

SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT AT ANCHORAGE

**Joene Atoruk, Heather Wolfe
Aragon, Leonly Fratis III,
Seone Lima, Darrell Dean
Miller, Beulah Moto, Lillian
Sheakley, Gregory Michael
Smith, Tracy Lynn Thompson,
Della L. Tunkle, Larry C.
Tunley, Brian Keith Vaughan,
and Lucille Jane Williams,**

Appellants

v.

Municipality of Anchorage,

Appellee

No. 3AN-23-_____CI

Joint Appeal From Administrative Agency

Pursuant to Alaska Appellate Rule 602, Joene Atoruk, Heather Wolfe Aragon, Leonly Fratis III, Seone Lima, Darrell Dean Miller, Beulah Moto, Lillian Sheakley, Gregory Michael Smith, Tracy Lynn Thompson, Della L. Tunkle, Larry C. Tunley, Brian Keith Vaughan, and Lucille Jane Williams jointly appeal from the Municipality of Anchorage's June 22, 2023 Notice of Zone Abatement/Campsite Clean Up, McCarey to Boniface, Mt. View to Glenn Highway, and the Municipality of Anchorage's June 22, 2023 Notice of Zone

Atoruk et al. v. Municipality of Anchorage
JOINT APPEAL FROM ADMINISTRATIVE AGENCY

Case No. 3AN-23-_____

Page 1 of 3

Abatement/Campsite Clean Up, Davis Park, N. Pine Street To McPhee Ave. to Mt. View Drive.

Anchorage Municipal Code 15.20.020.B.15.e provides that “[a] posted notice of campsite abatement is a final administrative decision and appeals shall be to the superior court within 30 days from the date the notice of campsite abatement is posted, in accordance with the Alaska court rules.” That underlying administrative decisions and a statement of points on appeal are attached.

Dated: June 28, 2023

American Civil Liberties Union of Alaska Foundation

Ruth Burt
for Eric Glatt
Alaska Bar No. 1511098 (Emeritus Attorney)
(216) 270-3811

Ruth Burt
Ruth Botstein
Alaska Bar No. 9906016
Legal Director

Melody Vidmar
Alaska Bar No. 2305044
ACLU of Alaska Foundation
1057 West Fireweed Lane, Suite 207
Anchorage, AK 99503
(907) 258-0044

Pro Bono counsel for Appellants

Atoruk et al. v. Municipality of Anchorage
JOINT APPEAL FROM ADMINISTRATIVE AGENCY

Case No. 3AN-23-_____

Page 2 of 3

CERTIFICATE OF SERVICE

On June 28, 2023, a true and correct copy of this Joint Appeal from Administrative Agency (with two attachments) and Notice of Points on Appeal were sent via email to:

Anne Helzer
Jessica Willoughby
Municipal Attorney's Office
632 West 6th Avenue, Ste. 730
Anchorage, Alaska 99501
Anne.Helzer@anchorageak.gov
jessica.willoughby@anchorageak.gov

Ruth Botstein
1057 Fireweed Ln., Suite 207
Anchorage, AK 99503
907-263-2007
rbotstein@acluak.org

Notice of Zone Abatement / Campsite Clean Up

This is not a legal area for storage or shelter. Any personal property in or around this zone at the end of 10 days shall be removed and disposed of as waste. AMC 15.20.020B.15.



ASSISTANCE:

For outreach and housing support, please call 211.

STORAGE:

Personal property placed in this posted zone after notices were posted shall be stored for 30 days after posting date. Personal items must be in fair and usable condition to be eligible for storage (including tents, sleeping bags, toiletries, medication, personal papers and identification, shoes and clothing). Stored property may be recovered by calling (907) 343-4721. Materials including junk, litter, garbage, pallets, and cardboard and items that are spoiled, mildewed, or contaminated with human, biological, or hazardous waste will not be stored and will be disposed of as waste.

APPEAL RIGHTS:

This notice serves as a final decision of the Municipality of Anchorage that this posted zone/campsite is subject to abatement. You may appeal this decision to the Alaska Superior Court within 30 days of the posting date. Written notice to the Municipal Attorney's Office of an intent to appeal is also sufficient notice. If the Municipality is able to confirm that either an appeal or intent was timely received, that person's property shall be stored as described above.

Posting Date:	Location:
6-22-23	McCAREY TO BONIFACE, MT. VIEW TO GLENN HWY

Alaska Superior Court
825 West 4th Avenue
Anchorage AK 99501

Municipal Attorney's Office
632 West 6th Avenue, Suite 730
Anchorage AK 99501

Exhibit B

Notice of Zone Abatement / Campsite Clean Up

This is not a legal area for storage or shelter. Any personal property in or around this zone at the end of 10 days shall be removed and disposed of as waste. **AMC 15.20.020B.15.**



ASSISTANCE:
For outreach and housing support, please call 211.

STORAGE:

Personal property placed in this posted zone after notices were posted shall be stored for 30 days after posting date. Personal items must be in fair and usable condition to be eligible for storage (including tents, sleeping bags, toiletries, medication, personal papers and identification, shoes and clothing). Stored property may be recovered by calling (907) 343-4721. Materials including junk, litter, garbage, pallets, and cardboard and items that are spoiled, mildewed, or contaminated with human, biological, or hazardous waste will not be stored and will be disposed of as waste.

APPEAL RIGHTS:

This notice serves as a final decision of the Municipality of Anchorage that this posted zone/campsite is subject to abatement. You may appeal this decision to the Alaska Superior Court within 30 days of the posting date. Written notice to the Municipal Attorney's Office of an intent to appeal is also sufficient notice. If the Municipality is able to confirm that either an appeal or intent was timely received, that person's property shall be stored as described above.

Alaska Superior Court
825 West 4th Avenue
Anchorage AK 99501

Municipal Attorney's Office
632 West 6th Avenue, Suite 730
Anchorage AK 99501

Exhibit C

6-23-23

Posting Date:	Location:
DAVIS PARK, N. PINE STREET TO MCPHEE AVE. TO MT. VIEW DRIVE	