

CITY OF WASILLA

290 E. HERNING AVE.
WASILLA, ALASKA 99654-7091
PHONE: (907) 373-9050
FAX: (907) 373-9085

COUNCIL MEMORANDUM NO. 97-29

From: Mayor Palin
Date: May 7, 1997
Subject: Permit Authorization for MATI and AMVETS

Museum of Alaska Transportation and Industry has requested authorization for vender spaces for the air show June 7th and 8th, 1997.


There is an apparent discrepancy in our Municipal Code with regard to use of City owned property. MATI and the City proceeded with the permitting for the air show under the premise of WMC 7.16.060 which among others allows the Mayor the discretion under certain conditions (which have all been met) to authorize temporary use permits.

Conversely WMC 13.12.010 states City Council must issue any vender permit to sell, vend, peddle or offer for sale any commodity on City owned property. To eliminate each vender approaching the City to obtain individual authorization, MATI would obtain a blanket permit.

MATI is not authorized to have permitted liquor sales under their present status. AMVETS has approached the City for a two-day caterers license for said liquor sales during this two-day Air Show.

Moving forward with this, considering the 2 codes, is to ask for Council's concurrence to authorize the Use Permits.

Recommend: Council concur to issue a permit to MATI for the purpose of the vendors and further authorize a permit to the AMVETS as a vender at the Air Show.



Sarah H. Palin, Mayor

APPROVED
DATE: 5/12/97
BY: [Signature]

7.16.060 Council Approval

A. "Temporary Use Permits", as defined by this subsection A, are not subject to the formal lease requirements specified by the terms of 7.16.050 (Public Notice) nor are temporary use permits subject to the requirements of Council approval as stated in subsections B, C and D, below. Similarly,

the lease procedures provided for by 7.16.090 and 7.16.110 are not intended to apply to "temporary use permits". The Mayor is granted the authority to exercise his discretion to permit the use of City owned land and/or improvements thereon for temporary use if the Mayor, in his discretion, finds the following conditions to have been met:

1. The land and/or improvements are not needed or necessary, during the anticipated term of use, for the normal and ordinary activities of the City of Wasilla; and
2. The temporary use is not anticipated to exceed six months; and
3. The purpose of the temporary use permit is for an activity or purpose of nonprofit character; and
4. The temporary use will be compatible with the conduct of regular and ordinary City business and the use of other City offices and property; and
5. The activities contemplated by the temporary use occupant will be non-discriminatory and based upon principles of equal opportunity; and
6. The temporary use occupant will provide general liability insurance and agree to hold the City of Wasilla harmless in the event of claims for injury or damage; and
7. The temporary use occupant shall agree to pay a permit fee, in an amount to be established in the discretion of the Mayor, intended to assist the City of Wasilla in the costs related to provision of utilities, maintenance, repairs, and management and other such similar costs incurred by the City of Wasilla in maintaining such land and/or improvements thereon.

B. Any sale, lease or exchange of City land shall be approved by the Council by ordinance after consideration of the recommendations of the Planning Commission. The ordinance shall identify the parcels for sale, lease or exchange, the manner of disposition and any special terms and conditions thereof. Any other disposition of an interest in City land shall be approved by the City by resolution.

C. No public auction, deed or contract purporting to dispose of or convey any interest in City land is valid or binding unless the disposal has been approved by the Council or as otherwise provided within this title. (Ord. 85-18 §3 1985; Ord. 88-13 §3 1988; Ord. 91-13 §3 1991)

7.16.070 Conditions of Sale. Any sale or other disposition of City lands or any interest in lands shall be subject to terms and conditions as set forth in this chapter and in the City ordinance or resolution approving the disposition. The Mayor may impose additional conditions, limitations and terms for the protection of the interest of the City and the public. (Ord. 85-18 §3 1985)

7.16.080 General Sale Procedures.

A. All applications for purchase or lease of City of Wasilla lands shall be filed with the City on appropriate forms. Each application for lease or sale shall be accompanied by a Ten Dollar (\$10.00) filing fee. Filing fees are not refundable. The filing of an application for purchase shall not in any way vest any right in the applicant to the land or to the use of the land applied for.

CHAPTER 13.12

COMMERCIAL SALES ON CITY PROPERTY

SECTIONS:

13.12.010 Sales Unlawful

13.12.010 Sales Unlawful. It shall be unlawful for any person to vend, sell, peddle or offer for sale any commodity or article within any City Park, on City Property or rights-of-way without a permit issued by the City Council. (Ord. W79-S-3 §3 1979)