

ORDINANCE #68812
Board Bill No. 194
Committee Substitute

An ordinance pertaining to secondhand and junk dealers; repealing Ordinance 64311, approved March 6, 1998, presently codified as Section 8.82.050 of the Revised Code of the City of St. Louis, pertaining to secondhand dealers and the registry and regulation of purchases by such secondhand dealers, and enacting in lieu thereof a new section pertaining to the same subject matter and requiring a holding period for the purchase of jewelry of any kind or description, or of old gold or silver; and containing an emergency clause.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE Ordinance 64311, approved March 6, 1998 and presently codified as Section 8.82.050 of the Revised Code of the City of St. Louis is hereby repealed.

SECTION TWO: There is hereby enacted the following which shall read as follows:

8.82.050 Photograph and Transaction Forms and Holding Period for jewelry of any kind or description, or of old gold or silver

A. No secondhand dealer shall accept any article or property as full or part payment, or purchase any article or property unless he shall make a photograph of the person from whom such article is being received and attach such photograph to a transaction form which shall be completed at the time of the transaction. For jewelry of any kind or description, or of old gold or silver a photograph of the property shall be taken.

B. The transaction form shall be supplied by the St. Louis Metropolitan Police Department and shall include, but not limited to, the date and time of sale, place of sale, name, address, date of birth, driver's license number, if different from social security number of seller, description of seller, home and business telephone number of seller, employee handling the transaction and description of property sold to licensee, and right thumb print of person selling property and any other information required by the police department. If right thumb print cannot be obtained, the left thumb print shall be obtained and the reason why the right thumb print was not available shall be listed on the form. The requirement that the seller be photographed and thumb-printed shall not apply to any purchase or trade-in transaction which occurs at an auction or in the private house or office of the person selling said items but all other requirements as aforesaid shall remain in effect.

C. The photograph and transaction form shall be maintained by the secondhand dealer for a period of one year from the date of the transaction. No secondhand dealer shall refuse to deliver such photograph or transaction form to any law enforcement officer upon request within one year following the date of the transaction. Every secondhand dealer shall display a notice to his customers in a prominent place to the effect that he is required to photograph and fingerprint every person selling or offering as full or part payment an item to him, by city ordinance.

D. At least sixty days prior to the destruction of a photograph or transaction form, the licensee shall notify, in writing, the police department of his intent to destroy such documents. The police department, at its option, shall request the licensee to turn over all said documents to the police department, and the licensee, upon said request, shall turn over all documents to the police department.

E. It shall be unlawful for any secondhand dealer who purchases and sells jewelry of any kind or description, or of old gold or silver to sell, trade, melt down or in any way dispose of, alter or destroy any jewelry of any kind or description, or of old gold or silver until forty-eight (48) hours after the date of its purchase. Upon written notice that the St. Louis Metropolitan Police Department have cause to believe an item has been stolen, the secondhand dealer shall retain jewelry of any kind or description, or of old gold or silver for an additional ten (10) days.

SECTION THREE. Emergency Clause.

This being an ordinance for the preservation of public peace, health, and safety, it is hereby declared to be an emergency measure within the meaning of Sections 19 and 20 of Article IV of the Charter of the City of St. Louis and therefore shall become effective immediately upon its passage and approval by the Mayor.

Approved: December 13, 2010