

THE CORPORATION OF THE TOWN OF GEORGINA
IN THE
REGIONAL MUNICIPALITY OF YORK

BY-LAW NUMBER 2014-0005 (LI-3)

BEING A BY-LAW TO AMEND LICENCING BY-LAW NO. 2002-0169 (LI-3), SCHEDULE 11 RELATING TO OWNERS OR KEEPERS OF SALVAGE SHOPS OR SALVAGE YARDS; OWNERS OR KEEPERS OF SHOPS, STORES OR OTHER PLACES FOR THE PURCHASE, SALE OR EXCHANGE OF SECOND HAND GOODS; PERSONS OTHER THAN THOSE BEFORE MENTIONED WHO ENGAGE IN THE BUSINESS OF PURCHASING, SELLING OR EXCHANGING; AND PERSONS WHO GO FROM HOUSE TO HOUSE OR ALONG ANY STREET WHETHER PUBLIC OR PRIVATE FOR THE PURPOSE OF COLLECTING, PURCHASING OR OBTAINING SECOND HAND GOODS.

WHEREAS pursuant to the Municipal Act 2001, as amended, the Council of the Corporation of the Town of Georgina may enact by-laws for the licencing, regulating and governing of businesses and occupations in the Town of Georgina;

AND WHEREAS Council deems it advisable to amend the Licencing requirements respecting the owners/operators of salvage yards, pawnshops and second hand goods dealers;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF GEORGINA HEREBY ENACTS AS FOLLOWS:

1. That definition of Second Hand Goods Dealer in Section 1 of By-law 2002-0169, Schedule 11 is deleted and the following is hereby inserted:

“Pawnbroker/Pawnshop Operator” means a person who carries on the business of taking by way of pawn or pledge or any article for the repayment of money lent thereon and includes a person who offers a buy-back service in relation to such articles;

“Pawnshop” means the premise, store or shop of a Pawnbroker/ Pawnshop Operator;

“Second Hand Goods Dealer” means a person who carries on the business of selling goods by way of retail that have previously been used for the purpose for which such goods were designed and includes any person who travels from place to place to sell second hand goods;

2. That the following text from Section 3 subsection 5 and 6 of By-law 2002-0169, Schedule 11 be deleted in their entirety:

“3 (5) Subject to subsection (6) hereof, no person to whom this Schedule relates shall alter, repair, dispose of, or in any way part with any goods or articles purchased or taken in exchange until after the expiration of fifteen (15) days, exclusive of Sundays and holidays, from the date of purchase or such exchange and during these fifteen (15) days the good or articles so obtains shall remain on the premises in respect to which the licence is issued and be kept in a separate location from goods previously purchased and shall be subject to inspection at any time during business hours by any police officer, licence Inspector, Licence Issuer or any person duly authorized by the Licence Issuer.”

“3 (6) Notwithstanding the provisions of subsection (5) thereof:

- a) Scrap metal or recyclable materials purchased or taken in exchange may be altered or disposed of after the expiration of five (5) days, exclusive of Sundays and holidays; and
- b) Any police officer investigating any transaction involving the purchase or exchange of scrap metal, on completing his investigation, may authorize the release of such scrap metal or recyclable materials for alteration or disposal prior to the expiration of five (5) days.”

3. The following be inserted into Section 6 of By-law 2002-0169 (LI-3), Schedule 11


6. Mandatory Retention Period

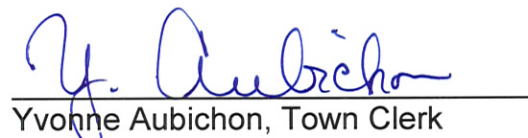
- 1) No Pawnbroker or Second Hand Goods Dealer shall sell, exchange, alter, melt or otherwise dispose of any Second Hand Goods within thirty (30) days, exclusive of Sundays or Holidays, or earlier from the date of obtaining possession.
- 2) Thirty (30) days after providing a transaction record relating to such Second Hand Goods as required by this By-law and, during this period, such goods shall be kept in the premise used by the Pawnbroker or Second Hand Goods Dealer for the sale of Second Hand Goods and shall be separate from and not mixed with other Second Hand goods in the same premises.
- 3) No Salvage Yard shall sell, exchange, alter, melt or otherwise dispose of any item that has or ought to have a serial number, VIN number or RIN number, any precious metal including but not limited to copper, gold and silver or any electronics newer than 5 years old unless they are visibly and obviously damaged beyond repair within twenty-one (21) days, exclusive of Sundays or Holidays, or earlier from the date of obtaining possession.

- 4) Notwithstanding the provisions of subsection (3) thereof:
 - a. Scrap metal or recyclable materials purchased or taken in exchange may be altered or disposed of after the expiration of five (5) days, exclusive of Sundays and holidays; and
 - 5) Any police officer investigating any transaction, on completing their investigation, may authorize the release of such products or materials for alteration or disposal prior to the expiration of the mandatory retention period.
 - 6) Exemption - Salvage Yards Only
 - a. Any transaction business to business is exempt from the twenty-one (21) day hold period as long as the Salvage Yard owner/operator is reasonably satisfied the business he/she is purchasing from is in fact a bonafide and legitimate business.
4. The short title of By-Law 2002-0169, Schedule 11 be hereby deleted in its entirety and replaced with the following:

RELATING TO OWNERS/OPERATORS OF SALVAGE SHOPS / YARDS, PLACES FOR THE PURCHASE OR SALE/EXCHANGE OF SECOND HAND GOODS, PAWNSHOPS, SECOND HAND GOODS DEALERS

READ and enacted this 15th day of January, 2014.


Robert Grossi, Mayor


Yvonne Aubichon, Town Clerk