ORDINANCE 92-3
TO AMEND CHAPTER 4.20 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED "SECOND HAND DEALERS"

WHEREAS, it is the prerogative of municipalities to regulate and license the dealers of second hand merchandise; and

WHEREAS, the City of Bloomington has such a licensing procedure, with certain record-keeping requirements; and

WHEREAS, other records are required to be kept for the purposes of other governmental departments;

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, INDIANA, THAT:

SECTION I. Section 4.20.010 License Required shall be amended to read as follows:

4.20.010 License Required. Any person or corporation who desires to engage in buying, selling, trading or otherwise acquiring or purchasing used goods, items and merchandise for business purposes in the City shall first procure a license to do so from the Office of the City Controller.

SECTION II. Section 4.20.020 License Application Fee Issuance Record shall be amended to read as follows:

4.20.020 License Application Fee Issuance Record. The person or corporation described in Section 4.20.010 shall file a written application for a Secondhand Dealer's License with the Office of the City Controller. Such license shall require the name of the applicant; if the applicant is a corporation, the name of the officer and their own personal address is required. The place of business of the applicant shall also be stated. The license fee will be twenty dollars ($20.00), payable before January 31 of each calendar year. The license fee shall be paid into the General Fund to defray the expenses of administering this chapter. Upon completion of the license application, and payment of the license fee, a Secondhand Dealer's license shall be issued to the applicant for that calendar year. A record of such licenses shall be kept in the Office of the City Controller.

SECTION III. Section 4.20.030 License Display shall be amended to read as follows:

4.20.030 License Display. All persons to whom a license has been given under the provisions of this Chapter shall show such license to any police officer of the City, or to any person whom he offers to sell goods, items and merchandise, upon request.

SECTION IV. Section 4.20.040 Record of Purchases shall be deleted.

SECTION V. Section 4.20.050 Purchases to be Held Twenty-Four Hours Before Sale shall be amended and renumbered as follows:

4.20.040 Purchases to be Held Twenty-Four hours Before Sale. Every person licensed under the provisions of this chapter, shall hold all used goods, items and merchandise purchased for at least twenty-four hours before making a sale.

SECTION VI. Section 4.20.060 Non-applicability to Interstate Commerce shall be renumbered as Section 4.20.050.

SECTION VII. Severability. If any section, sentence or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this section are declared to be severable.

SECTION XIII. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington, approval by the Mayor and promulgation according to law. Passed and Adopted by the Bloomington Common Council on the 15th of January, 1992.

Pam Service

PAM SERVICE, President
Bloomington Common Council

ATTEST:

Patricia Williams

PATRICIA WILLIAMS, City Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana upon this 16 day of January, 1992.

Patricia Williams

PATRICIA WILLIAMS, City Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 22 day of January, 1992.

Tomilea Allison

TOMILEA ALLISON, Mayor
City of Bloomington, Indiana

SYNOPSIS

This ordinance deletes the record-keeping requirements of businesses subject to a second-hand dealer's license. It revises the yearly fee for such licenses to $20.00, requires that the license be secured by January 31 of each year, and makes several minor changes in wording.

Signed copies to:
Controller
Police Dept
HT (legal ad)
Legal Dept (4)
BMC file
CA/CA
Clerk