

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2022-34

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA AMENDING TITLE 6 "BUSINESS LICENSES AND REGULATIONS" OF THE SITKA GENERAL CODE BY UPDATING CHAPTER 6.19 "REGULATION OF COMMERCIAL OPERATORS SELLING ORGANIZED EXCURSIONS OR RENTING EQUIPMENT FOR ORGANIZED EXCURSIONS AND LOADING/UNLOADING COMMERCIAL VEHICLES" BY CHANGING FROM SEALED BID TO OPEN OUTCRY AUCTION

1. CLASSIFICATION. This ordinance is of a permanent nature and is intended to become a part of the Sitka General Code.

2. SEVERABILITY. If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and application to any person or circumstance shall not be affected.

3. PURPOSE. The purpose of this ordinance is to change the bid procedure for obtaining a commercial operations permit from sealed bid to open outcry auction.

4. ENACTMENT. NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that the Sitka General Code Title 6, entitled "Regulation of Commercial Operators Selling Organized Excursions or Renting Equipment for Organized Excursions and Loading/Unloading Commercial Vehicles", Chapter 6.19, entitled "Permit required for commercial vehicles loading/unloading in certain areas" be amended by updating Section 6.19.030, entitled "Permit required for commercial operations involving organized excursions in areas subject to this chapter", is revised to read as follows (deleted language stricken, new language underlined):

Title 6
BUSINESS LICENSES AND REGULATIONS

Chapters:

- 6.04 Nonresident Business License
6.08 Junkyards
6.12 Mobile and Manufactured Homes and Mobile and Manufactured Home Park
6.16 Sales on Public Property
6.19 Regulation of Commercial Operators Selling Organized Excursions or Renting Equipment for Organized Excursions and Loading/Unloading Commercial Vehicles
6.20 Pawnbrokers

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Chapter 6.19
REGULATION OF COMMERCIAL OPERATORS SELLING ORGANIZED EXCURSIONS OR RENTING EQUIPMENT FOR ORGANIZED EXCURSIONS AND LOADING/UNLOADING COMMERCIAL VEHICLES

- 52 Sections:
- 53 6.19.010 Introduction.
- 54 6.19.020 Definitions.
- 55 6.19.030 Permit required for commercial operations involving organized excursions in
- 56 areas subject to this chapter.
- 57 6.19.040 Permit required for loading/unloading commercial vehicles in certain areas.
- 58 6.19.050 Penalties.
- 59 6.19.060 Prohibition of distribution of commercial handbills and leaflets and placement
- 60 of commercial advertisement signs.

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63 **6.19.030 Permit required for commercial operations involving organized excursions in**

64 **areas subject to this chapter.**

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66 C. Limitations.

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68 6. Commercial solicitation/sales spaces. Spaces within the HCH plaza may be designated

69 and assigned to commercial operations permit holders, during the permit term, to

70 accommodate the solicitation and sale of excursions offered by the permit holders. These

71 spaces will be designated and assigned by the HCH manager to the highest bidders in

72 accordance with open outcry auction ~~sealed bid~~ procedures established by the HCH

73 manager and approved by the city and borough administrator. The minimum bid is \$2,500.,

74 ~~which must be deposited with the sealed bid and will only be returned if the bid is~~

75 ~~unsuccessful~~. Businesses permitted to occupy these spaces will be allowed to apply for

76 and obtain a permit for a space under subpart (C)(7) of this section and must pay the

77 required fees for any space assigned.

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79 7. Commercial outfitter spaces. Spaces within the HCH plaza may be designated and

80 assigned to commercial operations permit holders, from April 1<sup>st</sup> through October 15<sup>th</sup> of the

81 permit term, to accommodate vehicles, equipment, and operations that are necessary for

82 customer outfitting and rental of equipment to be used in an excursion offered by a

83 permittee or used by a customer. These spaces will be designated and assigned by the

84 HCH manager to the highest bidders in accordance with open outcry auction ~~sealed bid~~

85 procedures established by the HCH manager and approved by the city and borough

86 administrator. The minimum bid is \$5,000., ~~which must be deposited with the sealed bid~~

87 ~~and will only be returned if the bid is unsuccessful~~. Vehicles used by the permittee in the

88 assigned space may remain overnight from April 1<sup>st</sup> through October 15<sup>th</sup> of the permit

89 term, but must be moved upon prior notice by the city and borough for special events.

90 Businesses permitted to occupy these spaces will be allowed to apply for and obtain a

91 permit for a space under subpart (C)(6) of this section and must pay the required fees for

92 any space assigned.

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94 **5. EFFECTIVE DATE.** This ordinance shall become effective the day after the date

95 of its passage.

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97 **PASSED, APPROVED, AND ADOPTED** by the Assembly of the City and Borough of

98 Sitka, Alaska, this 10<sup>th</sup> day of January, 2023.

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101 Steven Eisenbeisz, Mayor

102 ATTEST:

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Sara Peterson, MMC

107 Municipal Clerk

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109 1<sup>st</sup> reading: 12/27/2022

110 2<sup>nd</sup> and final reading: 1/10/2023

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112 Sponsors: Christianson/Ystad