 26, 6-21-14; AO No. 2015-111(S-1), § 1, 1-1-16 ; AO No. 2015-126, § 1, 1-1-16 ; EO No. 2016-1, § 6, 7-12-16 ; AO No. 2016-83(S), § 8, 7-26-16 ; AO No. 2019-51(S) , § 3, 6-20-19; AO No. 2019-76 , § 4, 7-12-19)

State Law reference— Fine schedule for violations not requiring court appearance, permitted, AS 28.05.151.

Section 7. Anchorage Municipal Code section 11.60.030 Authority of airport manager, is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

11.60.030 Authority of airport manager.

- A. The [AN] airport manager shall exercise the powers and duties granted him or her by this chapter only at the municipal airports which he or she manages.
- B. The [AN] airport manager may close a municipal [THE] airport or any part thereof if he or she deems conditions to be unsafe for airport activity.
- C. The [AN] airport manager shall manage the municipal airports so that all activity thereon is conducted in a safe and reasonable manner.
- D. No person may intentionally fail or refuse to obey a lawful order of the the [AN] airport manager.

(AO No. 78-177)

Section 8. Anchorage Municipal Code section 25.30.040 Disposal for fair market value or for less than fair market value, is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

25.30.040 Disposal for fair market value or for less than fair market value.

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D. Notwithstanding the provisions of subsection C of this section, municipal land managed by the Airports [MERRILL FIELD AIRPORT] and the Port of Alaska may be leased at less than fair market value upon a finding by the assembly that:

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(AO No. 79-170; AO No. 2017-122(S), § 8, 10-24-17)

Section 9. This ordinance shall be effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this _____ day of _____, 2022.

Chair _____

ATTEST:

Municipal Clerk