

**CITY OF NORTH BATTLEFORD
SASKATCHEWAN**

BYLAW NO. 1203

**A BYLAW OF THE CITY OF NORTH BATTLEFORD IN
THE PROVINCE OF SASKATCHEWAN TO PROVIDE FOR
THE LICENSING AND REGULATING OF SECOND-HAND
STORES, PAWN SHOPS, SALVAGE DEALERSHIPS,
AUCTION DEALERSHIPS, JUNK STORES OR SHOPS
AND PERSONS MAINTAINING OR KEEPING SUCH
STORES OR SHOPS.**

THE MAYOR AND COUNCIL OF THE CITY OF NORTH BATTLEFORD IN THE PROVINCE OF SASKATCHEWAN IN OPEN MEETING ASSEMBLED ENACTS AS FOLLOWS:

1. This bylaw may be cited as the “Pawn Brokers and the Second-Hand Store Regulations Bylaw No. 1203.”

2. DEFINITIONS

In this bylaw, unless the context otherwise requires the expression:

- a) “CITY” shall mean the City of North Battleford.
- b) “CHIEF OF POLICE” shall mean the Officer in Charge of the Police Department of the City of North Battleford (The Royal Canadian Mounted Police).
- c) “POLICE FORCE” shall mean the Police Department of the City (Royal Canadian Mounted Police).
- d) “COUNCIL” shall mean the Council of the City.
- e) “PERSON” shall include associations, corporations bodies politic, co-partnerships whether acting by themselves or by a servant, agent or employee and the heirs, executors, administrators, successors and assigns or other legal representative of such persons to whom the contexts can apply according to law. The singular shall, when necessary, be held to mean and include the plural; the masculine the feminine; and the converse thereof.

- f) "LICENSE BYLAW" shall mean the License Bylaw of the City of North Battleford being Bylaw No. 1100 as the same may from time to time be amended or re-enacted or any bylaw of the City enacted in substitution therefor.
3. All persons carrying on the business of second hand stores, pawnshops, salvage dealerships, auction dealerships, junk stores or shops and all persons owing, keeping or maintaining such stores or shops within the City, hereinafter referred to in this bylaw as the "dealer" or "licensee" shall take out and pay for and at all times hold the licence required of them under the provisions of the License Bylaw.
 4. An application for license for any business or occupation of a type mentioned in this bylaw shall be made jointly by all the persons who will be actively engaged in the management and control of the business and by these persons only. If in the course of any license year, additional persons are added to those sharing the management and control of the licensed operation, then their names shall be forthwith given to the License Inspector. Failure to disclose to the City any of the information required herein shall be grounds for immediate cancellation of the license if issued and forfeiture of any fee paid for the license.
 5. The License Inspector shall not issue any license or any transfer of license until the Chief of Police has reported on the application. If an unfavourable report is received or if a report favours the issue of a license subject to proposed conditions, the License Inspector shall notify the applicant.
 6. All licenses issued to dealers shall designate the premises in or on which the licensee may carry on or engage in the business, calling, trade or occupation in respect of which the license is issued and the license shall authorize the licensee to carry on the licensed business only in or upon the premises designated in such license.
 7. Any premises or place in respect of which a license has been issued shall also be subject to inspection at all times by any Police Officer.
 8. Any licensee who, on the occasion of such inspection or otherwise, furnishes to the License Inspector, Police Officer, or authorized person false or misleading information or information intended to mislead with regard to any matter or thing arising in connection with such inspection shall be guilty of an offence under this bylaw.
 9. If a licensee is convicted twice in any one calendar year of a breach of any of the provisions of this bylaw, any license issued to such licensee pursuant to the provisions of this bylaw shall be ipso facto cancelled.

10. If a licensee is convicted of an offence which by its nature is, in the opinion of the Chief of Police facilitated by the type of licensed business carried on by the convicted licensee, the license issued to such licensee under the provisions of this bylaw shall be ipso facto cancelled.
11. In every case where an applicant for license has been refused a license or where a license has been revoked, the person seeking the license or the person in possession of the license shall be entitled to appeal to Council and Council's decision as to whether the refusal or revocation of a license was just and reasonable or not shall be final.
12. No licensee shall acquire any goods from any person unless the latter person:
 - a) is sixteen years of age or over; and
 - b) does not appear to be under the influence of liquor.
13. No dealer shall alter, repair, dispose of or in any way part with possession of second-hand goods acquired in the course of his business until seven clear days from the date of acquisition have elapsed (exclusive of Sundays and holidays) and during this seven days the second-hand dealer shall keep the second-hand goods on the licensed premises and separate and apart from the other merchandise so that they may be examined at any time during business hours by members of the Police Department who may be accompanied by some private citizen who is there in order to assist in locating and/or identifying goods reported stolen or suspected of being stolen.
14. Any second-hand dealer who buys small items such as could readily be transported on the person from one province to another or could readily be airmailed or expressed shall keep such an item for a period of ten days from the date that he acquires the same except where the person who is the vendor of that item is well and favourably known to the dealer. The Police shall be notified forthwith of the purchase of any item that is hereby required to be held for ten days.
15. Every licensee shall keep a register in a form prescribed by the City in which the dealer shall record information about goods that he has acquired together with a description of the person from whom the goods were acquired and such record shall be completed as soon as the transaction has taken place.
16. Every licensee shall enter in the register the following information:
 - a) the hour of each purchase, sale or exchange.
 - b) The amount paid for the article.
 - c) A brief description of the article including serial number and maker's name, if any.

- d) The name, address and description of the person from who goods were acquired. If a serial number has been removed or is missing a special note of this fact shall be made.
- 17. Records in the licensee's register shall be in ink and shall be written plainly.
- 18. Every person who destroys, alters, mutilates or falsifies any register is guilty of an offence under this bylaw.
- 19. Every licensee shall keep his register open to inspection by members of the Police Force at all times during business hours.
- 20. Providing a transaction has occurred, every licensee shall cause to be delivered or mailed to the City Police Department by 12:00 o'clock noon of each Wednesday and each Saturday a copy of the register which is required to be kept by the licensee pursuant to Sections 15 and 16 hereof.
- 21. Any person violating any of the provisions of this bylaw shall be guilty of an offence and liable on summary conviction to a penalty of not more than five hundred dollars.
- 22. Bylaw No. 476 of the City of North Battleford is hereby repealed.
- 23. This bylaw shall come into force and take effect on the date of the final passing thereof.

INTRODUCED AND READ A FIRST TIME THIS 28th DAY OF MAY, A.D. 1979.

READ A SECOND TIME THIS 28th DAY OF MAY, A.D. 1979.

READ A THIRD TIME AND PASSED THIS 23rd DAY OF JULY, A.D. 1979.

MAYOR

CITY CLERK