

ORDINANCE NO. 1551

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PRICHARD, ALABAMA, AS FOLLOWS:

Section 1. This Ordinance shall apply in the city and its police jurisdiction.

Section 2. Every person who engages in the business of buying, whether for sale, use or for conversion in any way, any copper, zinc, lead, brass or bronze of whatever form, and whether wrought or not, or secondhand pipes, fittings, fixtures, plumbing materials or other metal goods or canvas or rope, such as are bought and traded in what is known as the junk business, shall be deemed a junk dealer.

Section 3. Every junk dealer shall keep a book, open to inspection at all times, in which he shall, at the time of any purchase or receipt of any articles described in Section 2, or articles of railroad iron, brass, pieces of machinery, plumbing materials, fixtures, fittings or other materials or goods purchased by him, enter therein the name and a brief description of the person from whom he purchased or received the same, together with a statement of the place of residence or address of such person, which entry shall be serially numbered at the time of making it and the number shall not be repeated or duplicated. Such book shall correctly and fairly describe the character and identifying marks of each article, if any there be.

Section 4. Every junk dealer shall, on every day, except Sunday, before the hour of 10:00 A.M., deliver to the chief of police, upon a blank form to be provided by the chief of police, a legible transcript from the books of the junk dealer, showing a description of every article or thing received by him, naming the hour or time of purchase, during the business day immediately preceding the filing of the transcript.

Section 5. Every junk dealer, unless his dealings are exclusively in scrap iron or steel, shall post in a conspicuous place on the outside of his shop, store, vehicle, boat or other place of business a sign having his name and occupation legibly inscribed thereon. Each water or land vehicle used in connection with a junk dealer's business shall likewise have his name and occupation conspicuously inscribed, printed or painted thereon.

Section 6. Every junk dealer shall register his name and place of abode and every place of business, lot, warehouse, store or other place occupied or used by him for the purpose of such business in a book to be kept for the purpose at the office of the chief of police.

Section 7. The book kept by a junk dealer, as required by Section 3, shall be subject to inspection at all times, upon demand, by the chief of police or any officer of the police department of the city.

Section 8. Each junk dealer shall keep all brass, copper, lead and house fittings and fixtures of metal purchased by him stored or stowed separately from and not covered by piles of other junk and in such manner as to enable the articles to be readily overhauled and inspected by the chief of police or officer of the police department desiring to inspect the same, at all times. A tag shall, by such junk dealer, be attached to each article or parcel of articles of the classes mentioned in this section, which tag shall contain a number corresponding to the

number under which is entered the name of the seller of such article or parcel of articles.

Section 9. No goods of the description or classes mentioned and set forth in Sections 2 and 8 shall be, by any junk dealer, sold or disposed of or suffered to be removed, until the expiration of forty-eight hours from the making by him of the written report to the chief of police, required by Section 4, unless the junk dealer shall obtain, in writing from the chief of police, after the filing of his report, a permit to sell or remove such articles earlier.

Section 10. It shall be unlawful for any person to purchase junk or any kind of metals or house fittings from any minor who is under the age of sixteen years, whether such minor is selling or offering for sale such junk or metals as principal or as agent for some other person.

Section 11. It shall be unlawful for any person to aid, encourage or abet any person under sixteen years of age in collecting or disposing of junk or any kind of metals or house fittings.

Section 12. It shall not be a defense to any prosecution under Section 10 or Section 11 that the defendant did not know that the minor was under sixteen years of age or that the minor or any other person either wilfully or innocently misrepresented the age of such minor to the defendant.

Section 13. Every dealer in secondhand clothing, household articles or furnishings, personal effects, bric-a-brac, jewelry, precious gems, watches or other articles of like kind shall keep a book in which shall be entered promptly at the time of purchase a brief description of the articles or property purchased, the person from whom the purchase is made, together with the address of such person. Each entry of such transaction shall be serially numbered on the book at the time of making the entry. Such dealer shall, on every day except Sunday, before the hour of 10:00 A.M., deliver to the chief of police upon a blank form provided by him, a legible transcript of the business done during the business day immediately preceding the filing of the transcript. The report on Monday shall cover the transcript of the book covering Saturday's purchases.

Section 14. Every dealer in the secondhand articles described in Section 13 shall promptly, after the beginning of business, register with the chief of police, in a book kept for that purpose, his name, address and every place where he carries on business or stores property.

Section 15. The books and records kept by each dealer in the secondhand articles described in Section 13 shall be open for inspection by the chief of police or by any officer of the police department of the city at all times and the dealer and his agents and employees shall at all times exhibit the book to such officers on request.

Section 16. Each dealer in the secondhand articles described in Section 13 shall attach to or place on each such article purchased a tag or other identifying mark or label numbered to correspond with

the serial number of the book required by Section 13 to be kept; except, that where small articles are bought in bulk and are too numerous to conveniently tag or mark, in which case an identifying number shall be placed on the container or wrapper in which the articles are kept or placed.

Section 17. No property of the kind described in Section 13 shall be sold by the dealer or his agents or employees until forty-eight hours after the hour when he reports the purchase to the chief of police, unless permission for such sale is obtained in writing from the chief of police after the filing of the report.

Section 18. The provisions of Sections 13 to 17 shall relate to and be binding upon every employee or agent of a dealer in the secondhand articles described Section 13 and it shall be unlawful and an offense against the city for any such dealer or his agents or employees to fail or refuse to carry out the provisions of such sections.

Section 19. No person carrying on a business of buying used plumbing supplies or used electrical supplies in single pieces or in small lots, for resale, shall purchase or otherwise acquire from any other person any used lead pipes, locks, bathtubs, sinks, faucets, hydrants, toilet stools, shower bath equipment or any other used plumbing equipment of any kind or nature whatsoever nor shall such person purchase or otherwise acquire from any other person any used fireplace grates or used fireplace parts of any kind, in single pieces or small lots, nor shall such person purchase or otherwise acquire from any other person any used light bulbs, chandeliers, extension cords, sockets, plugs, electric fans, electric heaters, electric stoves or other used electrical equipment pertaining to a house of any kind or character, without first notifying the chief of police, in writing, of the proposed purchase or acquisition at least six hours before such purchase or acquisition is completed, giving a description of such used fireplace, parts, used plumbing equipment or used electrical equipment.

Section 20. Each person carrying on the business described in Section 2 shall provide and keep a book and enter therein, as each purchase or acquisition is made, each purchase or acquisition of the kind provided for in Section 19, together with the name, age, address and description of the person from whom the respective purchases or acquisitions were made and the date thereof. Such book shall be kept for six months next subsequent to any purchase or acquisition, open to inspection during business hours to any police officer who may make a request to examine the same.

Section 21. No person carrying on the business described in Section 19 shall sell or otherwise dispose of, permit to be sold or otherwise disposed of, remove or permit to be removed from his place of business, intermingle or permit to be intermingled with other articles of a like nature, alter, change or deface or permit to be altered, changed or defaced any such article purchased or acquired, until after the expiration of ten days from the date of any purchase or acquisition thereof, unless he obtains in writing a permit from the chief of police to do so.

Section 22. If any section, sentence, paragraph, clause, phrase or word of this ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect the remaining portions of this

ordinance, and it shall be construed to have been the intent of the Council of the City of Prichard to pass this ordinance without such unconstitutional, invalid, or inoperative part therein, and the remainder of this ordinance shall be deemed and held to be valid as if such parts had not been included therein.

Section 23. Any person who shall violate any provisions of this ordinance shall be subject to a fine in an amount not to exceed \$500.00 or imprisonment, not to exceed six months, or to both such fine and imprisonment, in the discretion of the Court trying the case.

Adopted this 16 day of December, 1988

APPROVED

Mayor

ATTEST:

Eva C. Greene
City Clerk-Treasurer