

(S-1) Submitted by: Assembly Member
Sulte and
Assembly Member
Zaletel

(S-1) Prepared by: Department of Law
(S-1) Reviewed by: Assembly Counsel's
Office

(S-1) For reading: February 27, 2024

ANCHORAGE, ALASKA
AO No. 2023-110(S-1), As Amended

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

10
11 **WHEREAS**, there is a need to understand this market to ensure the proper
12 operation of the STR for the enjoyment of the renter and the neighborhoods in which
13 they operate; and

14
15 **WHEREAS**, there is a desire to provide additional assurances that STR units meet
16 current applicable provisions of the land use, fire, health and other applicable
17 Anchorage Municipal Codes for the safety of renters and property owners, **and**
18 **provide for appropriate and adequate financial protection, such as insurance**
19 **coverage, for unexpected incidents and resulting damage or injury;** and

20
21 **WHEREAS**, there is a desire to provide additional assurances for the quiet and
22 peaceful enjoyment of residents living near an STR **who do not have input into**
23 **rental platform ratings;** and

24
25 **WHEREAS**, **it is not the intent of this AO to raise funds for other purposes,**
26 **only the administration of the Short Term Rental licensing program,**
27 **enforcement and other related expenses reasonable and necessary for the**
28 **purposes of the program, such as third party verification of STR properties;**
29 **and**

30
31 **WHEREAS**, the Municipality of Anchorage is facing a housing shortage and is
32 working to increase housing supply in the Municipality through a variety of measures
33 **and Short Term Rentals have shown to be a factor in the housing crisis in**
34 **some communities in the United States both for the positive and for the**
35 **negative;** and

36
37 **WHEREAS**, **the Municipality requests that STR hosting platforms registered under**
38 **AMC section 12.20.031 report taxes broken down by location, e.g. zipcode or**

1 similar, as a crucial part of "data gathering"; and

2
3 **WHEREAS**, there is a need for the Municipality of Anchorage to proactively respond
4 to the impact of Short-Term Rentals **by first gathering data, that is currently**
5 **considered proprietary information by platform hosts and is not provided to**
6 **the level required, to understand the market and whether a problem exist;** now,
7 therefore

8
9 **THE ANCHORAGE ASSEMBLY ORDAINS:**

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

14
15 **CHAPTER 10.90 LICENSING AND REGULATION OF SHORT-TERM**
16 **RENTALS**

17
18 **10.90.005 – Purpose and Definitions.**

19
20 A. Purpose. The purpose of this chapter is to establish the Short-Term
21 Rental license and to facilitate the permitting of Short-Term Rental
22 units subject to appropriate restrictions and standards of this Code, to
23 ensure the safety and enjoyment of the renter, and to allow for
24 retaining the character of and quiet and peaceful enjoyment of
25 residential neighborhoods **while respecting individual property**
26 **owner rights in alignment with this code.**

27
28 B. Definitions. The following words, terms and phrases, when used in
29 this chapter, shall have the meanings ascribed to them in this section,
30 except where the context clearly indicates a different meaning:

31
32
33 *Advertisement:* A form of marketing communication that employs a
34 non-personal message to promote the rental of a Short-Term Rental
35 unit. This includes, but is not limited to, mailing, brochures, print,
36 internet listing, e-mail publication, social media, other electronic
37 means, or other means or methods regardless of the medium used.

38
39 **[BEDROOM: A BEDROOM MUST MEET THE CRITERIA SET**
40 **FORTH IN SECTION 9 OF THIS CHAPTER.**

41
42 **OCCUPANCY LIMIT: THE MAXIMUM NUMBER OF PERSONS**
43 **PERMITTED TO OCCUPY OVERNIGHT IN A SHORT-TERM**
44 **RENTAL UNIT.]**

45
46 *Rent (noun)* is the monetary value of any consideration, whether
47 money or property, given in exchange for the right to use or occupy an
48 STR unit.

49
50 *Rental agent:* A management company, rental agent, or other person

1 employed or engaged by the license holder to advertise the Short-
 2 Term Rental unit for rent, or to remit any required tax to the
 3 Municipality.

4
 5 *Responsible Manager:* A management company, rental agent, or
 6 individual who is identified in writing to the Municipal Clerk as the
 7 person responsible for code complaints made about the Short-Term
 8 Rental unit **and shall be capable of responding, or direction**
 9 **someone with management authority to respond, within a**
 10 **reasonable time and at least daily by person, phone, e-mail or**
 11 **other means.**

12
 13 *Short-Term Rental (STR) Unit:* A separate and distinct living unit ,
 14 which may be a condominium, town home, house, studio unit,
 15 condominium unit, bedroom or any such other similar unit which is
 16 rented to any person, who, for consideration, uses, possesses or has
 17 the right to use or possess such Short-Term Rental Unit for a period
 18 of less than thirty (30) consecutive days, regardless of the number of
 19 days during a license year such unit is rented.

20
 21 ***[STUDIO: A SHORT-TERM RENTAL UNIT WHICH DOES NOT***
 22 ***CONTAIN A SEPARATE AND DISTINCT BEDROOM.]***

23
 24 *To rent or rent* (in any conjugation of the verb form) an STR means to
 25 provide or obtain the right to use or occupy an STR unit in exchange
 26 for rent.

27
 28 **10.90.010 – Short-Term Rental Unit License required.**

- 29
 30 A. It shall be unlawful for any person to operate any Short-Term Rental
 31 unit without a valid Short-Term Rental unit license, as approved by the
 32 Municipality. This license requirement shall be effective beginning on
 33 **a date to be determined by the municipal clerk no earlier than 180**
 34 **days after [and no less than 180 days and no more than 540 days**
 35 **from] [insert date of passage of this AO] [May 1, 2024]. The**
 36 **municipal clerk shall publish the effective date of this license**
 37 **requirement no later than 120 days after [insert date of passage of this**
 38 **AO] both as defined by section 1.05.020 and on the municipal clerk's**
 39 **web pages for municipal business licenses.**
- 40
 41 B. The Short-Term Rental unit license does not reside with the property
 42 but is issued to the specific owner of the property. The license shall
 43 expire upon sale or transfer of the property. The license shall not be
 44 transferred or assigned to another individual, person, entity, or
 45 address but may be managed by a third party on behalf of the owner.
- 46
 47 C. The initial Short-Term Rental unit license for a property shall have a
 48 term duration no greater than two years. The municipal clerk may
 49 **grant the initial license for a term less than two years such that the**
 50 **license expiration date falls on the annual date of renewal determined**

1 by the municipal clerk. ~~[determine the license term for the initial~~
 2 ~~license, and renewal date. Other than the initial term, The license~~
 3 ~~period for renewed]~~Licenses may be renewed for one or two years
 4 ~~[annual or biennial], as determined by the municipal clerk [with an~~
 5 ~~end date of April 30]. The municipal clerk may issue a regulation~~
 6 ~~under this title establishing an annual expiration date applicable to all~~
 7 ~~licenses issued under this chapter.~~

- 8
 9 D. Chapter 10.10 shall not apply to Short-Term Rental unit licenses
 10 unless specifically made applicable by provisions of this chapter.
 11 [A license may be renewed for additional two-year periods with a
 12 term that begins May 1 and ends two years later on April 30.]

13
 14 **10.90.015 – License application.**

- 15
 16 A. Applications submitted for licenses and license renewals shall be
 17 made in writing [set forth the following information] on [the] forms
 18 prescribed and furnished by [obtained from] the Municipal Clerk[’s
 19 Office and]. Applicants shall pay all fees required for a license
 20 application. Application content and municipal clerk review shall be in
 21 accordance with Section 10.10.015] applies to the applicant
 22 content and the authority of the municipal clerk to review and
 23 verify the information therein].

- 24
 25 B. The license application or renewal application shall also include:

- 26
 27 1. T[t]he completed application form;
 28
 29 2. Owner Safety self-inspection certification;
 30
 31 3. Owner statement [Affidavit]: a statement under penalty of
 32 unsworn falsification that the owner has read and understands
 33 the rules and regulations for a Short-Term Rental unit set forth
 34 in this chapter, and [including] that the owner and Short-
 35 Term Rental unit is in compliance with criteria and
 36 requirements of this chapter [in section 10.90.];
 37
 38 4. [A description specifying how each required license
 39 review criteria will be met;
 40
 41 5.] A copy of the licensee’s room tax certificate of registration , if
 42 required to obtain one under chapter 12.20;
 43
 44 5[6]. Proof of property liability insurance in the amount of not less
 45 than an amount required for a bed and breakfast of
 46 comparable size within the municipality or five hundred
 47 thousand dollars (\$500,000.00), whichever is less, or
 48 [provide] proof that property liability coverage in an equal or
 49 higher amount is provided by any hosting platforms through
 50 which the owner will rent the Short-Term Rental unit. Proof of

1 liability insurance is not required if Short-Term Rental
 2 reservations are handled exclusively by hosting platforms
 3 (websites) that extend liability coverage of not less than the
 4 amount required by this section ~~five hundred thousand~~
 5 ~~dollars (\$500,000.00)]~~ under terms acceptable to the
 6 Municipal Risk manager;[.]

7
 8 **6[7].** The name, address, email address and other contact
 9 information, including a 24-hour contact phone number for the
 10 owner or the owner's Responsible Manager, and an alternate
 11 person in the event of an absence of the owner or
 12 Responsible Manager from the municipality. The owner or
 13 Responsible Manager, and[~~or~~] the alternate, shall be
 14 physically available ~~[reside within the municipality,]~~ ~~[who]~~ ~~[can~~
 15 ~~be contacted]~~ in the event of an emergency or immediate
 16 concern at the property, and shall be capable of ~~[can]~~
 17 physically responding, or directing someone with
 18 management authority to respond, at the Short-Term Rental
 19 unit to address immediate issues or concerns on a daily
 20 basis~~[within one hour];~~

21
 22 **7[8].** The name, address, telephone number, and email address of
 23 any current Rental Agent for the Short-Term Rental unit; and

24
 25 ~~**9.** License holder shall designate in writing a Responsible~~
 26 ~~Manager. The person may be the license holder/owner,~~
 27 ~~and the license holder may designate one or more~~
 28 ~~alternate Responsible Manager(s) at the time of~~
 29 ~~application. The Responsible Manager or an alternate shall~~
 30 ~~be able to physically respond to the Short-Term Rental unit~~
 31 ~~in no more than one hour at all times the unit is rented.~~
 32 ~~Responsible Manager and Rental Agent may be one and~~
 33 ~~the same.]~~

34
 35 C. License holder shall notify the Municipal Clerk in writing within thirty
 36 (30) days of any change in the information set forth in the current
 37 application on file with the Clerk. ~~[However, the license holder shall~~
 38 ~~notify the Municipal Clerk within three (3) days in writing of any~~
 39 ~~change in Rental Agent or Responsible Manager by including the~~
 40 ~~name, address, telephone number, and email address of the~~
 41 ~~license's replacement Rental Agent or Responsible Manager.]~~

42
 43 D. The municipal clerk shall review the application to ensure the
 44 information contained therein is complete and otherwise in~~The~~
 45 application shall be reviewed administratively by the Municipal
 46 Clerk for completeness and] compliance with application
 47 requirements in this chapter. The municipal clerk shall circulate
 48 the application only to the Finance Department in accordance with
 49 subsection 10.10.020A.1.a. ~~[chapter 10.10, License~~
 50 ~~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.

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

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

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

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

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

~~6.] Sleeping quarters for Short-Term Rentals shall meet applicable municipal code for a sleeping area.]~~

6[7]. The owner shall maintain or provide for trash and garbage from the Short Term Rental unit shall be stored and disposed in compliance with municipal code.

10.90.025 – License issuance.

- 1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
- A. The Municipal Clerk shall issue a license for a Short-Term Rental unit under this chapter only if the applicant has complied with the requirements of this chapter and paid the license fee, in addition to compliance with all other applicable business license and tax requirements under federal and[,] state [and municipal] law. **The license term shall be in accordance with subsection 10.90.010C. [An initial license issued for a property may have a term shorter than two years, as described in section 10.90.035C.]**
- B. A Short-Term Rental unit license issued pursuant to this chapter shall be valid for a single Short-Term Rental unit and for the term of the license unless [two years or until] abandoned, voluntarily surrendered, suspended or revoked prior to expiration. The municipal clerk may extend the license term past the expiration date in accordance with subsection 10.10.030B. if a renewal application is pending approval.
- C. Renewal shall not be unreasonably withheld. If the STR unit was 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 subsection 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.

- 37
38
39
40
41
42
43
44
45
46
47
48
49
50
- 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

1 a conveyance meeting any of the following conditions, the
 2 Municipal Clerk may re-issue the Short-Term Rental unit
 3 license to the grantee or lessee named in such deed or
 4 leasehold conveyance:

5
 6 **a[1].** The ~~[transfer of title to real property if the]~~ grantee or
 7 lessee is a member of the grantor's immediate family.
 8 For purposes of this section, "immediate family" means
 9 the spouse, child (including a stepchild and an adoptive
 10 child), parent, sibling, grandparent, aunt, or uncle of the
 11 person, and a parent or sibling of the person's spouse.

12
 13 **b[2].** The transfer is ~~[of title to real property from a grantor]~~
 14 to a trust established by the grantor, and the grantor is
 15 the trustee.

16
 17 **c[3].** The transfer is ~~[of title to real property from a grantor]~~
 18 to a limited liability company or another form of business
 19 entity recognized by Alaska law so long as the grantor
 20 or lessor has a controlling interest in such limited
 21 liability company or other business entity.

22
 23 **d[4].** Any transfer of the property between the same parties
 24 creating or terminating a [joint] tenancy in common or
 25 by the entirety in such property.

26
 27 **e[5].** The transfer of title or change of interest ~~[in real~~
 28 property] by reason of death, pursuant to a will, the law
 29 of descent and distribution, a devise pursuant to these
 30 occurrences, or otherwise.

31
 32 **2. Other exceptions to prohibition on transfer of a license.**

33
 34 **a[6].** The transfer ~~[of title]~~ required by order of a court of
 35 competent jurisdiction.

36
 37 **b[7].** A transfer of an interest in the property without
 38 consideration for the purpose of confirming, correcting,
 39 modifying, or supplementing a transfer previously
 40 recorded; making minor boundary adjustments;
 41 removing clouds of titles,

42
 43 ~~[: or granting rights-of-way, easements, or permits.]~~

44
 45 **10.90.035 – Fees.**

46
 47 A. Purpose and Use of the License Fees: Funds collected by the
 48 Municipality from the Short-Term Rental unit fee established by this
 49 section shall be used to defray the costs to the Municipality, including,
 50 but not limited to, for staff and personnel required for the

administration, ~~[and]~~ enforcement, ~~and~~ **audit** of the program, ~~and~~ **for data collection, analysis and research of the STR market and trends in the Municipality**. License fees ~~[are not a tax, but]~~ are for the privilege of operating an STR unit in the municipality; ~~[,]~~ **they are not a tax.**

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

1. A portion of the fee is non-refundable to cover the costs of application processing and review, in the amount of \$50.00.
2. The license fee established in this section shall be waived where the Short-Term Rental unit is the applicant's primary residence, **resides on site or the premises, resides in immediately adjacent property,** ~~[or]~~ is rented out to a single guest for an aggregate of more than 180 days of the previous 12 months, ~~or is rented as an STR unit to one or more persons for a period of less than 15 days total in a calendar year,~~ **none of which may be consecutive occupancy of more than 30 days**].
3. The license fee established in this section shall be waived where a Short-Term Rental unit is owned by an active-duty military service member whose permanent duty station is within Municipality of Anchorage and receives orders to report to a temporary duty station outside of the Municipality of Anchorage (i.e. deployment), for the duration of the deployment for the initial application and each annual renewal upon presentation of orders.
4. ~~[No Short-Term Rental unit license shall be issued until the applicable Short-Term Rental unit fee has been received by the Municipality.~~
- 5.] ~~[Biannual]~~ License Fee Due Date: The Short-Term Rental unit fee shall be due and payable to the Municipality at the time of application. Failure to pay the fee in accordance with this section will result in the non-issuance or nonrenewal of a license.
- 6.] ~~Excess fees collected may be used broadly for affordable workforce housing development as long as they do not adversely affect the administration of the STR licensing~~

~~program or lead to license fee increase due to a program short-fall.]~~

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

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

E[D]. Administration of the Fund:

1. All sums of money collected by the Municipality per this section are intended exclusively for use as outlined in this section.
2. The fees collected in accordance with this section shall be accounted for in such a manner that the collection and expenditure of such fees can be separately tracked by the municipality.
3. The fees collected in accordance with this section shall not be used for general municipal or governmental purposes or spending. Nor shall the fund ever be transferred to or become part of the Municipality's General Fund.
4. The amount of the fee shall bear a reasonable relationship to the direct and indirect costs of implementing the municipality's regulatory program established by this chapter, including enforcement. The Municipal Clerk shall review the fee amount every two years and recommend adjustment to the chair of the assembly.

10.90.040. – Rules and regulations.

A. In addition to the rules set forth in this section, the Municipal clerk is authorized to issue ~~adopt~~ reasonable and necessary policies~~rules~~ and regulations under this chapter to implement the requirements of this Short-Term Rental unit license code.

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

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

6
7 ~~2. No regular meals shall be prepared for or served to the Short-~~
8 ~~Term guests by the owner or the owner's agents. However, a~~
9 ~~welcome snack or a sharing of cultural or local cuisine is~~
10 ~~permitted.]~~

11
12 ~~2~~3. The license with all local contact information and emergency
13 safety information shall be prominently displayed within the
14 Short-Term Rental unit. Care should be taken to not be
15 viewable from outside of the STR.

16
17 ~~3~~4. The municipally issued license number shall be used in all
18 rental marketing materials.

19
20 ~~4~~5. During the term that a Short-Term Rental unit is occupied by a
21 Short-Term guest, the owner and/or the **Responsible**
22 **Manager or alternate** ~~[local contact person designated by~~
23 ~~the owner]~~ shall be available twenty four (24) hours per day,
24 seven (7) days per week, for the purpose of responding within
25 one hour to complaints **by person, phone, email or other**
26 **means** regarding the condition or operation of the Short-Term
27 Rental unit or the conduct of Short-Term guests. If the local
28 **Responsible Manager or alternate** ~~[contact person~~
29 ~~designated by the owner]~~ changes, then the owner shall
30 update the license on file within **thirty (30)** ~~[three (3)]~~ days.

31
32 ~~6. Maximum overnight occupancy of a Short-Term Rental~~
33 ~~unit, except studios shall be limited to two (2) adults per~~
34 ~~bedroom, plus an additional two (2) adults per dwelling~~
35 ~~unit.~~

36
37 a. ~~Studios shall be limited to two (2) adults.~~

38
39 b. ~~Minors, <18 years of age, will not be counted as long~~
40 ~~as under the care and supervision of an adult on the~~
41 ~~premises.~~

42
43 ~~10.90.045 - Criteria for a bedroom under the Short-Term Rental~~
44 ~~regulations.~~

45
46 A. ~~The number of bedrooms that exist in a Short-Term Rental unit~~
47 ~~shall be presumed to be as established by the municipal property~~
48 ~~tax information database; or~~

49
50 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.

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

~~B.]~~ Short-Term Rental unit license holders shall be responsible for the safety of the occupants and shall ensure compliance with Municipal Code ~~[and welfare of the surrounding areas and residential habitants]~~. In so doing, the license holder or the Responsible Manager shall ensure that:

1. Short-Term Rental units shall at all times be equipped with a functioning smoke detector, carbon monoxide detector, and fire extinguisher.
2. ~~[Motor vehicles used by occupants shall be parked only on the site of the Short-Term Rental unit or in a public Municipality designated parking area located off of the site of the Short-Term Rental unit.~~
- 3.] Motor vehicles shall be parked in accordance with Municipal Code.
- ~~4. Occupants shall not sleep in motor vehicles and further, shall cause motor vehicles parked at a Short-Term Rental~~

1 ~~unit to comply with the requirements and be subject to the~~
2 ~~limitations of this Code.]~~

3
4 **3[5].** Trash and garbage from a Short-Term Rental unit shall be
5 stored and disposed of in compliance with Municipal Code.

6
7 **4[6].** Noise emanating from the Short-Term Rental shall be in
8 accordance with Municipal Code.

9
10 **10.90.060. – Right of entry for inspections or investigations;**
11 **complaints.**

12
13 A. Inspections are authorized under section 10.10.050. In addition to the
14 municipal clerk or law enforcement officials, code enforcement officers
15 as directed by the municipal clerk may enter and inspect the premises
16 of the Short-Term Rental unit as reasonable and necessary to ensure
17 and enforce compliance with this chapter and applicable provisions of
18 this code.

19
20 B. Complaints.

21
22 1. The Responsible Manager shall be available twenty-four (24)
23 hours per day, seven (7) days per week, to respond to any
24 complaint filed with or through the Municipality, or a website
25 provided by the Municipality for such purpose, about the
26 operation or condition of the license holder's Short-Term Rental
27 unit.

28
29 2. The Responsible Manager shall be able to **reasonably**
30 respond to a complaint within sixty (60) minutes of receiving
31 notice of such complaint **in person, phone, email or other**
32 **means.**

33
34 **10.90.065. – Fines, penalties, and denial of license.**

35
36 A. Penalties and remedies for violations of this chapter shall be as
37 provided in the general provisions for this title. Fine amounts for
38 specific violations may be set forth in section 14.60.030 of this code.

39
40 B. If a license application is denied, the municipal clerk shall return the
41 refundable portion of the fee to the applicant. An appeal from a
42 decision of the Municipal Clerk to deny an application for a license or
43 deny renewal shall be within the jurisdiction of the administrative
44 hearings officer as provided in Title 14, whom is hereby designated to
45 hear and decide such appeals. Hearing procedures shall be
46 conducted in accordance with chapter 3.60. A notice of appeal shall
47 be submitted on a form provided by and filed with the municipal clerk,
48 whom shall forward the notice to the administrative hearings office. A
49 notice of appeal must be filed with the municipal clerk within **thirty (30)**
50 **[fifteen (15)]** after the decision. ~~**[The final decision of the**~~

~~administrative hearing officer shall be made to the Superior Court, Third Judicial District, Anchorage, Alaska, no later than 30 days following service of that decision. Review by the court shall be limited to determining whether the decision of the hearing officer is supported by substantial evidence.]~~

10.90.070 – License suspension or revocation.

- A. The Municipal Clerk may **recommend suspension or revocation of [suspend or revoke]** a license if it finds, by a preponderance of the evidence, that:
 - 1. The operation of the Short-Term Rental unit no longer conforms with the review criteria of this part; or
 - 2. The owner has violated a condition of approval **without taking reasonable measures to respond and correct violations**; or
 - 3. The owner has violated the rules and regulations provided for in this part **without taking reasonable measures to respond and correct violations**.
- B. License suspension or revocation proceedings shall be in accordance with section 10.10.040 **and require Assembly action**.
- 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
***	***	***

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39

(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),

1 § 3, 2-27-18; AO No. 2017-16 , § 3, 2-14-17; AO No. 2017-129 , § 2, 1-23-
 2 18; AO No. 2018-63(S) , § 2, 8-28-18; AO No. 2018-100(S) , § 2, 1-1-19; AO
 3 No. 2018-110 , § 2, 12-18-18; AO No. 2019-9(S) , § 2, 2-12-19; AO No. 2019-
 4 12 , § 2, 3-5-19; AO No. 2019-15(S) , § 2, 3-19-19; AO No. 2019-34 , § 5, 4-
 5 18-19; AO No. 2019-50(S) , § 2, 6-6-19; AO No. 2019-66 , § 26, 6-18-19; AO
 6 No. 2019-74(S) , § 2, 6-18-19; AO No. 2019-79(S) , § 2, 7-9-19; AO No. 2019-
 7 90(S) , § 7, 8-20-19; Ord. No. 2020-4(S) , § 3, 6-24-20; AO No. 2020-65 , §
 8 2, 9-25-20; AO No. 2020-103 , § 2, 11-4-20; AO No. 2022-97 , § 1, 11-9-22;
 9 AO No. 2023-27 , § 2, 3-21-23)

10
 11 **Section 3.** The Municipality Assembly hereby finds, determines and declares that
 12 this ordinance is necessary and proper to provide for the safety, preserve the health,
 13 promote the prosperity, and improve the order, comfort and convenience of the
 14 Municipality of Anchorage and the inhabitants thereof.

15
 16 **Section 4.** The Municipal Clerk shall not accept applications for an STR unit
 17 license under this ordinance sooner than **120 days from the passage of this**
 18 **ordinance [March 1, 2024].**

19
 20 **Section 5.** This ordinance shall be effective immediately after passage and
 21 approval by the Assembly.

22
 23 PASSED AND APPROVED by the Anchorage Assembly this __ day of _____, **2024**
 24 **[2023].**

25
 26
 27
 28 ATTEST: _____
 29 Chair

30
 31
 32 _____
 33 Municipal Clerk