

**ANCHORAGE, ALASKA**  
**AO No. 2017-31**

**AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING  
ANCHORAGE MUNICIPAL CODE CHAPTER 10.20 RELATING TO RECORD  
KEEPING AND REPORTING REQUIREMENTS AND OTHER REQUIREMENTS  
FOR SCRAP METAL DEALERS, AND DEALERS OF PRECIOUS METALS;  
AND AMENDING THE MUNICIPAL CIVIL FINE SCHEDULE.**

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**WHEREAS**, According to the Anchorage Police Department (APD) and other sources, theft of used copper continues to be a problem; and

**WHEREAS**, according to APD, in the period January 2015 to October 2016, there have been 96 reported cases involving the theft of used copper in Anchorage; and

**WHEREAS**, a record keeping and reporting requirement would be a useful tool in investigating copper thefts and in reducing the number of copper thefts; and

**WHEREAS**, in 2014 the Alaska Legislature enacted Alaska Statute 08.60.200 - .290, "Scrap Metal Dealer Record Requirements", which established scrap metal dealer record keeping requirements with a misdemeanor penalty, and which was effective January 1, 2015; and

**WHEREAS**, Alaska was the last state to pass such a law; and

**WHEREAS**, having a similar municipal ordinance, but with a citable offense and civil fines, instead of criminal penalties, will create an efficient and useful method for addressing and investigating scrap metal and precious metal theft; and

**WHEREAS**, APD has had cases involving precious metal thefts in which the stolen precious metals had been fenced and/or melted down shortly after the thefts due, in part, to the lack of reporting and record keeping requirements; and

**WHEREAS**, the recordkeeping and reporting requirements relating to precious metals sales will also provide APD with additional tools to use when investigating thefts of precious metals; and

**WHEREAS**, reporting requirements in this ordinance are similar to that currently in Anchorage Municipal Code (AMC) section 10.20.030D., the pawn shop ordinance, and have been a useful tool for the Anchorage Police Department in deterring and investigating property crimes; now, therefore,

**THE ANCHORAGE ASSEMBLY ORDAINS:**

**Section 1.** Anchorage Municipal Code section 10.20.015 is hereby amended to read as follows:

**10.20.015 - Auctioneers—Inventory of merchandise.**

When gold, silver or plated ware, watches, jewelry, precious stones, furs or garments made of fur, guns, [OR] cameras, precious metals or scrap metals included for regulation under this chapter are sold at auction, the auctioneer shall take an inventory of all such merchandise to be offered for sale. The inventory shall be available for police use at least 24 hours prior to the commencement of the auction sale. The auctioneer shall attach to the inventory a sworn affidavit stating that the inventory contains a true itemized account of all the property to be sold. No property or merchandise of this nature may be sold at an auction except property itemized in the inventory required by this section.

(CAC 6.20.030; AO No. 84-138(S), 1-1-85)

**Section 2.** Anchorage Municipal Code section 10.20.037 is hereby amended to read as follows (*language indicating no amendment is included for context only and other subsections not affected are not set out*):

**10.20.037 - Pawnbroker/secondhand store, antique store, auction hall, used firearm dealer, [OR] used automobile display lot, scrap metal dealers or precious metal dealers; duties upon notification of property reported stolen and disposition of seized property.**

- A. Following notification from the police department that an item of property has been reported stolen, the pawnbroker, secondhand store, antique store, auction hall, used firearm dealer, [OR] used automobile display lot, scrap metal dealer or precious metal dealer, hereinafter referred to in this section as "merchant", shall hold that property safe from alteration, loss, or damage.

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(AO No. 95-115, § 1, 7-6-95; AO No. 2000-113, § 2, 7-25-00)

**Section 3.** Anchorage Municipal Code chapter 10.20 is hereby amended by adding a new section 10.20.041 to read as follows:

**10.20.041 - Scrap metal dealer record requirements.**

- A. Records required. A scrap metal dealer shall maintain an accurate paper or electronic record of each in-person transaction in which the dealer purchases scrap metal from another person. The record of a transaction must include:

1. the date, time, location, and value of the scrap metal purchased;
2. the name of the dealer's employee or agent handling

the transaction;

3. the name, address, and telephone number of the person from whom the dealer purchased the scrap metal;
4. a description, including the license plate information, of a motor vehicle used to deliver the scrap metal to the dealer;
5. if the person who sells scrap metal to the dealer is an individual, the number of the individual's driver's license, the number of the individual's government-issued identification document that contains a picture, or a copy of the individual's government-issued identification document that contains a picture;
6. if the person who sells scrap metal to the dealer is an organization, the number of the person's state business license issued under AS 43.70.020;
7. a description, including weight and quantity, of the scrap metal purchased by the dealer; the scrap metal dealer shall determine the weight by using a scale that complies with the state standards of weight and measure established under AS 45.75; and
8. the signed statement required by AMC subsection 10.20.041B.

- B. Signed statement. A scrap metal dealer shall require a person from whom the dealer is purchasing scrap metal to sign a written or electronic statement that the scrap metal is not stolen property. The person shall date the statement, and the scrap metal dealer, or the dealer's employee or agent, shall witness the person signing.
- C. Inspection availability. A dealer shall make the records required by AMC subsections 10.20.041A. and B. available for inspection by a law enforcement officer during the dealer's regular hours of business or at reasonable times if the dealer does not keep regular hours of business.
- D. Reports to police. A dealer shall make a weekly report to the chief of police summarizing all transactions. The report shall be on a form provided by the police department or any format acceptable to the police department.
- E. Retention of records. A dealer shall maintain the records of a transaction required by AMC subsections 10.20.041A. and B. for five

years after the date of the transaction.

F. Exemptions. The requirements of AMC subsections 10.20.041A. and B. do not apply to a person's transactions with a dealer if the person maintains on file with the dealer the name, address, and telephone number of the person, and a taxpayer identification number issued by the federal Internal Revenue Service or a valid government-issued photo identification card.

G. Penalties. A dealer who fails to comply with the provisions of this section shall be subject to a fine of not more than \$500.00 as set forth in the schedule of fines in chapter 14.60.

H. Definitions. In this section, unless the context requires otherwise:

1. *Dealer* means a scrap metal dealer.
2. *Record* means a record required by AMC 10.20.041A and B.
3. *Scrap metal* means used, discarded, or previously owned brass, copper, bronze, aluminum, lead, stainless steel, catalytic converter material, or other metal; in this paragraph, "metal" does not include ferrous metal, beverage containers, gold, silver, or platinum.
4. *Scrap metal dealer* means a person who purchases scrap metal for the purpose of resale or processing.
5. *Transaction* means the purchase of scrap metal by a scrap metal dealer from another person.

**Section 4.** Anchorage Municipal Code chapter 10.20 is hereby amended by adding a new section 10.20.042 to read as follows:

**10.20.042 - Precious metal dealer record requirements.**

A. Records required. A precious metal dealer shall maintain an accurate paper or electronic record of each in-person transaction in which the dealer purchases precious metal from another person. The record of a transaction must include:

1. the date, time, location, and value of the precious metal purchased;
2. the name of the dealer's employee or agent handling the transaction;
3. the name, address, and telephone number of the person from whom the dealer purchased the precious

metal;

4. a description, including the license plate information, of a motor vehicle used to deliver the precious metal to the dealer;
5. if the person who sells precious metal to the dealer is an individual, the number of the individual's driver's license, the number of the individual's government-issued identification document that contains a picture, or a copy of the individual's government-issued identification document that contains a picture;
6. if the person who sells precious metal to the dealer is an organization, the number of the person's state business license issued under AS 43.70.020;
7. a description, including weight and quantity, of the precious metal purchased by the dealer; the precious metal dealer shall determine the weight by using a scale that complies with the state standards of weight and measure established under AS 45.75; and
8. the signed statement required by AMC subsection 10.20.042B.

- B. Signed statement. A precious metal dealer shall require a person from whom the dealer is purchasing precious metal to sign a written or electronic statement that the precious metal is not stolen property. The person shall date the statement, and the precious metal dealer, or the dealer's employee or agent, shall witness the person signing.
- C. Inspection availability. A dealer shall make the records required by AMC subsections 10.20.042A. and B. available for inspection by a law enforcement officer during the dealer's regular hours of business or at reasonable times if the dealer does not keep regular hours of business.
- D. Reports to police. A dealer shall make a weekly report to the chief of police summarizing all transactions. The report shall be on a form provided by the police department or any format acceptable to the police department.
- E. Property purchased by a dealer may not be resold, or removed from the premises where it was purchased for a period of 30 days after such property has been reported to the chief of police pursuant to subsection 10.20.042D.
- F. Retention of records. A dealer shall maintain the records of a

transaction required by AMC subsections 10.20.042A. and B. for five years after the date of the transaction.

G. Exemptions. The requirements of AMC subsections 10.20.042A. and B. do not apply to a person's transactions with a dealer if the person maintains on file with the dealer the name, address, and telephone number of the person, and a taxpayer identification number issued by the federal Internal Revenue Service or a valid government-issued photo identification card.

H. Penalties. A dealer who fails to comply with the provisions of this section shall be subject to a fine of not more than \$500.00 as set forth in the schedule of fines in chapter 14.60.

I. Definitions. In this section, unless the context requires otherwise:

1. *Dealer* means a precious metal dealer.
2. *Record* means a record required by AMC subsections 10.20.042A. and B.
3. *Precious metal* means gold, silver, platinum, palladium, iridium, rhodium, osmium, ruthenium, or an alloy of those metals.
4. *Precious metal dealer* means a person who purchases precious metal for the purpose of resale or processing.
5. *Transaction* means the purchase of precious metal by a precious metal dealer from another person.

**Section 5.** Anchorage Municipal Code section 14.60.030 is hereby amended to read as follows (*the remainder of this section is not affected and therefore not set out*):

**14.60.030 Fine Schedule**

The fine schedule under this chapter is as follows:

Code Section	Offense	Penalty/Fine
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<u>10.20.041A.</u>	<u>Failure to maintain required records.</u>	<u>500.00</u>	
<u>10.20.041B.</u>	<u>Failure to acquire signed statement.</u>	<u>500.00</u>	
<u>10.20.041C.</u>	<u>Failure to make records available for inspection by a law enforcement officer.</u>	<u>300.00</u>	
<u>10.20.041D.</u>	<u>Failure to make weekly report to chief of police.</u>	<u>500.00</u>	
<u>10.20.041E.</u>	<u>Failure to retain records for five years after a transaction.</u>	<u>500.00</u>	
<u>10.20.042A.</u>	<u>Failure to maintain required records.</u>	<u>500.00</u>	
<u>10.20.042B.</u>	<u>Failure to acquire signed statement.</u>	<u>500.00</u>	
<u>10.20.042C.</u>	<u>Failure to make records available for inspection by a law enforcement officer.</u>	<u>300.00</u>	
<u>10.20.042D.</u>	<u>Failure to make weekly report to chief of police.</u>	<u>500.00</u>	
<u>10.20.042E.</u>	<u>Failure to retain records for five years after a transaction.</u>	<u>500.00</u>	
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(AO No. 93-167(S-1), § 1, 4-13-94; AO No. 94-108, § 1, 10-5-94; AO No. 94-134, § 2, 9-8-94; AO No. 95-42, § 2, 3-23-95; AO No. 95-67(S), § 9, 7-1-95; AO No. 95-102, § 1, 4-26-95; AO No. 95-118, § 3, 9-1-95; AO No. 95-163(S), § 21, 8-8-95; AO No. 95-195(S-1), 1-1-96; AO No. 96-51(S-1), § 2, 8-1-96; AO No. 96-96(S-1), § 2, 2-1-97; AO No. 96-126(S), § 3, 10-1-96; AO No. 96-137(S), § 9, 1-2-97; AO No. 97-88, § 3, 6-3-97; AO No. 97-107, § 3, 11-17-97; AO No. 97-133(S), § 1, 11-11-97; AO No. 98-27(S-1), § 2, 11-11-97; AO No. 98-160, § 2, 12-8-98; AO No. 99-13(S), 2-9-99; AO No. 99-91(S), § 4, 7-13-99; AO No. 2000-64, § 1, 4-18-00; AO No. 2000-116(S), § 4, 7-18-00; AO No. 2000-127(S), § 2, 10-14-00; AO No. 2000-129(S), § 26, 11-21-00; AO No. 2001-48, § 1, 3-13-01; AO No. 2001-74(S), § 2, 4-17-01; AO No. 2001-4, § 2, 2-6-01; AO No. 2001-145(S-1), § 11, 12-11-01; AO No. 2003-68, § 1, 9-30-03; AO No. 2003-97, § 4, 9-30-03; AO No. 2003-117, § 2, 1-28-03; AO No. 2003-130, § 8, 10-7-03; AO No. 2003-152S, § 10, 1-1-04; AO No. 2004-1, § 2, 1-1-03; AO No. 2004-99, § 2, 6-22-04; AO No. 2004-100(S-1), § 6, 1-1-05; AO No. 2004-171, § 1, 1-11-05; AO No.

2005-160, § 9, 11-1-05; AO No. 2005-84(S), § 3, 1-1-06; AO No. 2005-185(S), § 35, 2-28-06; AO No. 2005-124(S-1A), § 33, 4-18-06; AO No. 2006-39, § 6, 4-11-06; AO No. 2006-54, § 1, 5-2-06; AO No. 2006-80, § 1, 6-6-06; AO No. 2007-50, § 4, 4-10-07; AO No. 2007-60, § 4, 11-1-07; AO No. 2007-70, § 3, 5-15-07; AO No. 2008-84(S), § 5, 7-15-08; AO No. 2009-61, § 3, 7-7-09; AO No. 2009-82, § 5, 7-7-09; AO No. 2009-40(S), § 3, 7-21-09; AO No. 2009-112, § 4, 10-13-09; AO No. 2009-122, § 2, 12-17-09; AO-2010-35(S), § 7, 5-11-10; AO No. 2010-39, § 2, 5-11-10; AO No. 2010-87(S), § 3, 12-7-10; AO No. 2011-46, § 4, 4-12-11; AO No. 2011-59, § 10, 5-24-11; AO No. 2011-106(S), § 3, 11-8-11; AO No. 2011-112, § 4, 11-22-11, eff. 12-22-11; AO No. 2012-10, § 1, 1-31-12; AO No. 2012-77, § 29, 8-7-12; AO No. 2013-109(S-1), § 5, 12-3-13; AO No. 2013-130(S-1), § 1, 1-14-14; AO No. 2014-42, § 31, 6-21-14; AO No. 2014-85, § 4, 8-5-14; AO No. 2014-110(S), § 2, 9-9-14; AO No. 2014-137(S), § 3, 11-18-14; Ord. No. 2015-23(S), § 20, 3-24-15; AO No. 2015-48, § 16, 5-14-15; AO No. 2015-54, § 1, 5-26-15; AO No. 2015-65, § 4, 6-9-15; AO No. 2015-111(S-1), § 2, 1-1-16; AO No. 2016-16(S), § 4, 2-9-16; AO No. 2016-76(S), § 7, 7-12-16; AO No. 2016-81(S), § 4, 8-25-16; AO No. 2016-83(S), § 9, 7-26-16 )

**Section 5.** This ordinance shall be effective 45 days after passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Chair

ATTEST:

\_\_\_\_\_  
Municipal Clerk