

Introduced: 3/25/75
Referred: Commerce

1 IN THE SENATE

BY THE COMMERCE COMMITTEE

2 SENATE BILL NO. 313 am

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act regulating and restricting junk yards in areas
7 adjacent to roads maintained by the state."

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

9 * Section 1. AS 19.27.010 is amended to read:

10 Sec. 19.27.010. PURPOSE. For the purpose of promoting the public
11 safety, health, welfare, convenience and enjoyment of public travel,
12 to protect the public investment in public highways and other roads
13 maintained by the state, and to preserve and enhance the scenic beauty
14 of lands bordering public highways and other roads maintained by the
15 state, it is declared to be in the public interest to regulate and
16 restrict junk yards in areas adjacent to the interstate, primary and
17 secondary systems within this state and other roads maintained by the
18 state. The legislature finds and declares that junk yards which do
19 not conform to the requirements of this chapter are public nuisances.

20 * Sec. 2. AS 19.27.020 is amended to read:

21 Sec. 19.27.020. LIMITATIONS OF JUNK YARDS. No person may estab-
22 lish, operate, or maintain a junk yard, any portion of which is within
23 1,000 feet of the nearest edge of the right-of-way of any interstate,
24 primary or secondary highway or other road maintained by the state,
25 except the following:

26 (1) those which are screened by natural objects, plantings,
27 fences, or other appropriate means so as not to be visible from the
28 main-traveled way of the interstate and primary systems or other roads
29 maintained by the state, or otherwise removed from sight;

1 (2) those located within areas which are zoned for industrial
2 use under authority of law;

3 (3) those located within unzoned industrial areas, which
4 areas shall be determined from actual land uses and defined by regula-
5 tions to be promulgated by the department.

6 * Sec. 3. AS 19.27.030(b) is amended to read:

7 (b) A junk yard lawfully in existence on July 1, 1970, which
8 is within 1,000 feet of the nearest edge of the right-of-way and visible
9 from the main-traveled way of any highway on the secondary system,
10 or a junk yard lawfully in existence on the effective date of this Act,
11 which is within 1,000 feet of the nearest edge of the right-of-way and
12 visible from the main-traveled way of a road maintained by the state,
13 shall be screened, if feasible, so as not to be visible from the main-
14 traveled way of the highway or road.

15 * Sec. 4. AS 19.27.050 is amended to read:

16 Sec. 19.27.050. AUTHORITY TO ACQUIRE PROPERTY INTERESTS FOR
17 REMOVAL OR SCREENING OF JUNK YARDS. When the department determines
18 that the topography of the land adjoining the highway or the road
19 maintained by the state will not permit adequate screening of those
20 junk yards lawfully in existence as provided in sec. 30 of this chapter
21 or the screening of the junk yards would not be economically feasible,
22 the department may acquire by gift, purchase, exchange, or condemnation,
23 property interests necessary to secure the removal of the junk yards,
24 and the department shall pay just compensation to the owner for the
25 property. When the department determines that it is in the best inter-
26 ests of the state, it may acquire lands, or interests in lands necessary
27 to provide adequate screening of junk yards.

28 * Sec. 5. AS 19.27.070(b) is amended to read:

29 (b) Junk yards lawfully in existence on a highway on the secondary

1 system on July 1, 1970 which do not conform to the requirements of
2 this chapter and which the department finds as a practical matter cannot
3 be screened shall be removed by July 1, 1971. Junk yards lawfully in
4 existence on a road maintained by the state which do not conform to
5 the requirements of this chapter and which the department finds as a
6 practical matter cannot be screened shall be removed within three years
7 of the effective date of this Act.

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