

BILL NO. 83- 44

ORDINANCE No. 3070

AN ORDINANCE RELATING TO SECONDHAND DEALERS; AMENDING THOSE PROVISIONS WHICH CONCERN THE REPORTING OF PURCHASES OF SECONDHAND GOODS AND THE RETENTION OF GOODS AFTER PURCHASE; ESTABLISHING PENALTIES FOR VIOLATIONS HEREOF; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

Sponsored By: Summary: Amends the Chapter regulating secondhand dealers to conform with State law.
Councilman Ron Lurie

THE CITY COUNCIL OF THE CITY OF LAS VEGAS, NEVADA DOES
HEREBY ORDAIN AS FOLLOWS:

SECTION 1: LVMC 6.74.110 is hereby amended to read
as follows:

6.74.110: [Every secondhand dealer shall keep a tightly bound book, not looseleaf, with pages numbered in sequence, in which there shall be made at the time of each purchase, sale or trade a record of each transaction as required by NRS 647.110. such records shall be made available during ordinary business hours for inspection by the Metropolitan Police Department.] 1. Every secondhand dealer shall maintain in his place of business a book or other permanent record in which must be legibly written in the English language, at the time of each purchase, a record thereof containing:

(a) The date of the transaction.

(b) The name or other identification of the person or employee conducting the transaction.

(c) The name, age, driver's license number, street and house number and a general description of the complexion, color of hair and facial appearance of the person with whom the transaction is had.

(d) If the transaction involves household furniture, the license number of the vehicle delivering each purchase.

(e) A description of the property bought. In the case of watches, the description must contain the name of the

1 maker and the number of the works or the case. In the case
2 of jewelry, all letters and marks inscribed on the jewelry
3 must be included in the description. When the article bought
4 is furniture, or the contents of any house or room actually
5 inspected on the premises, a general record of the transac-
6 tion is sufficient.

7 (f) The price paid.

8 2. The record and all goods received must at all times
9 during the ordinary hours of business be open to the inspection
10 of the Las Vegas Metropolitan Police Department.

11 SECTION 2: LVMC 6.74.120 is hereby amended to read
12 as follows:

13 6.74.120: [Each secondhand dealer must deliver in duplicate
14 to the Metropolitan Police Department every day, before the hour
15 of twelve noon, a full and correct copy of the record of all
16 transactions had on the preceding day. The Metropolitan Police
17 Department shall prescribe the manner and form of such reports.]

18 1. Every secondhand dealer shall, before the hour of
19 twelve noon of each day, furnish, by mail or any other means, in
20 duplicate to the Las Vegas Metropolitan Police Department a
21 full, true and correct transcript of the record of all transac-
22 tions had on the preceding day.

23 2. Every secondhand dealer having good cause to believe
24 that any property in his possession has been previously lost or
25 stolen shall forthwith report that fact to the Las Vegas
26 Metropolitan Police Department, together with the name of the
27 owner if known, and the date when and the name of the person from
28 whom he received the property.

29 SECTION 3: LVMC 6.74.130 is hereby amended to read
30 as follows:

31 6.74.130: Each dealer in secondhand property must keep
32 without concealment property that is identifiable for a period of

1 ten days [and all other secondhand property for a period of four
2 days] after the receipt thereof has been reported or a record of
3 the receipt of the property is furnished or mailed to the Las
4 Vegas Metropolitan Police Department and before selling, shipping
5 or otherwise disposing of the same. While in the possession of
6 any secondhand dealer, all goods shall remain subject to inspec-
7 tion by any Police Officer during normal business hours.

8 SECTION 4: LVMC Chapter 74 is hereby amended to add
9 a new Section 6.74.190 which is to read as follows:

10 6.74.190: It is unlawful for any secondhand dealer or any
11 clerk, agent or employee of a secondhand dealer to:

12 1. Fail to make an entry of any material matter in his
13 book or record kept as provided for in LVMC 6.74.110.

14 2. Make any false entry in his book or record.

15 3. Obliterate, destroy or remove from his place of
16 business the book or record.

17 4. Refuse to allow the Las Vegas Metropolitan Police
18 Department to inspect the book or record or any goods in his
19 possession, during the ordinary hours of business.

20 5. Report any material matter falsely to the Las Vegas
21 Metropolitan Police Department.

22 6. Fail to report forthwith to the Las Vegas
23 Metropolitan Police Department the possession of any property
24 which he may have good cause to believe has been lost or sto-
25 len, together with the name of the owner, if known, and the
26 date when and the name of the person from whom he received
27 the property.

28 7. Violate LVMC 6.74.130.

29 8. Receive any property from any person under the age
30 of 18 years, any common drunkard, any habitual user of
31 controlled substances as defined in Chapter 453 of NRS, any
32 habitual criminal, any person in an intoxicated condition,

1 any known thief or receiver of stolen property, or any known
2 associate of a thief or receiver of stolen property, whether
3 the person is acting in his own behalf or as the agent of
4 another.

5 SECTION 5: LVMC 6.74.170 is hereby repealed.

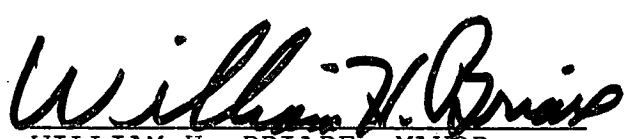
6 SECTION 6: If any section, subsection, subdivision,
7 paragraph, sentence, clause or phrase in this Chapter or any part
8 thereof, is for any reason held to be unconstitutional or invalid
9 or ineffective by any court of competent jurisdiction, such deci-
10 sion shall not affect the validity or effectiveness of the
11 remaining portions of this Chapter or any part thereof. The City
12 Council of the City of Las Vegas hereby declares that it would
13 have passed each section, subsection, subdivision, paragraph,
14 sentence, clause or phrase thereof irrespective of the fact that
15 any one or more sections, subsections, subdivisions, paragraphs,
16 sentences, clauses or phrases be declared unconstitutional,
17 invalid or ineffective.

18 SECTION 7: Whenever in this ordinance any act is
19 prohibited or is made or declared to be unlawful or an offense or
20 a misdemeanor, or whenever in this ordinance the doing of any act
21 is required or the failure to do any act is made or declared to
22 be unlawful or an offense or a misdemeanor, the doing of any such
23 prohibited act or the failure to do any such required act shall
24 constitute a misdemeanor and upon conviction thereof, shall be
25 punished by a fine of not more than \$1,000.00 or by imprisonment
26 for a term of not more than six (6) months, or by any combination
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1 of such fine and imprisonment. Any day of any violation of this
2 ordinance shall constitute a separate offense.

3 PASSED, ADOPTED and APPROVED this 17th day of August,
4 1983.

5 APPROVED:

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7 WILLIAM H. BRIARE, MAYOR

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9 ATTEST:

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11 CAROL ANN HAWLEY, CITY CLERK

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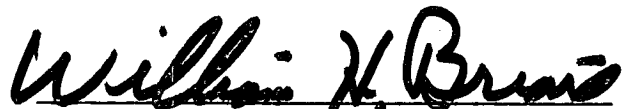
1 The above and foregoing ordinance was first proposed and
2 read by title to the City Council on the 20th day of July,
3 1983, and referred to the following committee composed of
4 Councilmen Lurie and _____
5 Levy for recommendation; thereafter the
6 said committee reported favorably on said ordinance on the 17th
7 day of August, 1983, which was a regular meeting of
8 said Council; that at said regular meeting, the proposed
9 ordinance was read by title to the City Council as first intro-
10 duced and adopted by the following vote:

11 VOTING "AYE" Councilmen: Lurie, Christensen, Levy and Nolen

12 VOTING "NAY" Councilmen: None

13 ABSENT: Mayor Briare

14 APPROVED:

15 
16 WILLIAM H. BRIARE, MAYOR

17
18 ATTEST:

19 
20 CAROL ANN HAWLEY, CITY CLERK

BILL NO. 83-44
ORDINANCE NO. 3070
AN ORDINANCE RELATING TO
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CHASES OF SECONDHAND GOODS
AND THE RETENTION OF GOODS
AFTER PURCHASE; ESTABLISHING
PENALTIES FOR VIOLATIONS
HEREOF; AND PROVIDING OTHER
MATTERS PROPERLY RELATING
THERE TO.
Sponsored By:
Councilman Ron Lurie
Summary: Amends the Chapter reg-
ulating secondhand dealers to conform
with State law.
The above and foregoing ordinance was
first proposed and read by title to the
City Council on the 20th day of July,
1983, and referred to the following com-
mittee composed of Councilmen Lurie
and Levy for recommendation;
thereafter the said committee reported
favorably on said ordinance on the 17th
day of August, 1983, which was a regular
meeting of said Council; that at said
regular meeting, the proposed ordinance
was read by title to the City Council as
first introduced and adopted by the fol-
lowing vote:
VOTING "AYE" Councilmen:
Christensen, Levy, Lurie and Nolen
VOTING "NAY" Councilmen: None
ABSENT: Mayor Briare
COPIES OF THE COMPLETE ORDI-
NANCE ARE AVAILABLE FOR PUBLIC
INFORMATION IN THE OFFICE OF THE
CITY CLERK; 10TH FLOOR, CITY HALL,
400 EAST STEWART AVENUE, LAS
VEGAS, NEVADA
PUB: August 20, 1983
Las Vegas SUN

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA,
COUNTY OF CLARK

{ ss.

Coralee M. Wilson

, being first duly sworn,

deposes and says: That he is Legal Clerk of the
LAS VEGAS SUN, a daily newspaper of general circulation, printed and published
at Las Vegas, in the County of Clark, State of Nevada, and that the attached was
continuously published in said newspaper for a period of 1 time.

from August 20, 1983 to August 20, 1983

inclusive, being the issues of said newspaper for the following dates, to-wit:

August 20, 1983

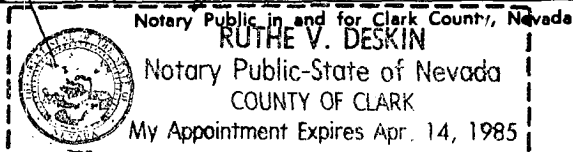
That said newspaper was regularly issued and circulated on each of the dates
above named.

Signed

Coralee M. Wilson

Subscribed and sworn to before me this 22nd
day of August 1983.

My Commission Expires



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CITY CLERK

BILL NO. 83-44
AN ORDINANCE RELATING TO
SECONDHAND DEALERS, AMENDING
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AND THE RETENTION OF GOODS
AFTER PURCHASE, ESTABLISHING
PENALTIES FOR VIOLATIONS
HEREOF, AND PROVIDING OTHER
MATTERS PROPERLY RELATING
THERE TO.
Sponsored by:
Councilman Ron Lurie
Summary: Amends the Chapter reg-
ulating secondhand dealers to conform
with State law.
At a City Council Meeting on
July 20, 1983.
BILL NO. 83-44 WAS READ BY
TITLE AND REFERRED TO RECOM-
MENDING COMMITTEE:
COUNCILMEN Lurie and Levy
COPIES OF THE COMPLETE ORDI-
NANCE ARE AVAILABLE FOR PUBLIC
INFORMATION IN THE OFFICE OF THE
CITY CLERK, 10TH FLOOR, CITY HALL,
400 EAST STEWART AVENUE,
LAS VEGAS, NEVADA.
PUB: August 3, 1983
Las Vegas SUN

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, { ss.
COUNTY OF CLARK

Coralee M. Wilson

_____, being first duly sworn,

Legal Clerk

deposes and says: That he is _____ of the
LAS VEGAS SUN, a daily newspaper of general circulation, printed and published
at Las Vegas, in the County of Clark, State of Nevada, and that the attached was
continuously published in said newspaper for a period of 1 time.

from August 3, 1983 to August 3, 1983

inclusive, being the issues of said newspaper for the following dates, to-wit:

August 3, 1983.

That said newspaper was regularly issued and circulated on each of the dates
above named.

Signed

Coralee M. Wilson

Subscribed and sworn to before me this 3rd
day of August 1983.

Ruthe V. Deskin

My Commission Expires

Notary Public in and for Clark County, Nevada
RUTHE V. DESKIN
Notary Public-State of Nevada
COUNTY OF CLARK
My Appointment Expires Apr. 14, 1985

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CITY CLERK

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