

1 IN THE SENATE

BY SENATOR BEGICH

2 SENATE BILL NO. 51

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the regulation of junk  
7 yards."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 \* Section 1. AS 08.60.060 is amended to read:

10 Sec. 08.60.060. CERTIFICATE OF LOCATION. A person  
11 using or proposing to use a location for a commercial or  
12 public junk yard must obtain a certificate of approval for  
13 the location. If the location is in a city of any class,  
14 the certificate shall be procured from the city council  
15 or its designee. If the location is outside the city limits  
16 but within the boundaries of an organized borough, the  
17 certificate shall be procured from the assembly of the  
18 organized borough or its designee. If the location is out-  
19 side an incorporated city or borough, the certificate of  
20 location shall be obtained from the commissioner of public  
21 safety [HEALTH AND WELFARE].

22 \* Sec. 2. AS 08.60.070 is amended to read:

23 Sec. 08.60.070. STANDARDS FOR LOCATION AND REGULATION.  
24 The commissioner of public safety [HEALTH AND WELFARE], the  
25 city council, and organized borough assembly, in considering  
26 applications and regulations, shall take into account (1) the  
27 nature and development of surrounding property; (2) the need  
28 to protect the local economy, adjacent land owners, and the  
29 motoring public from economically depressing and unsightly

1 roadside locations; (3) the proximity of churches, schools,  
2 hospitals, public buildings, recreation areas, or other  
3 places of public gathering; (4) the sufficiency in number of  
4 other similar business establishments in the vicinity; (5)  
5 the adequacy of fences and other types of enclosures to pre-  
6 vent the unsightly display of any junk yard; (6) the health,  
7 safety, and general welfare of the public; and (7) the suita-  
8 bility of the applicant to establish, maintain, or operate  
9 the business under secs. 50 - 100 of this chapter.

10 \* Sec. 3. AS 08.60.080 is amended to read:

11 Sec. 08.60.080. AUTHORIZATION TO IMPOSE CONDITIONS FOR  
12 ESTABLISHMENT, OPERATION, AND MAINTENANCE. The commissioner  
13 of public safety [HEALTH AND WELFARE] or the cities or  
14 organized boroughs shall examine the location or proposed  
15 location of a junk yard and make reasonable regulations con-  
16 cerning the establishment, operation, and maintenance of  
17 businesses under the standards set out in sec. 70 of this  
18 chapter. The regulations may require the erection, location,  
19 and size of fences or other structures surrounding the junk  
20 yard. Regulations of junk yards are subject to the  
21 provisions of the Administrative Procedure Act (AS 44.62).  
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