



**The Corporation of the City of Dawson Creek**

**Second-Hand Dealers Regulation  
Bylaw No. 2407, 1984**

**CONSOLIDATED VERSION FOR CONVENIENCE ONLY**

Amendment Bylaw 4297, 2016 incorporated

**THE CORPORATION OF THE CITY OF DAWSON CREEK**  
**BYLAW NO. 2407**

A Bylaw of the Corporation of the City of Dawson Creek (hereinafter called "The City") to regulate Second-hand Dealers, Pawnbrokers and Junk Dealers.

THE COUNCIL OF THE CITY OF DAWSON CREEK, in open meeting assembled, ENACTS AS FOLLOWS:

**SECTION 1 - TITLE**

- 1.1 This Bylaw may be cited for all purposes as **"SECOND-HAND DEALERS REGULATION BYLAW NO. 2407, 1984"**.

**SECTION 2 - DEFINITIONS**

- 2.1 In this Bylaw the following words and terms have the following meanings assigned to them:

**"Bylaw Enforcement Officer"** means a person or persons appointed from time to time by resolution of City Council pursuant to Section 36 of the Police Act, the purpose of which is to enforce regulatory bylaws of the municipality.

**"Chief of Police"** means the Chief of Police of the City of Dawson Creek for the time being or the senior resident member of the Royal Canadian Mounted Police Force responsible for the policing of the Municipality.

**"Junk"** includes any of the following used or old articles or things: rubber tires, metal, bottles, glass, paper, sacks, wire, ropes, rags, machinery, or any other article or thing commonly found in a junk shop.

**"Junk Dealer"** means a person who carries on the business of purchasing or selling junk; or who carries on the business of a junk store or junk shop.

**"Pawnbroker"** includes every person who carries on the business of taking goods and chattels in pawn.

**"Police Officer"** means any member of the Police Force of the Municipality.

**"Purchase"** includes buy, barter, deal in, take in exchange, take in part payment, or receive on consignment; "Purchasing" and "Purchased" shall be construed accordingly.

**"Second-hand Dealer"** includes:

- a. Every person carrying on the trade or business of purchasing or selling any second-hand goods, wares or merchandise, or who keeps a store, shop or other place of business for the purpose of carrying on such trade or business.
- b. Every person who, while licenced or required to procure a licence for any business, occupation or calling other than businesses referred to in this Bylaw, purchases or stores either as principal or agent, any second-hand goods, wares or merchandise whatsoever.

**SECTION 3 - SECOND-HAND DEALER AND JUNK DEALER**

- 3.1 Every second-hand dealer and every junk dealer shall keep a record of all goods, articles or things other than bottles purchased or otherwise received by him. Such record shall be written in ink in a plain legible hand in the English language, and shall be made at the time of such purchase in a book known as the "Second-hand Dealers' Report" as provided. Such record shall include the following particulars:
- a. A correct account and description of, and any descriptive mark or name on any goods, articles or things purchased or received.
  - b. The price paid for such goods, articles or things.
  - c. The precise date and hour of purchasing or receiving such goods, articles or things.
  - d. The name, residence or street address and description of the person from whom such goods, articles or things were purchased or received.
  - e. The make, description, and the Provincial Licence Number or any motor vehicle used by the person from whom such goods, articles or things were purchased or received, for the purpose of delivering the said goods, articles or things.
- 3.2 Such record shall at all reasonable times during business hours, be produced for the inspection of the Chief of Police of the Municipality or any other officer or member of the Police Force of the Municipality, the Licence Inspector of the Municipality, or any person authorized to make such inspection on his or its behalf, and may be removed at any time by any such officer for the inspection at police headquarters, or for use as evidence in Court. Such dealer shall, immediately on the return to him of such record, enter therein in proper sequence each and every transaction involving the purchasing of goods, articles or things made during the absence of such record.
- 3.3 No Second-hand Dealer or Junk Dealer shall permit an entry made in such book to be erased, obliterated or defaced nor shall he permit the leaves of such book or part of them to be cut out or removed.
- 3.4 It shall be the duty of every Second-hand Dealer and Junk Dealer to complete and forward to the Chief of Police of the Municipality weekly on a form to be provided for that purpose by the Chief of Police, a legible and correct statement copied from the book mentioned in the preceding sub-sections of this section, which statement shall be signed by the dealer, and shall include:
- a. A correct amount and description of and any descriptive mark or name on each and every article or thing purchased or received during the previous week.
  - b. The price paid .
  - c. The precise time of purchasing or receiving such article or thing.
  - d. The name, place of residence or street address of the person from who such purchase was made or from whom such article or thing was received.
  - e. The make, description and license number of any vehicle used by the person from whom such purchase was made or from whom such article or thing was received.

No such statement shall be required on Sundays or public holidays, but the statement following a public holiday shall cover the whole period subsequent to 4:00p.m. of the day on which the last preceding statement was made.

- 3.5 No Second-hand Dealer or Junk Dealer shall, during the period of his licence as such, carry on any business as a pawnbroker unless such person has also taken out a Pawnbroker's Licence.
- 3.6 Every licence granted to a Second-hand or Junk Dealer shall designate the property in which the person receiving such licence shall be authorized to carry on such business as a Second-hand Dealer or Junk Dealer, and he shall not carry on any such business at any property not so designated.
- 3.7 In case any Second-hand Dealer or Junk Dealer shall remove his place of business from the place designated in such licence, he shall immediately thereupon give notice to the Licence Inspector and have his change of address endorsed on such licence, and also the street number of his new place of business, and there after he shall carry on business only at such new address.
- 3.8 No Second-hand Dealer or Junk Dealer shall purchase or receive in the way of his business any goods, article or thing from any person under the age of eighteen (18) years.
- 3.9 Every Second-Hand Dealer and Junk Dealer shall forthwith, on demand being made by the Chief of Police or any member of the Police Force of the Municipality, present for view to such Chief or member of the Police Force of the Municipality 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.
- 3.10 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, then such name and address shall be plainly painted in English lettering on both sides of such vehicle.
- 3.11 No Second-hand Dealer or Junk Dealer shall alter, repair, dispose of or in any manner part with any goods, articles or things purchased or received by him, nor shall he allow any such goods, articles or things to be removed from the premises or otherwise dispose of such goods within seventy-two hours after the hour of so purchasing, taking, or receiving, exclusive of Sundays and holidays; and until the expiration of the said seventy-two (72) hours, such goods, articles or things shall be segregated and kept apart from all other goods, articles or things in or on such premises, and shall be subject to inspection at any reasonable time during business hours by any member of the Police Force of the Municipality, and by any person accompanied by or delegated by any officer of such Police Force, for his purpose of identifying any such goods, articles or things reported or suspected of having been stolen.
- 3.12 Where any goods, articles or things have been purchased by a Second-hand Dealer or Junk Dealer from another Second-hand Dealer or Junk Dealer who has had such goods, articles or things in his possession for a period longer than that required by this Section, the Chief of Police may, notwithstanding the provisions of Subsection (11) and (12) hereof, and on such terms as he may deem advisable, authorize in writing such a purchase to dispose of or use any such goods articles or things without the same being held by the purchaser for the period of time in this section provided.
- 3.13 Notwithstanding the foregoing provision of this Section, no Junk Dealer shall be required to set out in the "Second-hand Dealers Report", or to report pursuant to Sub-section (4) hereof, the purchase or receipt of any new goods, articles or things which have been purchased from a licenced merchant for his own use or consumption and not for sale.

#### **SECTION 4 - PAWNBROKERS**

- 4.1 No licence shall be issued to any person carrying on or conducting the business of a Pawnbroker within the Municipality who holds a licence as an Auctioneer, or is a member of any firm or partnership holding a licence to carry on the business or calling of an auctioneer.
- 4.2 Every Pawnbroker shall keep the books and documents required to be kept by him pursuant to the "Pawnbrokers Act" open during the hours of business to the inspection of the Chief of Police or any member of the police force of the Municipality and also every article or thing pawned or pledged with him.
- 4.3 Every Pawnbroker shall, in addition to the books and documents required to be kept by him pursuant to the provisions of the "Pawnbrokers Act", keep a book in which he shall keep a record of all goods, articles or things pawned or pledged with him, which record shall be written in ink in a plain, legible hand in the English language and shall be made at the time or immediately after any goods, articles or things are pawned or pledged with him. Such records shall include the following:
  - a. A correct account and description of, any descriptive mark or name on any goods, articles or things purchased or received.
  - b. The precise date and hour when such goods, articles or things were pawned or pledged.
  - c. A description of the person who pawned or pledged such goods, articles or things.
  - d. The make, description and Provincial licence Number of any motor vehicle used by the person pawning or pledging for the purpose of delivering such goods, articles or things.
- 4.4 No Pawnbroker shall, unless he has also taken out a licence as a Second-hand Dealer, purchase or buy any second-hand goods, articles or things whatsoever from any person.
- 4.5 It is the duty of every Pawnbroker to complete, sign and forward to the Chief of Police of the Municipality weekly (except Sundays and public holidays) a legible and correct statement taken from the book specified in Sub-sections (4.2) and (4.3), containing a list of all goods, articles or things received through the business stating all the particulars entered in the said book relating to such property, with the statement submitted weekly prior to 4:00 p.m. on Fridays.
- 4.6 Such report on any day following a Sunday or public holiday shall cover the whole period subsequent to 8:30 a.m. of the day on which the last preceding report was made.
- 4.7 No Pawnbroker shall employ any person under the age of sixteen (16) years, in the way of his business.
- 4.8 If the Chief of Police of the Municipality shall at any time suspect that any goods, articles or things in the possession of a Pawnbroker are stolen, he may, subject to the provisions of the "Pawnbrokers Act", require the said Pawnbroker to hold such goods, articles or things in his possession for a reasonable length of time, in which case none of the said goods, articles or things, nor any part thereof, shall be disposed of or removed from the premises of such Pawnbroker without the consent in writing of the said Chief of Police.

#### **SECTION 5 - ENFORCEMENT**

- 5.1 Any person designated as a Bylaw Enforcement Officer pursuant to the City of Dawson Creek’s Bylaw Enforcement Notice Bylaw or Dawson Creek’s Municipal Ticket Information Bylaw is hereby authorized and empowered to enforce the provisions of this Bylaw by the Bylaw Notice Enforcement Bylaw No. 4277, 2016 as amended from time to time, or by the Municipal Ticket Information System Bylaw No. 4278, 2016 as amended from time to time.
- 5.2 No person shall do any act or suffer or permit any act to be done in contravention of this bylaw.
- 5.3 No person shall obstruct or impede a bylaw officer in lawful performance on any property, at all reasonable times, in order to ascertain whether such regulations are being observed as per Section 16 of the *Community Charter*.
- 5.4 Each day that an offence against this bylaw continues shall be deemed a separate and distinct offence.
- 5.5 A person who contravenes any provision of this bylaw is liable to a fine of not more than \$10,000.00 and not less than \$100.00 for each offence.
- 5.6 Any penalty imposed pursuant to this bylaw shall be in addition to, and not in substitute for, any other penalty or remedy imposed pursuant to any other applicable statute, law, or legislation

**SECTION 6 – ADMINISTRATIVE**

- 6.1 If any provision of this bylaw is declared or held to be illegal, invalid, or ultra vires, in whole or in part, then the provision shall not apply and the remainder of this bylaw shall continue in full force and effect and be construed as if it had been enacted without the illegal, invalid, or ultra vires provision.
- 6.2 That Second Hand Goods Bylaw No. 129, 1953 and Second Hand Goods Bylaw No. 899, 1964 be repealed.
- 6.3 This Bylaw shall take effect upon adoption by the affirmative vote of at least two-thirds of all members of Council.

READ A FIRST TIME this                    14th            day of            MAY            , 1984.

READ A SECOND TIME this                14th            day of            MAY            , 1984.

READ A THIRD TIME this                  14th            day of            MAY            , 1984.

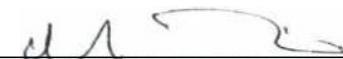
RECONSIDERED AND ADOPTED this      22nd            day of            MAY            , 1984.


**CERTIFIED A TRUE AND CORRECT COPY** of Bylaw No. 2407 cited as "SECOND-HAND DEALERS REGULATION BYLAW NO. 2407, 1984".

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Jim Noble  
City Clerk

The Corporate Seal of THE CORPORATION OF THE CITY OF DAWSON CREEK was affixed in the presence of:

  
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R.S. Trail – MAYOR





**SCHEDULE "A" - SECOND-HAND DEALERS' REPORT**

To: THE CHIEF CONSTABLE, DAWSON CREEK, B.C.

DATE \_\_\_\_\_

I hereby certify that the following is a correct copy of the entries in my book of all articles received during the week immediately preceding 4:00p.m. of date of the Certificate in compliance with the Bylaw regulation the same, and that the said entries are true.

REPORT OF \_\_\_\_\_

SIGNATURE \_\_\_\_\_

DESCRIPTION OF ARTICLE		PERSON SELLING ARTICLE		
Time rec.	Type of Article	Age	Name (Print)	Signature
	Make	Height	Address	
Amt. pd.	Serial Number	Weight	Description	
	Color	Nationality		
	Model or other information	Police Remarks and other Information		
DESCRIPTION OF ARTICLE		PERSON SELLING ARTICLE		
Time rec.	Type of Article	Age	Name (Print)	Signature
	Make	Height	Address	
Amt. pd.	Serial Number	Weight	Description	
	Color	Nationality		
	Model or other information	Police Remarks and other Information		



