City of Blue Springs
Dealers in Secondhand Precious Metals and Gems Application

DATE OPENED_____ **LICENSE #**_____ **NEW ( ) RENEWAL ( )**

NAME OF BUSINESS_____

BUS ADDRESS_____**PHONE**_____
Street City/State Zip

MAILING ADDRESS_____

PERSON IN CHARGE_____**TITLE**_____

HOME ADDRESS_____**PHONE**_____
Street City/State Zip

EMAIL ADDRESS_____

EVENT LOCATION(S)_____

_____

DAYS & HOURS OF EVENT(S)_____

_____

****OWNERSHIP: List below the name, home address and home phone number of each partner, president, vice-president, secretary and treasurer for business or corporation.**

INDIVIDUAL ( ) _____

PARTNERSHIP ( )_____

CORPORATION ( )_____

LLC ( )_____

FEE COMPUTATION

Basic Fee $50.00 annually _____

Per Section 615.020 (D) $5,000 Bond Due Upon Application

I certify that the information given in this application is true to the best of my knowledge and belief. I also understand that this license is not transferable.

SIGNED_____**DATE**_____**TITLE**_____

APPROVED BY_____**DATE**_____
Chief of Police

CHAPTER 615: DEALERS IN SECONDHAND PRECIOUS METALS AND GEMS

SECTION 615.010: DEFINITIONS

As used in this **Chapter**, the following words and phrases shall have the meanings as set out herein:

PERSON: Any individual, firm, partnership, association or corporation.

PRECIOUS GEMS: Precious and semi-precious stones, pearls or any item, including jewelry, containing or having as part of its composition, precious or semiprecious stones or pearls customarily used in jewelry or ornamentation which are not purchased or sold as new.

PRECIOUS METAL AND GEM DEALER: Any person, firm, corporation or partnership engaged in the business of purchasing precious metals or precious gems, as defined in this **Chapter**, for the purpose of reselling such metal or gem in any form whatsoever.

PRECIOUS METALS: Precious metals means gold, silver, pewter or platinum group metals, in any form whatsoever, and any articles or personal property containing such metals as part of their composition, which are not purchased or sold as new. (CC 1968 §11-37; Ord. No. 1130 §1, 12-7-81)

SECTION 615.020: LICENSE

A. No person shall engage or continue in the business as a precious metal and gem dealer without first obtaining a license therefore from the Director of Finance. This license shall be required in addition to all other licenses required and shall be renewed annually and one (1) license shall be obtained for each place of business. Application for the license shall be in writing and shall state:

1. The full name and place of residence of the applicant, including each member of the partnership applying for a license. If the applicant is a corporation or association, the application shall contain such information for each officer, members of the board or member thereof.

2. The address of the location where the business is to be conducted, the hours and days of the week business will be conducted.

3. Such other information as may be required by the Director of Finance.

B. The license application and renewal thereof shall be on a form approved by the Chief of Police, or his/her designated representative, and shall be accompanied by a fee of fifty dollars ($50.00).

C. The document or the instrument evidencing the license shall be kept conspicuously posted in the place of business of the licensee and shall not be transferred or assigned.

D. Every person applying for a license as a precious metal and gem dealer shall, before such license is issued, enter into a bond to the City with two (2) or more good and sufficient sureties, to be approved by the Chief of Police, or his/her designated representative, in the penal sum of five thousand dollars ($5,000.00), conditioned that the applicant will faithfully observe all ordinances, regulations or requirements of the City in relation to the precious metal and precious gem business and will pay all costs, fines and penalties incurred on account of his/her failure or neglect in that behalf, and will pay all damages resulting to any person by reason of his/her wrongful purchase of any stolen property, or the property of a minor. Such bond shall be filed by the Chief of Police, or his/her designated representative, and may be sued upon by any person damaged as aforesaid, in the name of the City, to the use of the City.

E. Whenever, upon the presentation of evidence, the Chief of Police, or his/her designated representative, shall find that a precious metal or gem dealer has violated or caused or allowed any other person to violate any provision of this **Chapter**, the license shall be revoked by the Director for a period not to exceed one (1) year. (CC 1968 §11-38; Ord. No. 1130 §1, 12-7-81)

SECTION 615.030: RECORD OF PURCHASE

It shall be the duty of every precious metal and gem dealer who shall purchase precious metals or precious gems, in any form whatsoever, to maintain a record of such purchase, as set forth by the Police Department, made at the time of the transaction, including, but not limited to the following information:

1. Time, date and place of purchase of each item;

2. Name of individual acting on behalf of dealer in making the purchase;

3. Name, age and address of seller;

4. Confirmation of identification through a driver's license, State identification card or other identification card which contains the seller's photograph. The dealer shall include in the record any identification numbers which may be displayed on the identification. Any purchase without such proof is prohibited.

5. A clear and identifiable right index finger print of the seller.

6. A clear and identifiable photograph of the precious metals or precious gems purchased, accompanied by a detailed written description of each item including any identification numbers or markings. (CC 1968 §11-39; Ord. No. 1130 §1, 12-7-81)

SECTION 615.040: STATEMENT OF OWNERSHIP

A. It shall be the duty of any precious metal or gem dealer to obtain from the seller a written statement of ownership as set forth by the Police Department. The statement shall be signed by the seller and delivered to the Chief of Police, or his/her designated representative, within twenty-four (24) hours, attached to the record of purchase as provided for in Section 615.050. It shall contain the following information:

1. Name, address, telephone number and place of employment of owner of each item and the seller, if different from the owner;

2. Conditions under which each item to be sold came into seller's possession, including where, when and from whom each item was obtained;

3. Statement that the seller, if other than the owner, has the owner's permission to sell the precious metals and/or gems;

4. Signature of the seller declaring the statement to be true;

5. Statement of amount received for each item.

B. It shall be unlawful for any person to falsify or provide false information in the statement of ownership.

C. It shall be unlawful for any precious metal and gem dealer to purchase precious metals or precious gems unless a statement of ownership is complete and signed by the seller. (CC 1978 §11-40; Ord. No. 1130 §1, 12-7-81)

SECTION 615.050: RECORD OPEN FOR INSPECTION AND PROVIDED TO THE CHIEF OF POLICE

If shall be the duty of every precious metal and gem dealer to deliver to the Chief of Police, or his/her designated representative, the record of every precious metal or precious gem purchase, as set out in Section 615.030, including all photographs contained in that record and the statement of the seller as provided for in Section 615.040, within twenty-four (24) hours of the purchase. Such information shall be available for official use only. A copy of the record and statement of ownership shall be maintained by the dealer for one (1) year and shall be open for inspection by the Chief of Police or the Sheriff of Jackson County, or their respective designees, any time during business hours. A service fee of one dollar ($1.00) per item may be assessed the seller of any precious metal or gem to offset the cost of making and maintaining the record of purchase and statement of ownership. (CC 1968 §11-41; Ord. No. 1130 §1, 12-7-81)

SECTION 615.060: SALE OR DISPOSAL PROHIBITED FOR TEN DAYS

A. It shall be unlawful for any precious metal and gem dealer to sell, trade, melt down or in any way dispose of, alter or destroy any precious metal or precious gems, except as provided in Subsection (B), until ten (10) days after the date of its purchase.

B. The prohibition on sale or disposal of precious metals and precious gems does not apply to ingots purchased for their metallic content.

C. Upon written notice that the Chief of Police or the Sheriff of Jackson County have cause to believe an item has been stolen, the dealer shall retain such precious metal or gem for an additional ten (10) days. (CC 1968 §11-42; Ord. No. 1130 §1, 12-7-81)

SECTION 615.070: PURCHASES PROHIBITED

A. No precious metal or gem dealer shall directly or indirectly purchase any stolen property or any precious metals or precious gems which, for any cause, that dealer has reason to believe cannot be rightfully or lawfully sold by the person offering it.

B. No precious metal and gem dealer shall purchase or trade any precious metal or gem from any individual under the age of eighteen (18) years. (CC 1968 §11-43; Ord. No. 1130 §1, 12-7-81)

SECTION 615.080: EXCEPTIONS

The provisions of this **Chapter** shall not apply to the following:

1. Transactions between one (1) licensed, established dealer in the normal course of business and

2. another licensed, established dealer.

3. Any precious metal or gem dealer, at least ninety percent (90%) of whose gross income is derived from the sale of newly manufactured merchandise and who certifies this to the Director of the Department of Finance upon the enactment of this **Chapter** and thereafter whenever a retail occupational license shall be obtained or renewed.

4. Estates purchased through banks, attorneys or at auction or estate sales.

5. Out of State purchases transacted through the United States Mail.

6. Industrial residue or byproducts purchased from manufacturing firms.

7. Coins which are not currently in circulation, purchased for their numismatic value.

8. Monetized bullion including Krugerrands, Canadian Maple Leaf, Mexican 500 Pesos and United States silver and gold coins. (CC 1968 §11-44; Ord. No. 1130 §1, 12-7-81)

SECTION 615.090: PENALTY

Any person who shall violate, fail, neglect or refuses to comply with any provision or requirement of this **Chapter**, shall, upon conviction, be fined not less than fifty dollars ($50.00) nor more than five hundred dollars ($500.00) or be incarcerated for a period not to exceed ninety (90) days, or by both such fine and imprisonment. (CC 1968 §11-45; Ord. No. 1130 §1, 12-7-81)