

St. Louis City Ordinance 63478

FLOOR SUBSTITUTE

BOARD BILL NO. [95] 64

INTRODUCED BY ALDERMAN MARTIE J. ABOUSSIE

An ordinance pertaining to secondhand dealers; repealing Ordinance 57916, approved October 19, 1979 pertaining to application for licenses of secondhand dealers and revocation of licenses of secondhand dealers, and presently codified as Section 8.82.010, Section 8.82.040 through Section 8.82.051 of the Revised Code of the City of St. Louis; repealing Ordinance 55790, approved January 7, 1971 pertaining to registry of purchases and the regulation of the purchase of certain items, and presently codified as Section 8.82.020, Section 8.82.030, Section 8.82.060 and Section 8.82.080 of the Revised Code, and repealing Section 8.82.070 of the Code and enacting in lieu thereof a new ordinance pertaining to the same subject matter, and containing an emergency clause.

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

SECTION ONE. Ordinance 57916, approved October 19, 1979 and Ordinance 55790, approved January 7, 1971, and presently codified as Section 8.82.010 through Section 8.82.060 and Section 8.82.080 and Section 8.82.070 of the Code are repealed.

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

8.82.010 Defined

Any person doing business in the city, who purchases and sells goods of any kind or description, having once been used or transferred from the manufacturer to the dealer and then received into the possession of third parties, whether the same consists of cloths, carpets, clothing, rags, iron or other metals, furniture or articles of household utensils, or articles of personal use, or male and female wearing apparel, or jewelry of any kind or description, or of old gold or silver, shall be a secondhand dealer.

8.82.020 License - Required.

No person shall engage in the business of secondhand dealer without first obtaining a license from the license collector and complying with the provisions of this chapter.

8.82.030 License - Tax.

Every secondhand dealer, as defined in Section 8.82.010 shall pay the graduated business license tax pursuant to Chapter 8.07 of the Revised Code of the City of St. Louis

8.82.040 License Application

Every application for a license shall be made in writing to the license collector and shall state where the business is to be carried on. Before any license shall be issued, the license collector shall procure from the police commissioners, an endorsement on the back of the application therefor:

A. That in their opinion the applicant has a good moral character and shall not have been convicted within the ten years preceding the date of application for license or for renewal of license or be on parole or a fugitive from justice for any federal, state or municipal offense involving:

- (1) Drugs or narcotics;
- (2) Robbery;
- (3) Burglary;
- (4) Auto theft;
- (5) Stealing;
- (6) Receiving stolen property;
- (7) Embezzlement;
- (8) Extortion;
- (9) Forgery;
- (10) Gambling;
- (11) Bribery;
- (12) Perjury;
- (13) Any weapons offense; or
- (14) Any crime of violence.

B. That the applicant has agreed not to purchase any camera, radio, television set, lawn mower, typewriter, addition machine, calculating machine, copying machine, duplicating machine, tape recorder, tape player, cash register, still or moving picture projector or offset projector, dictating machine, record player, electric buffer, electric polisher, electric floor waxer, computer equipment, fax

or any item that is manufactured with a serial number or other identifying insignia, unless the item shall have plainly visible thereon the manufacturer's serial number or other identifying insignia.

C. That the applicant has a camera that will take a clear photograph of the seller and has agreed to use such camera to photograph every person, except as herein provided, in connection with all purchases and/or trade-in allowance of all articles by him, and to make such photographs available to any law enforcement officer or license collector upon request.

8.82.050 Photograph and Transaction Forms

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. In addition to the photograph, the secondhand dealer shall complete, at the time of the transaction, a Transaction Form for every person from whom such article is being received.

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, social security number, 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.

No secondhand dealer shall refuse to deliver such photograph or Transaction Form to any law enforcement officer upon request in connection with a specific item of stolen property, within one year following the date such photograph or information is taken. 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.

At last 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.

8.82.051 License-Revocation for Violation

The license collector of the City of St. Louis shall have power and authority to revoke any license issued under Chapter 8.82 for any violation of a licensed secondhand dealer of any of the provisions or conditions contained therein; provided such license shall be revoked only after the licensee shall have been notified in writing at his place of business of the violations complained of and shall have been afforded a reasonable opportunity to have a hearing thereon before the license collector.

8.82.060 Purchase of Certain Articles

No secondhand dealer shall purchase any camera, radio, television set, lawn mower, typewriter, adding machine, calculating machine, copying machine, duplicating machine, tape recorder, tape player, cash register, still or moving picture projector or offset projector, record player, dictating machine, electric buffer, electric polisher, or electric floor waxer, computer equipment, fax or any item that is manufactured with a serial number or other identifying insignia unless said item shall have plainly visible thereon the manufacturer's serial number or other identifying insignia.

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 this ordinance shall become effective immediately upon its passage and approval by the Mayor.

Legislative History				
1ST READING	REF TO COMM	COMMITTEE	COMM SUB	COMM AMEND
05/05/95	05/05/95	LEG	05/16/95	
2ND READING	FLOOR AMEND	FLOOR SUB	PERFECTN	PASSAGE

05/19/95			05/26/95	06/02/95
ORDINANCE	VETOED		VETO OVR	
63478				