

THE CORPORATION OF THE CITY OF LANGLEY

"SECOND HAND DEALERS, JUNK DEALERS, AND AUTO WRECKERS CONTROL BY-LAW 1968"

NO. 347

A By-Law to regulate the conduct of second hand dealers, junk dealers, and auto wreckers within The Corporation of the City of Langley, pursuant to Section 441 of the "Municipal Act".

The Council of the Corporation of the City of Langley, in Open Meeting assembled, ENACTS as follows:

1. In this by-law, unless the context otherwise requires:

'Auto Wrecker' includes any person licensed under the Business License By-Law of the Municipality to carry on the business of automobile wrecking, and further includes any person who acquires, buys or stores old motor vehicles for the purpose of dismantling them and acquiring or dealing in the parts thereof;

'Council' means the Council of The Corporation of the City of Langley.

'Junk Dealer' includes any person licensed under the Business Licence By-Law of the Municipality to carry on the business of a junk dealer, or salvage dealer, and further includes any person who buys, sells, deals in or stores scrap metal, old wire, old sacks, old rubber, old bottles, old paper, or any other articles or material usually found on the premises of a junk dealer;

'Municipality' means The Corporation of the City of Langley;

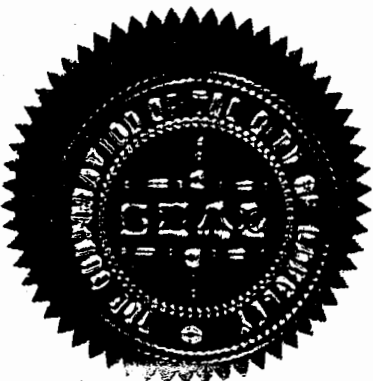
'Second Hand Dealer' includes any person licensed under the Business Licence By-Law of the Municipality to keep a second hand store or shop, or to carry on the business of a dealer in second hand furniture, auto parts, bicycles, household goods or effects, or any other second hand goods, wares or merchandise, whether such items are held on consignment or for direct sale, but does not include booksellers who buy and sell only books, papers and magazines.


2. Every second hand dealer and every junk dealer shall have his name and address plainly painted on the front of the premises where he carries on such business and, if he carries on such business by means of a vehicle, then his name and address shall be plainly painted on both sides of such vehicle.
3. (a) Except as provided in Section 7, every second hand dealer and every junk dealer shall keep a permanently bound book in which he shall write clearly the following particulars at the time of the purchase of any article or thing in the way of his business, namely:
 - (I) A correct account and description of and any descriptive mark or name on the article or thing purchased.
 - (II) The price paid for the article or thing.
 - (III) The date and precise hour of making the purchase.
 - (IV) The name, place of residence, street address, and a brief description of the person from whom the purchase was made.
 - (V) The licence number of the motor vehicle (if any) used by the seller.
- (b) For each article or thing purchased, the second hand dealer or junk dealer shall require the person from whom the purchase was made to sign his name in a space provided beside the entries made under sub-section (a) for that article or thing.

- (c) A second hand dealer or junk dealer shall not erase, obliterate or deface any entry made in the said book or cut or remove any of the leaves or any part of the leaves of the book; and he shall not permit any such entry to be erased, obliterated or defaced, and shall not permit the leaves of the book or any part of them to be cut or removed.
4. (a) Except as provided in Section 7, every second hand dealer and junk dealer shall prepare a semi-monthly report, on a form to be provided by the Municipality, containing for each article or thing purchased a legible and correct statement copied from the book mentioned in Section 3, setting forth the information listed under clauses (I), (II), (III), (IV), and (V) of sub-section (a) of Section 3.
- (b) Each report shall be signed by the second hand dealer or junk dealer and shall be delivered to the person in charge of the Municipal Detachment of the Royal Canadian Mounted Police, Langley, as follows:
- (I) The report containing all entries for the period from the first day of each month to the fifteenth day of that month, both inclusive, shall be delivered on or before the eighteenth day of the same month.
- (II) The report containing all entries for the period from the sixteenth day of each month to the last day of the month, both inclusive, shall be delivered on or before the third day of the following month.
- (III) If no purchases have been made during the semi-monthly period, the second hand dealer or junk dealer shall deliver a 'Nil' report for that period.
5. Except as provided in Section 7, no second hand dealer or junk dealer shall purchase in the way of his business any goods, article, or thing whatsoever, from any person under the age of eighteen (18) years.
6. Except as provided in Section 7, every article or thing purchased or acquired by a second-hand dealer or junk dealer in the way of his business shall be retained by him at his place of business until at least three (3) days after he has made and delivered to the person in charge of the Municipal Detachment of the Royal Canadian Mounted Police, the statement relating to such article required by Section 4.
- Where it is desired to sell or dispose of an article or thing before the day permitted by this section, special permission must be obtained from the person in charge of the Municipal Detachment of the Royal Canadian Mounted Police.
7. The provisions of Sections 3, 4, 5, and 6 shall not apply to the purchase or sale of bottles, broken glass or old paper or to any new merchandise which the dealer can prove to have been purchased from any duly licensed manufacturer, wholesaler, jobber, or distributor and invoiced to the dealer in the ordinary course of business.
8. (a) Every second hand dealer and every junk dealer shall, at all reasonable times, permit any member of the Municipal Detachment of the Royal Canadian Mounted Police or other person duly authorized by the Council in that behalf, to inspect any house, place, premises or thing in which he operates.
- (b) Every second hand dealer, every junk dealer, and every auto wrecker shall forthwith, on demand being made by any member of the Municipal Detachment of the Royal Canadian Mounted Police, present for the inspection of such member, any article or thing which has come into the possession of the said dealer or auto wrecker in the way of his business,

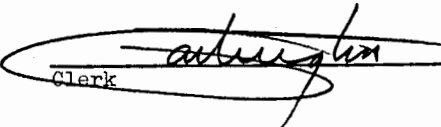
- (c) Every book kept pursuant to Section 3 shall at all times be open to inspection by any member of the Municipal Detachment of the Royal Canadian Mounted Police, or by any person duly authorized in that behalf by Council.
- 9. A second hand dealer or junk dealer shall not carry on business as a pawnbroker unless he hold a valid pawnbroker's licence.
- 10. (a) Every person who carries on the business of junk dealer, second hand dealer, or auto wrecker in the Municipality shall conduct all operations and keep all things pertaining to such business within an enclosed building or within an area enclosed by a solid wall, or by a uniformly constructed and painted board fence of sufficient height to screen all junk or used automobile bodies or parts from persons passing on any public street or highway or from person in or on other properties in the vicinity.
- (b) No person carrying on the business of junk dealer or auto wrecker in the Municipality shall suffer or permit any junk, used automobile bodies or parts to be piled to a height greater than that of the surrounding wall or fence.
- 11. No person carrying on the business of junk dealer, second hand dealer or auto wrecker in the Municipality shall suffer or permit the burning of any waste wrappings or by-products of the operation save within a furnace or incinerator which has been approved by the Fire Protection Officer.
- 12. Every person who violates any of the provisions of this By-Law or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this By-Law, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this By-Law, or who does any act which violates any of the provisions of this By-Law, shall be deemed to be guilty of an infraction hereof, and liable to the penalty hereinafter provided.
- 13. Any person guilty of an infraction of this By-Law, shall upon summary conviction, be liable to a penalty not exceeding One Hundred Dollars (\$100.00), and in default of payment thereof forthwith, such penalty may be levied by distress of the offender and in case of there being no distress found out of which the said penalty may be levied, the offender may be committed to prison for a term not exceeding thirty (30) days.
- 14. This By-Law shall come into force and effect on the date of its adoption by the Council.
- 15. This By-Law may be cited for all purposed as "Second Hand Dealer, Junk Dealers and Auto Wreckers Control By-Law 1968" No. 347

READ A FIRST TIME on the 25 day of Sept, A.D. 1968
 READ A SECOND TIME on the 25 day of Sept, A.D. 1968
 READ A THIRD TIME on the 25 day of Sept, A.D. 1968
 RECONSIDERED, FINALLY PASSED AND ADOPTED, AND SIGNED BY THE MAYOR AND CLERK,
 AND SEALED WITH THE CORPORATE SEAL on the 9 day of Oct A.D.1968.





 Mayor



 Clerk