

CHAPTER 2022-13

No. 161 AN ORDINANCE IN AMENDMENT OF CHAPTER 14 "LICENSES",
ARTICLE VII "JUNK AND SECONDHAND DEALERS" OF THE CODE OF
ORDINANCES OF THE CITY OF PROVIDENCE

Approved April 25, 2022

Be it ordained by the City of Providence:

Section 1. The Code of Ordinances of the City of Providence, Chapter 14 "Licenses," Article VII "Junk and Secondhand Dealers" is hereby amended as follows:

Sec. 14 - 134 Records to be kept.

(a) Every person licensed under this article for the purpose of purchasing, selling, bartering or dealing in old metals shall record all transactions for which a license is required under this article. The licensee shall, upon request, send any records created pursuant to this section to the chief of police.

The record created pursuant to this section shall include the following:

- (1) Date of the transactions;
- (2) Name, address, telephone number, and signature of the person from whom the old or used metals are purchased or received, as well as a photocopy or digital image of the person's photo identification, as required under section 14-132;
- (3) License plate number of the vehicle used to transport the old or used metals, whenever applicable;
- (4) A description of the old or used metals;
- (5) 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 or except what is otherwise required by this Section.

(c) Records created under this section shall be kept by the licensee for two (2) years from the date of the transaction. Nothing in this section shall be construed as to relieve any licensee of any record retention requirements otherwise required by law.

(d) The section shall not apply to the purchase of old metals from a person who is licensed to engage in the business of purchasing, selling, bartering or dealing in junk, old metals or secondhand articles, and who has previously recorded the contents of the load, pursuant to this section, and such person provides a written statement affirming such record at the time of the transaction.

Sec. 14 - 138 Acquisition of Certain Automobile Parts

(a) No person or entity licensed under sections 14-127, 14-260 or 15-37 shall purchase or otherwise accept or acquire a motor vehicle part known as a catalytic converter from another person or entity unless the seller or offeror presents proof of identification in addition to a bill of sale or other legal document demonstrating ownership of said catalytic converter. The licensee shall retain photocopies or digital images of said documentation.

(b) In addition, every person or entity licensed under section 14-127, 14-260 or 15-37 shall record all transactions described in this section. The licensee shall, upon request, present any records created pursuant to this section to the chief of police or his or her designee. The records created pursuant to this section shall include the following:

- (1) Date of transaction;
- (2) Name, address, telephone number, and signature of the person from whom the catalytic converter was purchased or received;
- (3) A photocopy or digital image of the person's photo identification, as is required under section 14-138(a);
- (4) License plate number and vehicle identification number (VIN) of the vehicle used to transport the catalytic converter to the licensee, whenever applicable;
- (5) A description of the catalytic converter;
- (6) A photograph of the catalytic converter;
- (7) Photocopies or digital images of the bill of sale or other legal document demonstrating ownership by the seller or offeror, as is required under section 14-138(a); and
- (8) Price paid by the licensee for the catalytic converter.

Records created pursuant to this section shall be retained for a period of three (3) years from the date of acquisition of the property.

(c) Every person or entity licensed under section 14-127, 14-260 or 15-37 shall keep for a period of ten (10) days the catalytic converter received pursuant to section 14-138(a). During said holding period, the catalytic converter shall be kept separate and distinct from other property and shall not be disfigured or treated in any way by which its identity may be destroyed or affected.

(d) No person or entity licensed under section 14-127, 14-260 or 15-37 shall be permitted to acquire catalytic converters in exchange for cash.

(e) Penalties for violations of this section shall be in accordance with section 14-139 and/or section 1-10.

(f) The provisions of this section shall not apply to acquisitions or purchases by licensees of entire motor vehicles.

Sec. 14 - 139 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 twenty-five dollars (\$125.00) for the first offense, two hundred and fifty dollars (\$250.00) for the second offense, and five hundred dollars (\$500.00) 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.

Section 2. This ordinance shall take effect upon passage.



 Mayor

IN CITY COUNCIL
 APR 21 2022
 FINAL READING
 READ AND PASSED
 Date: 4/25/22

JOHN J. IGLIOZZI, PRESIDENT

 ACTING CLERK

IN CITY COUNCIL
 APR 7 2022
 FIRST READING
 READ AND PASSED, As Amended

 Jina L. Mastromauro, CLERK
 ACTING