

**CHAPTER 2012-29**

**No.312**

**AN ORDINANCE AMENDING ARTICLE VII, "JUNK AND  
SECONDHAND DEALERS," OF CHAPTER 14, "LICENSES."**

*Approved June 8, 2012*

***Be it ordained by the City of Providence:***

SECTION 1. The Code of Ordinances of the City of Providence, Article VII, of Chapter 14 is hereby amended as follows:

Sec. 14-127. - License required.

No person shall engage in the business of purchasing, selling, bartering or dealing in junk, old metals or secondhand articles, or of receiving the same for the purpose of melting the same or of converting the same into castings, unless such person shall be duly licensed by the board of licenses.

Sec. 14-128. - License application.

(a) Every applicant for a license required pursuant to this article shall submit the following information, on a form provided by the board of licenses:

(1) Full name, including middle name, any aliases, address, date of birth, and social security number of applicant and/or principals of any applicant corporation.

(2) Location of the proposed business.

(3) Radius map and property owner list identifying owners of property within a two-hundred-foot radius of the business as appears on the most current property tax list certified by the tax assessor of the city.

(b) All applications shall be accompanied by an application fee of one hundred dollars (\$100.00), plus the costs of advertising, posting and mailing as determined by the board of licenses.

Sec. 14-129. - Fees for licenses.

The annual fees for the licenses required by section 14-127 hereof shall be \$100.00, except for applicants seeking to receive old metals for the purpose of melting the same, or converting the same into castings, for which the fee shall be \$5.00.

Sec. 14-130. - Display of license.

Every licensee under this article shall display its license in a conspicuous place at the licensee's place of business.

Sec. 14-131. - Expiration of license.

All licenses granted under the provisions of this article shall expire on the first day of May next succeeding the date of such license, and no rebate shall be made from the license fee for such license for any license term less than one year.

Sec. 14-132. - Identification of seller of goods or merchandise.

(a) Every person licensed as herein provided shall require the seller of any goods or merchandise to present a valid motor vehicle operator's license containing his or her photograph or other such suitable identification containing his or her photograph.

(b) The licensee shall maintain a record of the same, together with any other records required by law.

(c) Any person who violates any provision hereof, shall be subject to those penalties provided in section 14-145 of the Code of Ordinances.

Sec. 14-133. - Conduct of business in premises used as dwelling, restricted.

No such business as defined in section 14-127 hereof shall be carried on in any building or premises of which any part is used as a residence.

Sec. 14-134. – Records to be kept.

(a) Every person licensed under this article shall record all transactions for which a license is required under this article.

The record created pursuant to this section shall include:

- (1) the date of the transaction
- (2) the name, address, telephone number and signature of the person from whom the old or used metals are purchased or received
- (3) a description of the old or used metals
- (4) and the price paid for the old or used metals.

(b) Nothing in this section shall be construed as requiring additional recordkeeping for junked automobiles or automobile parts beyond what is otherwise provided by law.

Sec. 14-135. - Inspection of records and places of business.

The record required in section 14-134, and every place of business of any person licensed hereunder shall be subject to the inspection and examination of law enforcement officials.

Sec. 14-136. - Ten-day holding period for property acquired by licensee.

Every person licensed hereunder shall keep any property purchased or received for a period of ten (10) days. During said period such property shall be kept separate and distinct and shall not be disfigured or treated in any way by which its identity may be destroyed or affected.

Sec. 14-137. - Application of sections to junk or old metals weighing ton or more.

Sections 14-134 to 14-136 hereof shall not apply to any purchase or sale of junk or old metals weighing one ton or over.

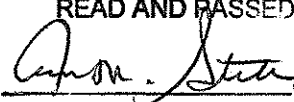
Sec. 14-138. - Enforcement and penalties


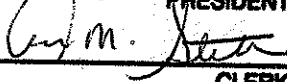
The Providence police department shall enforce the provisions of this article. If an alleged violation occurs, the police department shall issue a citation that will require the license holder to appear for a show cause hearing before the board of licenses. If, after a hearing, the board finds a violation has occurred, the board shall impose a civil fine of one hundred and twenty-five dollars (\$125) for the first offense, two hundred and fifty dollars (\$250) for the second offense, and five hundred dollars (\$500) for any subsequent offense. Additionally, the board may suspend or revoke the license for any violations of the conditions or restrictions imposed upon the issuance of such license, or any rules and regulations governing the conduct of any such licensee, established by the board of licenses, or by the state; in addition, such license may be revoked at any time for causes other than those specified above, including violation of any other provision

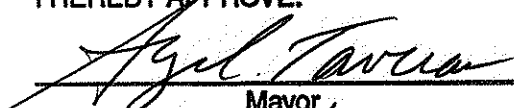
of the Code of Ordinances. If a license holder maintains the license for thirty-six (36) consecutive months without a violation, any new violation will be treated as a first offense.

Secs. 14-154. - Reserved.

SECTION 2. This ordinance shall take effect upon passage.

IN CITY COUNCIL  
MAY 17 2012  
FIRST READING  
READ AND PASSED  
 CLERK

IN CITY  
COUNCIL  
JUN 07 2012  
FINAL READING  
READ AND PASSED  
 PRESIDENT  
 CLERK

I HEREBY APPROVE.  
 Mayor  
Date: 6/8/12