

Bay City Ordinances

ORDINANCE NO. 468

AN ORDINANCE REGULATING ANTIQUE DEALERS, PRECIOUS METAL AND GEM DEALERS, SCRAP METAL DEALERS, JUNK DEALERS, JUNK SHOPS, SECONDHAND STORES AND PLACES, REPEALING ORDINANCE NO. 139 AND DECLARING AN EMERGENCY.

The people of the City of Bay City do ordain as follows:

Section 1. Repeal. Ordinance No. 139, codified as Bay City Ordinance 8-1 is hereby repealed in its entirety. All other ordinances and resolutions inconsistent with this Ordinance are hereby repealed to the extent of the inconsistency.

Section 2. License Required; Fee. Every person, firm, or corporation who, in Bay City engages in the business of buying, selling or dealing in antiques, junk, metal or metal articles, bottles, glass, paper and/or wooden articles usually found in junk shops or antique shops or secondhand personal property, goods, wares and merchandise of any kind or nature, shall, before engaging in such business, procure a license from Bay City and shall pay for each place of business so conducted a license fee of ten (\$10.00) dollars per year. Such license shall not be transferable and shall expire on December 31 of the year for which it is issued. Non-business personal garage sales, rummage sales for charity purposes and estate sales are specifically exempt from this licensing requirement.

Section 3. Record of Merchandise. Every person, firm, or corporation engaging in the business mentioned in Section 1 of this ordinance shall keep a register in which shall be legibly typewritten or written with pen and ink, an identifiable description of any and all secondhand, antique or junk articles, goods, wares, and merchandise mentioned in Section 1 of this ordinance, purchased, pawned, pledged, or received, the amount of money paid therefore, the date of purchase or receipt thereof, the name, age and residence of the person selling and delivering the same with verification of identity of said person. No entry made in any such register shall be erased, obliterated or defaced. Said register and every article and all goods, wares and merchandise and everything so purchased, pawned, pledged or received shall at all reasonable times be open to the inspection of law enforcement officer during regular business hours. All merchandise purchased by the owner, person, firm or corporation licensed under Section 1 of this ordinance from other established businesses or dealers is specifically exempt from this registration requirement.

Section 4. Holding of Merchandise. No person, firm, or corporation licensed under the provisions of this ordinance shall

sell, barter, give away, or in any manner dispose of any of the goods, or articles, described in Section 1 of this ordinance so purchased or received until of the expiration of ten (10) days from the date of the purchase or the receiving thereof by such person, firm, or corporation. Such property shall be maintained in substantially the same form as purchased and shall not be commingled to as to preclude identification during this ten (10) day period.

Section 5. Transactions with minors. No person, firm, or corporation doing business under the provisions of this ordinance and holding a license as provided for in Section 1 of this ordinance shall receive or purchase any of the personal property mentioned in said Section 1 of this ordinance from any person under the age of eighteen (18) years. No person, firm, or corporation shall employ or otherwise procure any minor to collect, receive or in any manner obtain possession of any such personal property for sale or otherwise.

Section 6. Penalty. Violation of any provisions of this ordinance is punishable by a fine not to exceed five hundred (\$500.00) dollars.

Section 7. Emergency. The City of Bay City deems an emergency to exist due to the need to regulate such transactions. This ordinance has been reviewed at the August 12, 1986 and the September 9, 1986 City Council meetings. This ordinance shall be in full force and effect upon passage by the City Council and upon signature by the Mayor.

PASSED and ADOPTED by the City Council this 10th day of February, 1987 and APPROVED by the Mayor this 10th day of February, 1987.

Attest:

/s/ William A Batusic

William A. Batusic City Recorder

/s/ George R. Woolcock

George R. Woolcock, Mayor