

Submitted by: Chair of the Assembly at
the Request of the Mayor
Prepared by: Anchorage Health
Department
For reading:

ANCHORAGE, ALASKA
DRAFT AO No. 2020-XXX

**AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE TITLE 17,
ANIMALS, TO ADD REQUIREMENTS FOR ANIMAL IN PUBLIC PLACES, BY
AMENDING SECTIONS 17.05.010 AND 17.10.010.**

WHEREAS, Anchorage Municipal Code Title 17 (Animals) has been determined by the Administration and the Animal Control Advisory Board (ACAB) to need modifications in order to curtail loose animals in public and altercations with loose animals;

WHEREAS, Animal Care and Control and Assembly members receives frequent complaints of loose animals in public; especially on trails;

WHEREAS, where the code allows for control by command if an animal is engaged in an activity that precludes it from accomplishing that activity if restrained is often misinterpreted to mean walking, running, and/or biking on trails;

WHEREAS, multiple off-leash dog parks have been established in Anchorage;

WHEREAS, the ACAB took public comment on the proposed ordinance on _____,

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. Anchorage Municipal Code section 17.05.010, Definitions, generally, is hereby amended by enacting the following definitions (*other definitions in the section are not affected and therefore not set out*):

17.05.010 – Definitions, generally.

The following words, terms and phrases and their other verb forms and tenses, when used in this title, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

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Control, in relation to an animal, means to simultaneously monitor, direct, and restrict an animal's movements and activities, in a humane manner, so as to prevent violations of this title. Specific types of control are defined as follows:

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3. *Control by leash* means to control an animal by securely attaching a leash, [CHAIN OR AN ITEM] which is physically capable of restraining the animal, [INCLUDING ELECTRONIC COLLAR, TO THE ANIMAL] and which is in the secure possession of or attached directly or indirectly to a person physically and mentally capable of monitoring, directing and restricting the animal's movements and activities; or

4. *Control by attachment* means to control an animal by [A HARNESS OR OTHER SIMILAR DEVICE ATTACHED] attaching the animal directly or indirectly to a person or immovable object by means of a [CHAIN,] leash [OR SIMILAR DEVICE] in such a manner that:

a. When the animal is on private property, it cannot travel off the private property on which the immovable object is located, or into any public vehicular or pedestrian way, or other public easement; or

b. When the animal is on public property, the animal is temporarily attached in such a manner that it cannot travel more than three feet from the immovable object and is not unattended by the owner; or

[5. *CONTROL BY HARNESS* MEANS TO CONTROL AN ANIMAL BY A HARNESS OR OTHER SIMILAR DEVICE ATTACHED DIRECTLY OR INDIRECTLY TO A PERSON OR OBJECT DURING AN EVENT OF COMPETITION, TRAINING, DEMONSTRATION, OR SHOW.]

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Public Place means any municipal land (as defined in Sec. 25.10.010) and includes: streets, sidewalks, trails, parks, playgrounds, sports fields, parking areas, and any other public place which has not been designated as an off-leash area.

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(AO No. 2001-158(S-4), § 1, 1-1-03; AO No. 2004-86, § 1, 5-18-04; AO No. 2009-88, § 1, 9-10-09; AO No. 2013-142, § 1, 12-17-13; AO No. 2016-55, § 2, 6-7-16 ; AO No. 2017-87 , § 1, 6-13-17; AO No. 2018-112 , § 1, 1-15-19; AO No. 2019-91(S-1) , § 1, 12-3-19)

Section 2. Anchorage Municipal Code section 17.10.010, Animals in public places, is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

17.10.010 Animals in public places.

A. It is unlawful for any animal to be in a public place unless it is *controlled by a leash*, and in the control of a person competent to restrain the animal except:

1. Control of an animal by command is allowed if the following 3 conditions are met:

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- a. the animal is engaged in an activity that precludes it from accomplishing that activity if restrained, and
 - b. the animal is not on a sidewalk, street, multi-use trail or path, or in a residential area, and [THE ANIMAL IS IN AN AREA NORMALLY ASSOCIATED WITH THAT ACTIVITY, AND]
 - c. the activity is conducted in a manner that [MINIMIZES] does not impact [WITH] the general public;
2. A dog may be unconfined in areas sanctioned by the municipality as off leash dog areas. The owner or custodian of a dog, unconfined in an off leash dog area, must have a leash restraint immediately available for the physical control of the dog and be physically capable of controlling the dog;
 3. An animal, at shows and events, may be unconfined or unleashed during the time of the demonstration in a manner which does not pose a threat to public health and safety or the safety of other animals;
 4. An animal may be humanely controlled by attachment [ATTACHED IN OR TO A VEHICLE] to an immovable object in a public place, provided the animal may not:
 - a. Be capable of removing or detaching itself from the object [VEHICLE];
 - b. Be attached so as to fall, jump, be thrown from or dragged by a [THE] vehicle;
 - c. Be exposed to prolonged inclement weather; or
 - d. Pose a threat to public health and safety or the safety of other animals.
 5. An animal may be humanely contained inside an attended or locked, fully enclosed container.

(AO No. 2001-158(S-4), § 1, 1-1-03)

PASSED AND APPROVED by the Anchorage Assembly this _____ day of _____, 2020.

Chair of the Assembly

ATTEST:

Municipal Clerk

Items in brackets and capitalized are to be deleted, [REMOVE FROM CODE]

- 1 Items underlined are to be added to the code, Add to the code.
- 2
- 3 Required accompanying AM when finalized.