

Ordinance 848

Repealing and replacing Clallam County Code 7.01, Junk Dealers – Secondhand Dealers, and underlying ordinances E, 1956; F, 1959; and 9, 1962

BE IT ORDAINED BY THE BOARD OF CLALLAM COUNTY COMMISSIONERS:

Section 1. Section .010, Definitions, is created to read as follows:

.010 Definitions.

“Junk” means old rope, old iron, brass, copper, tin and lead; salvaged parts and accessories from wrecked automobiles; rubber, rags, empty bottles, paper, bagging, parts of machinery, scrap metals of all kinds, and other worn out and discarded articles, materials, and odds and ends that can be reused.

"Secondhand Dealer" means any person within the County who engages in the purchase, sale, trade, barter or exchange of secondhand goods, other than “junk” as defined in this chapter.

Section 2. Section .020, Bond and license, is created to read as follows:

.020 Bond and License

Any person, firm, association, or corporation, engaging in the business of buying, selling, or collecting junk or secondhand goods shall provide a surety bond listing the County as additional insured in the penal sum of \$1,000 conditioned upon the due observance, faithful performance, and compliance with Clallam County codes as now in effect or hereinafter amended.

In addition to the surety bond, a license purchased from the Auditor in the amount listed in the Clallam County Consolidated Fee Schedule (CCC 5.100) is required for each individual business.

Section 3. Section .030, Fence, is created to read as follows:

All sides of the junkyard premises open to view from public ways or adjoining occupied areas shall be fenced with a nontransparent material at least six (6) feet in height.

Section 4. Section .040, Receipt and Sales, is created to read as follows:

It is unlawful for any junk or secondhand dealer to take, receive, or purchase personal property of any kind or nature, or any article or thing of value, from a minor, persons intoxicated or appearing to be intoxicated, or persons known to have been convicted of larceny or burglary. Further, it is unlawful to receive, take, or purchase any personal property, goods, or thing of value from any person or persons who refuse to make known their name, place of residence, or to submit to a general description, or knowingly make any false entry of any matter or thing required to be made under Clallam County code.

Section 5. Section .050, Recordkeeping is created to read as follows:

Every junk or secondhand dealer shall maintain a record book that includes a full and accurate description of goods purchased together with the name, apparent age, signature, residence of the vendor, and date and time. The entries shall be written in English and in ink.

The book shall be available for inspection by members of the Sheriff's Department. If the vendor is a minor, a statement of the fact, the amount paid, and the date and hour of purchase must be included.

Section 6. Section .060, Hours of operation is created to read as follows:

It shall be unlawful for any secondhand store or junk shop to remain open or transact business between the hours of 6 p.m. and 6 a.m. of any day except Saturday, when stores may remain open until 8 p.m.

Section 7. Section .070, Alteration of property is created to read as follows:

It shall be unlawful for a junk or secondhand store to alter items received before five (5) days from the date of purchase or receipt have elapsed; provided, a representative of the Sheriff's Department, after examination of a specific quantity of junk or secondhand goods may permit the same to be sold, removed, melted or otherwise disposed of, within a period of time less than that specified.

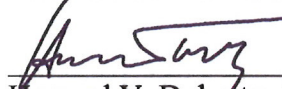
Section 8. Section .080, Violations, is created to read as follows:

Any person violating or failing to comply with any of the terms and provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to a fine of not more than \$100 or imprisonment of not more than 30 days, or by both.

Every person concerned in any act or omission in violation of this chapter, whether he directly performs or omits to perform any act in violation of this chapter, or aids or abets the same whether present or absent, and every person who directly or indirectly counsels, encourages, hires, commands, induces or otherwise procures the terms of this chapter and shall be proceeded against and prosecuted as such.

ADOPTED this second day of June 2009

BOARD OF CLALLAM COUNTY COMMISSIONERS

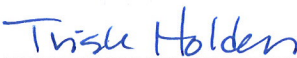


Howard V. Doherty, Jr., Chair



Stephen P. Tharinger

ATTEST:



Trish Holden, CMC, Clerk of the Board



Michael C. Chapman