



# MUNICIPALITY OF ANCHORAGE

## Assembly Memorandum

No. AM - 2025

Meeting Date: \_\_\_\_\_

**From: MAYOR**

**Subject: AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE CHAPTER 8.45 [05] [AND SECTIONS 8.45.015 AND 15.20.020] TO PROHIBIT CAMPING ON PROTECTED [PUBLIC] PREMISES AND PROHIBIT CONSTRUCTION ON PUBLIC LAND BY PROVIDING CRIMINAL PENALTIES [AND ENFORCEMENT PROTOCOLS CONSISTENT WITH CITY OF GRANTS PASS V. JOHNSON AND OTHER LAW].**

This ordinance provides a targeted legal mechanism that will allow the Municipality to rapidly intervene and help prevent the most unsafe and inappropriate camping on public land. This version takes a balanced, practical approach that minimizes legal risks to the Municipality and can be implemented effectively with the existing resources.

At the very beginning of my term as Mayor, I asked the Municipal Attorney and Anchorage Police Department Chief to identify any legal changes they needed to protect public safety. This ordinance aligns with other public safety improvements we've made, including recruitment efforts that produced the first full Police Academy in many years, fully staffing the Municipal Prosecutor's office, and recently passed legislation that imposed meaningful penalties for unsafe fires.

This ordinance adds criminal penalties for certain camping activity and locations, giving us the ability to more quickly and efficiently deploy the Police Department to address camping in unsafe and inappropriate areas. It supplements existing legal tools, including the civil abatement process, which will still apply Muni-wide, as well as trespass law.

It is never appropriate for someone to set up a prohibited campsite near playgrounds, schools, childcare centers, neighborhood recreation centers, and other areas frequently occupied by children. It is also critical to keep streets and trails clear. Anchorage has recently seen record numbers of pedestrian deaths, emphasizing the importance of keeping a safe buffer zone on and around our roadways and other frequently traveled thoroughfares. Watersheds also merit protection: the Anchorage Police Department and Alaska Department of Fish & Game (ADFG) report that camps near waterbodies result in unacceptable levels

1 of trash and human waste that contaminate the watershed, and that camps near  
2 waterbodies are further associated with illegal and destructive fishing. For  
3 example, during a recent fish count on Campbell Creek (which supports all  
4 species of salmon), ADFG observed a gillnet strung across the entire width of the  
5 creek in a king salmon spawning habitat, during king salmon spawning season.  
6 This ordinance will help deter people from setting up camps in or near these  
7 safety zones, and it will allow for swifter intervention to prevent large  
8 encampments from taking root.

10 And it is never appropriate for individuals to claim an area of public land  
11 indefinitely with the unauthorized construction of structures. No one has the right  
12 to build semi-permanent and dangerous buildings on public land. This ordinance  
13 makes clear that hard-sided, hard-walled, and hard-roofed structures will not be  
14 tolerated on public property.

16 This new law will help prevent camps in the Municipality from becoming  
17 entrenched. Entrenched camps, like the encampments at Davis Park and the  
18 nearby snow dump, become dangerous, and they are significantly more  
19 expensive to clear, requiring substantial cross-departmental coordination and  
20 lengthy clean-ups. By preventing camps from becoming entrenched in priority  
21 areas, this ordinance will help to reduce the costs of abatement.

23 Recognizing that many misdemeanor offenses relate to underlying behavioral  
24 health issues and that addressing those issues can help reduce recidivism, in  
25 late 2024, Municipal Prosecution adopted a policy making all categories of  
26 offenses eligible for therapeutic courts. The Alaska Court System has a [robust  
27 therapeutic court program](#), which is an alternative justice model in which a  
28 collaborative team oversees and closely monitors participants who choose a  
29 treatment program in lieu of incarceration. Successful completion of treatment  
30 through the therapeutic courts can result in the reduction or dismissal of criminal  
31 charges, which can enable first-time offenders to maintain a clean criminal  
32 history. In addition, the Anchorage Police Department has trained its officers to  
33 identify situations where behavioral health intervention may be more appropriate  
34 than a traditional law enforcement response, and to connect unhoused  
35 individuals with social services where appropriate. It has dedicated officers to this  
36 effort as part of its [Homeless Outreach Prevention Engagement \(HOPE\) Team](#).  
37 The administration has also been planning a pre-charging diversion and  
38 treatment program that would provide another pathway to address underlying  
39 behavioral health issues that contribute to criminal conduct and reduce  
40 recidivism.

42 The ordinance caps the maximum financial penalties that may be imposed by a  
43 court for violation of the new offenses, reducing the maximum from \$10,000 to  
44 \$500 for a class A misdemeanor and from \$2,000 to \$250 for a class B  
45 misdemeanor.

47 This ordinance supports the administration's balanced approach toward  
48 addressing homelessness: The Municipality is providing a safety net of shelter

1 and services, enhancing crisis care and outreach efforts, enforcing laws and  
2 removing unsafe and unauthorized camps, and improving access to housing.

3  
4 Public parks, trails, and spaces must be safe and accessible for all.  
5 Encampments are not safe – not for the people living in them, and not for people  
6 nearby. This ordinance, like the civil abatement process, is not a solution to  
7 homelessness, but it is a necessary means to protect public safety.

8  
9 A map is attached for informational purposes only. It has not been verified for  
10 completeness or accuracy and has no legal effect.

11  
12 **Summary of changes:** This substitute version (1) replaces the whereas clauses  
13 of the original ordinance, (2) creates two different new misdemeanor offenses  
14 (prohibited camping on protected premises and prohibited construction on public  
15 property), instead of creating a single new misdemeanor offense in Title 8  
16 (prohibited camping on public premises), and (3) reduces the maximum fines for  
17 the new offenses.

18  
19 **There are no anticipated economic effects because enforcement of these**  
20 **new offenses can be accomplished within the existing operational capacity**  
21 **of the Anchorage Police Department and Municipal Prosecution. Therefore**  
22 **pursuant to AMC 2.30.053B.1., no Summary of Economic Effects is**  
23 **attached to this ordinance.**

24  
25 Prepared by: Department of Law  
26 Approved by: Eva R. Gardner, Municipal Attorney  
27 Concur: Ona R. Brause, Director, Office of Management and  
28 Budget  
29 Concur: Brian Wilson, Acting Chief, Anchorage Police  
30 Department  
31 Concur: William D. Falsey, Chief Administrative Officer  
32 Concur: Rebecca A. Windt Pearson, Municipal Manager  
33 Concur: Dennis A. Wheeler, Municipal Prosecutor  
34 Respectfully submitted: Suzanne LaFrance, Mayor

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36 Attachment: Map