

ORDINANCE NO. G-1221

AN ORDINANCE AMENDING SECTION 600.270, ENTITLED "LICENSE FOR SECOND-HAND DEALERS IN ELECTRONIC AND RECORDINGS" OF ARTICLE I, ENTITLED "GENERAL PROVISIONS," OF CHAPTER 600, ENTITLED "LICENSES AND OCCUPATION TAXES," OF TITLE VI, ENTITLED "BUSINESS AND OCCUPATION" OF THE CODE OF ORDINANCES OF THE CITY OF JUNCTION CITY, KANSAS, TO AMEND THE REQUIREMENTS AND DUTIES OF SECONDHAND DEALERS COVERED BY SAID ORDINANCE

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF JUNCTION CTY, KANSAS:

SECTION 1: Section 600.270 – "License for Second-Hand Dealers" of the Code of Ordinances of the City of Junction City, Kansas is hereby amended to read as follows:

SECTION 600.270: - LICENSE FOR SECOND-HAND DEALERS

A. *Definitions:*

- a. **Second-hand dealer** is any person engaged in the business of buying and/or selling used or second-hand personal property, or lending money on the security of personal property deposited with the person. Second-hand dealer includes but is not limited to pawnbrokers.
 - b. **Second-hand personal property** is a tangible good which is not real property. Such personal property includes but is not limited to the following: firearms, knives, electronics, recording equipment, musical instruments, and other personal property regardless if it does or does not have an identifying brand/mark/number/etc. To qualify as secondhand personal property, it must be:
 - i. In a used condition;
 - ii. Not in its original factory sealed packing; or,
 - iii. Both (i) and (ii).
 - c. **Transaction** is the purchase, trade, or sale of second-hand personal property between a second-hand dealer and another person. A transaction can contain a single or multiple goods which constitute second-hand personal property as well as cash monies.
- B. Any dealer in second-hand property operating within the City limits of the City of Junction City, Kansas, either from a fixed location or operating as at transient merchant shall, effective April 1, 2018, and in addition to any

other requirement of law as provided in (F) below, obtain from the Junction City Police Department a license to operate as such a dealer. There shall be no cost for said license.

- C. Any person, business, or agent acting as a dealer in second-hand property after May 1, 2018 without having a license as described hereinabove shall be guilty of a Class C misdemeanor.
- D. Any person or entity licensed as described above shall report to the Junction City Police Department through Leads Online on or before Tuesday of each week a description of all second-hand property purchased, traded, or sold during the proceeding calendar week. This report shall include the following information:
 - a. Item(s) purchased, traded, and/or sold;
 - b. Date and time of each transaction;
 - c. Accurate and detailed description of any and all property purchased or acquired during the regular course of business, including all trademarks, identification numbers, serial numbers, model numbers, brand names, and other identifying marks;
 - d. The actual price paid or the amount of money involved in each transaction
- E. Failure of any licensee to comply with this Section subjects the licensee to the loss of said license.
- F. If a license is loss as described in Subsection E, then the second-hand dealer may seek reinstatement of said license upon coming into compliance with the other requirements of this section.
- G. This section shall not be applicable to:
 - a. The sale of aluminum cans;
 - b. Charitable organizations;
 - c. Antique dealers;
 - d. Farm equipment and utility vehicle dealerships;
 - e. Automobile dealerships; and,
 - f. Used or secondhand book stores.

SECTION 2. All ordinances and parts thereof that are inconsistent with any provision of this Ordinance are hereby repealed.

SECTION 3. This Ordinance shall be effective upon publication as required by law.

Passed and adopted by the Governing Body of the City of Junction City, Kansas this 3rd day of April, 2018.



CITY OF JUNCTION CITY, KANSAS

Pat Landes

Pat Landes
Mayor

ATTEST: (Seal)

Shawna Settles

Shawna Settles, City Clerk