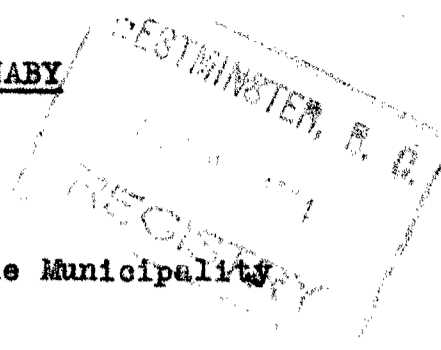


CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW No. 440.



A By-law regulating Second Hand Dealers in the Municipality of Burnaby.

The Municipal Council of the Corporation of the District of Burnaby enacts as follows:

1. In the construction and for the purpose of this By-law the following words and terms shall have the meanings hereby assigned to them, unless repugnant to the context hereof:

(a) The word Council shall mean the Reeve and Council of the Corporation of the District of Burnaby.

(b) The "Municipality" shall mean the Municipality of Burnaby.

(c) The word "person" shall, when necessary, be held and construed to mean and include natural persons of either sex, associations, corporations, co-partnerships, whether acting by themselves or by a servant, agent, or employee, and the heirs, executors, administrators, successors, and assigns or other representatives of such person to whom the context can apply according to law; the singular shall, when necessary be held to mean and include the plural; and the masculine the feminine, and the converse;

(d) "Applicant" shall mean any person who makes out and signs an application for any license under the provisions of this By-law.

(e) The term "Junk Dealer" shall be held and construed to mean and include every person licensed under the provisions of this By-law to keep a junk dealer's store or shop, or to carry on the trade or business of a Junk Dealer, or who buys or sells old junk, rubber, old tires, old lead, old metal, bottles, broken glass, old paper, sacks, wire, machinery, or any other article or thing usually found in a junk shop;

(f) The term "Junk Peddler" shall be held and construed to mean and include every person licensed under the provisions of this By-law to carry on the trade or business of a junk peddler

or who goes around collecting, buying, or selling old junk, old lead, rubber, old tires, old metal, bottles, broken glass, old paper, sacks, wire, machinery, or any other article or thing usually found in a junk shop whether such business is carried on with a wagon, cart, or vehicle of any kind or in whatsoever manner.

(g) The word "Pawnbroker" shall be held and construed to mean and include any person who loans money on deposit or pledge of personal property, on the condition of selling the same back at a stipulated price, or exhibits a sign "Money to loan on personal property on deposit or pledge" or a sign with words to the like effect.

(h) The term "Second Hand Dealer" shall be held and construed to mean and include every person licensed under the provisions of this By-law to keep a second hand store or shop, or to carry on the trade or business of a dealer in second hand goods, wares, merchandise, second hand furniture, second-hand automobiles, or auto parts, motor launches, motor launch parts or fittings, second-hand bicycles, or household goods or effects;

2. No person shall carry on, maintain, own, or operate any of the several trades or businesses set forth in section four (4) of this By-law and more particularly described herein, unless and until he has procured a license to do so (for each such place of business, vehicle, or thing operated by him) under the provisions of the Burnaby Trades License By-law 1920 and amendments thereto and shall have paid therefor such sums as are specified in the said By-law and amendments thereto.

3. Every person so licensed shall be subject to the provisions of this By-law, and non-compliance with any of the provisions of this By-law shall be deemed to be an infraction of the same, and shall render any person infringing any of the said provisions liable to the penalties contained in section 9 hereof.

4. A license shall be taken out by the following persons:

- (a) Every person carrying on the business of a Junk Dealer.
- (b) Every person carrying on the business of a Junk Peddler.
- (c) Every person carrying on the business of a Pawnbroker.
- (d) Every person carrying on the business of a second-hand dealer.

5. Every person to whom a license has been granted for the purpose of carrying on any occupation, trade, calling or business specified in section (four (4)) hereof shall, at all reasonable times, permit the Chief Constable, or any other police officer or other person duly authorized in that behalf, to inspect any house, place, premises, or thing in respect of which such license has been granted; and any person who shall refuse to allow the Chief Constable, or any police officer or any other person duly authorized in that behalf, to so inspect such house, place, premises, or thing shall be guilty of an infraction of this By-law, and liable to the penalties hereof.

6. Every person to whom a license has been granted for the purpose of carrying on any occupation, trade, calling, or business specified in section four (4) hereof (except Junk Peddlers) shall keep his place of business closed between the hours of six (6) o'clock p.m. and six (6) o'clock a.m. of the next day, subject to the provisions of the Half Holiday Act, except on Saturday when such premises or place of business shall be kept closed between the hour of nine-thirty (9.30) o'clock p.m. and the hour of six (6) o'clock a.m. of the Monday following, and except during the six (6) days next preceding Christmas, when such premises or place of business shall be kept closed between the hour of ten (10) o'clock p.m. and the hour of six (6) o'clock a.m. of the next day.

7. (a) Every second-hand dealer and every junk dealer licensed under the provisions of this By-law, shall keep a book in which he shall write clearly the following particulars in the English language, at the time of the purchase of any article or thing in the way of his business, namely:

(1) A correct account and description of and any descriptive mark or name on the article or thing purchased.

(2) The price paid for such article;

(3) The precise date and hour of making such purchase;

(4) The signature, place of residence, street address and description of the person from whom such purchase was made.

(b) The books mentioned in the preceding subsection shall at all times be open to inspection of the Chief Constable of the Municipality and any member of the police force of the Municipality, or any person duly authorized in that behalf by the Council.

(c) Immediately after the sale of any article mentioned in sub-section (a) of this section, by such dealer, he shall make an entry in the English language in the book mentioned in the said subsection opposite to the entries of the purchase of such article, which entry shall show;

(1) The name, place of residence, street address and description of the person to whom such article was sold;

(2) The price paid for the article;

(3) The date of the sale

(d) No second-hand dealer shall permit any entry made in such book to be erased, obliterated, or defaced, nor shall he permit the leaves of such book or any part of them to be cut or removed.

(e) It shall be the duty of every second-hand dealer and junk dealer to make out and deliver to the Chief Constable of the Municipality before the hour of ten (10) o'clock a.m. on Monday in each and every week on a form to be provided for that purpose by the Chief Constable, a legible and correct statement copied from the book mentioned in the preceding subsections of this section, which statement shall be signed by him, and shall set forth;

(1) A correct account and description of, and any description, mark or name on each and every article or thing

purchased by him during the week immediately preceding the hour of 8.30 a.m. of the day on which such report is made;

(2) The price paid therefor;

(3) The precise time of the purchase;

(4) The names, places of residence, and street addresses of the persons from whom such purchase was made.

(f) No second-hand dealer or junk dealer shall, during the period of his license as such, carry on any business as a pawn-broker unless such person has also taken out a pawn-broker's license.

(g) No second-hand dealer or junk dealer shall purchase in the way of his business any goods, article, or thing whatsoever from any person whomsoever between the hours of six (6) o'clock p.m. and six (6) o'clock a.m. the next day.

(h) 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.

(j) Every second-hand dealer and junk dealer shall forthwith on demand being made by the Chief Constable or any member of the police force of the Municipality, present for view to such Chief or member of the police force any and every article and thing coming into his possession in the way of his business, inspection of which is required by such chief or member of the police force.

(k) Every second-hand dealer and junk dealer shall have his name and address painted plainly in English lettering on the front of the premises where he carries on such business, and if he carries on such business by means of a vehicle or vessel, then such name and address shall be plainly painted in English lettering on both sides of such vehicle or vessel.

(l) No second-hand dealer or junk dealer shall sell any article purchased by him in the way of his business,

nor shall he allow the same to be removed from the premises in which he carries on such business within a space of three (3) days after he has made and deposited with the Chief Constable a statement relating to such article as required by sub-section (e) of this section of this By-law.

(m) Booksellers buying and selling second-hand books, papers, and magazines shall not be deemed to be second-hand dealers within the meaning of this by-law, nor shall any person be required to procure a license to buy and sell second-hand books, papers and magazines.

8. Every owner of more than one vehicle used for the purpose of junk peddling shall take out a separate license for each vehicle used by him in such business.

9. (1) Every pawnbroker shall keep a book in which shall be plainly written in ink, in the English language, at the time when he makes each loan;

(a) An accurate account and description of the goods, article, or thing pawned or pledged as security for such loan;

(b) A statement of any descriptive mark or name thereon;

(c) The amount of money loaned thereon;

(d) The date and hour of the pledging of the same;

(e) The signature, place of residence, street address, and minute description of the person pawning or pledging the said goods, article, or thing.

(2) No pawnbroker shall permit any entry made in such a book to be erased, obliterated, or defaced, nor shall he permit the leaves of such book, or any part of them, to be cut or removed.

(3) Every pawnbroker shall, at the time any goods, article, or things are pledged, or pawned with him, deliver to the person pawning or pledging the same, a ticket or check signed by such pawnbroker, containing the substance of the entry required to be made in his book by sub-section (1) hereof; and no charge shall be made by such pawnbroker for any such entry, ticket, or check.

(4) Every pawnbroker shall keep the book referred to in sub-section (1) hereof open at all reasonable times to the inspection of the Chief Constable or any member of the Police force of the Municipality, together with every article or thing pawned or pledged with him.

(5) No pawnbroker shall, unless he has also taken out a license as a second-hand dealer, purchase or buy any second-hand goods, articles, or things whatsoever from any person.

(6) It shall be the duty of every pawnbroker to make out, sign and deliver to the Chief Constable of the Municipality or officer in charge at the nearest police station every Monday before the hour of ten (10) o'clock a.m. a legible and correct statement taken from the book specified in sub-section One (1) hereof, containing a list of all personal property received by him in the way of his business during the week immediately preceding the hour of Eight-thirty (8.30) o'clock a.m. on the day on which such statement is delivered as aforesaid, and stating therein all the particulars entered in said book relating to such property.

(7) Such report on any day following a public holiday shall cover the whole period subsequent to eight-thirty (8.30) o'clock a.m. of the day on which the last preceding report was made.

(8) Every pawnbroker shall, immediately after the redemption or sale of any article pawned or pledged with him, make an entry in the book referred to in sub-section one (1) hereof, setting forth;

(a) By whom such article was redeemed or purchased.

(b) The place of residence, street address, and description of such person.

(c) The date of such redemption.

(9) No pawnbroker receiving any property by way of pawn or pledge shall sell such property, or allow the same to be sold or removed from his place of business by any person other than the holder of the ticket issued therefor for the

space of twelve months from the time when the same has been pawned or pledged.

(10) No pawnbroker shall take any property in pawn or pledge from any inebriated person, or from any person whom he has reason to believe to have been convicted of theft or burglary or other similar crime.

(11) No pawnbroker shall employ any person under the age of eighteen (18) years in the way of his business.

(12) No pawnbroker shall take in pawn any goods, article, or thing whatsoever from any person whomsoever between the hours of six (6) o'clock p.m. and six (6) o'clock a.m. of the following day.

10. 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.

11. 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 and costs may be levied the offender may be committed to prison for a term not exceeding thirty (30) days.

12. This By-law shall come into force and take effect from the date of passing hereof.

13. This By-law may be cited as the "Burnaby
Second-hand Dealers Regulation By-law 1924."

DONE AND PASSED in Open Council this Fifteenth
day of September, 1924.

RECONSIDERED and finally passed this twenty-ninth
day of September, 1924.

D. H. Whelan
REEVE

Arthur G. Moore,
CLERK

I, Arthur G. Moore, Clerk to the Municipal
Council of the Corporation of the District of Burnaby,
hereby certify that the foregoing is a true copy of a
By-law passed by the Municipal Council on the (29th)
twenty ninth day of September, 1924.

Arthur G. Moore,
Clerk.