

N.C.P.I.-Crim. 216.80
PURCHASE OF REGULATED METALS BY SECONDARY METALS RECYCLERS
FROM OTHER THAN A FIXED LOCATION. MISDEMEANOR.
GENERAL CRIMINAL VOLUME
JUNE 2008
N.C. Gen. Stat. § 66-11(d)(1)

216.80 PURCHASE OF REGULATED METALS BY SECONDARY METALS
RECYCLERS FROM OTHER THAN A FIXED LOCATION. MISDEMEANOR.

The defendant has been charged with knowingly and willfully purchasing regulated metals¹ from other than a fixed location ².

For you to find the defendant guilty of this offense, the State must prove three things beyond a reasonable doubt:

First, that the defendant purchased regulated metals from other than a fixed location.

Second, that the defendant purchased regulated metals for cash consideration.

And Third, that the defendant acted knowingly and willfully.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant knowingly and willfully purchased regulated metals from other than a fixed location for cash consideration, it would be your duty to return a verdict of guilty. If you do not so find or have a reasonable doubt as to one or more of these things, it would be your duty to return a verdict of not guilty.

1. "Regulated metals property" means all ferrous and nonferrous metals. N.C. Gen. Stat. § 66-11(a)(2).

2. "Fixed location" means any site occupied by a secondary metals recycler as the owner of the site or as a lessee of the site under a lease or other rental agreement providing for occupation of the site by the secondary metals recycler for a total duration of not less than 364 days. N.C. Gen. Stat. § 66-11(a)(4)