

CHAPTER 13

LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS

PART 1

TRANSIENT RETAIL BUSINESS

- §13-101. Definitions
- §13-102. License Required
- §13-103. Application for License
- §13-104. Fees
- §13-105. Issuance of and Contents of License; Condition of Issuance
- §13-106. Days and Hours Set for Transient Retailing
- §13-107. Unlawful Noise
- §13-108. Unlawful Parking
- §13-109. Unlawful Location
- §13-110. Record of Licenses
- §13-111. Penalties.

PART 2

TRANSFER OR ISSUANCE OF LIQUOR LICENSES

- §13-201. Application and fees
- §13-202. Public hearing advertisement and posting
- §13-203. Hearing
- §13-204. Criteria for the issuance or transfer of a license
- §13-205. Decision of the town council of the town of bloomsburg

PART 3

REGULATING BUSINESS ESTABLISHMENTS WHERE PATRONS BRING THEIR OWN ALCOHOLIC BEVERAGES

- §13-301. Permit Required
- §13-302. Revocation of Permit
- §13-303. General Regulations
- §13-304. Penalties

LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS

PART 4

PERMITS FOR LARGE OUTDOOR SOCIAL GATHERINGS WHERE ALCOHOLIC BEVERAGES ARE SERVED OR CONSUMED

- §13-401. Definitions**
- §13-402. Permit Required**
- §13-403. Special Requirements**
- §13-404. Appeals**
- §13-405. Violations**
- §13-406. Enforcement**

PART 5

ANTIQUES DEALERS AND SECONDHAND GOODS DEALERS

- §13-501. Definitions**
- §13-502. License Required**
- §13-503. Recordkeeping Requirements**
- §13-504. Transactions by Minors**
- §13-505. Modification or Alteration of Secondhand Goods**
- §13-506. Inventory Records**
- §13-507. Police Notification Required**
- §13-508. Marred, Altered or Defaced Serial Number or Identifying Marks**
- §13-509. Exceptions**
- §13-510. Revocation of License**
- §13-511. Violations and Penalties**

PART 1

TRANSIENT RETAIL BUSINESS

§13-101. Definitions.

As used in this Part:

- A. The word “peddling” shall mean engaging in selling, peddling, canvassing, soliciting or taking of orders, either by sample or otherwise, for any goods, wares or merchandise upon any of the streets or sidewalks or from house to house within the Town of Bloomsburg. Provided, an application is still required, but no fee will be charged for the following:
- (1) To farmers who have registered with the Town of Bloomsburg, selling their own produce, while participating at the Farmer Market at Market Street Square, Bloomsburg, Pennsylvania. [Ord. 861]
 - (2) For the sale of goods, wares and merchandise donated by the owners thereof, the proceeds whereof are to be applied to any charitable or philanthropic purpose.
 - (3) To any manufacturer or producer in the sale of bread and bakery products, meat and meat products or milk and milk products.
 - (4) To children under the age of 18 years who take orders for and deliver newspapers, greeting cards, candy, bakery products and the like or who represent the Boy Scouts or Girl Scouts or similar organizations.
 - (5) To any honorably discharged member of any of the armed services who complies with the Act of 1867, April 8, P.L. 50, as amended, and who procures from the Prothonotary a certificate in pursuance of the Act of Assembly.
 - (6) To the seeking or taking of orders by insurance agents or brokers licensed under the insurance laws of the Commonwealth of Pennsylvania.
 - (7) To any person who has complied with the provisions of the “Solicitation of Charitable Funds Act,” 1962, August 9, P.L. 628.
- B. The word “peddler” shall mean any person who shall engage in peddling, as herein above defined.
- C. The word “person” shall mean any natural person, partnership, firm, association or corporation.

LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS

- D. The words “transient retail business” and “transient retailing” shall mean peddling as defined above.

(Ord. 589, 8/7/1972, §1; as amended by Ord. 641, 10/9/1978; by Ord. 813, 8/10/1998, §1; and by Ord. 861, 5/12/2003)

§13-102. License Required.

No person shall engage in peddling in the Town of Bloomsburg without first having taken out a license as herein provided.

(Ord. 589, 8/7/1972, §2; as amended by Ord. 813, 8/10/1998, §2)

§13-103. Application for License.

Every person desiring to engage in selling, canvassing, soliciting or peddling in the Town of Bloomsburg shall first make application to the Code Administration Office. Such person shall obtain a valid license number for the Gross Receipts Tax and a review from the Bloomsburg Police Department before a transient retail sales license may be granted. Upon such application, such person shall give:

- A. His/her name.
- B. Address.
- C. Previous criminal record, if any.
- D. The name(s), address and telephone number of the person from whom he/she works, if any.
- E. The type of goods, wares and merchandise he/she wishes to peddle.
- F. The length of time for which they wish to be licensed.
- G. The type of vehicle they use, if any.
- H. The name, address and number of helpers he/she has.

Provided, where a person makes application for himself or herself and one or more helpers, all applicable personal information specified above shall be given for each helper. No license issued under this Part shall be transferable from one person to another. Provided, that no license shall be required of any person legally exempt by the laws of the Commonwealth from securing such license.

(Ord. 589, 8/7/1972, §3; as amended by Ord. 813, 8/10/1998, §3)

§13-104. Fees.

No license(s) shall be issued under this Part until a fee in an amount to be determined, from time to time, by resolution of Town Council has been paid to the Code Administration Office as issuing agent, together with a deposit of \$50 guaranteeing compliance with the provisions of this Part and proper conduct in selling, canvassing and soliciting. Each such license shall be good for a period of 30 days from the date of issue and shall be renewable upon application to the issuing agent. The deposit of \$50 shall be returned upon the expiration of any license or the last renewal thereof; provided, the license shall have conformed strictly to the provisions of this Part and shall not have acted objectionable or offensively in such selling, canvassing or solicitation.

(Ord. 589, 8/7/1972, §4; as amended by Ord. 813, 8/10/1998, §4; and by Ord. 841, 12/19/2001)

§13-105. Issuance of and Contents of License; Condition of Issuance.

Upon making application thereof and paying the proper fee, as herein specified, a license shall be issued to every salesperson, canvasser or solicitor. Such license shall contain the information required to be given upon the application therefore. Every such license shall at all times when engaged in selling, canvassing or soliciting in the Town carry such license upon his/her person and shall exhibit such license upon request to all police officers, Town officials and citizens. No licensee shall engage in selling any product not mentioned upon such license. A copy of the license shall be forwarded to the Chamber of Commerce for their records upon approval.

(Ord. 589, 8/7/1972, §5; as amended by Ord. 813, 8/10/1998, §5)

§13-106. Days and Hours Set for Transient Retailing.

No licensee hereunder shall engage in selling, canvassing or soliciting by foot or from door to door at any time on a Sunday or upon any other day of the week before 9:00 a.m. or after sunset, prevailing time.

(Ord. 589, 8/7/1972, §6; as amended by Ord. 813, 8/10/1998, §6)

§13-107. Unlawful Noise.

No person licensed under this Part shall hawk or cry his/her wares upon any of the streets or sidewalks of the Town, nor shall he/she use any loud speaker or horn or any other device for announcing his/her presence by which the public is annoyed.

(Ord. 589, 8/7/1972, §7; as amended by Ord. 813, 8/10/1998, §7)

LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS

§13-108. Unlawful Parking.

No person licensed under this Part shall park any vehicle upon any of the streets or alleys of the Town in order to sort, rearrange or clean any of his/her goods, wares or merchandise, nor may any such person place or deposit any refuse upon any of such streets or alleys, nor may any such person maintain or keep a street or curbstone market by parking any vehicle upon any street or alley in the Town for longer than necessary in order to sell therefrom to person residing in the immediate vicinity. This Section shall not apply to farmers as defined in §13-101(A)(1) above.

(Ord. 589, 8/7/1972, §8; as amended by Ord. 813, 8/10/1998, §8)

§13-109. Unlawful Location.

No person licensed under this Part shall occupy any fixed location upon any of the streets, alleys or sidewalks of the Town for the purpose of peddling with or without any stand or counter.

(Ord. 589, 8/7/1972, §9; as amended by Ord. 813, 8/10/1998, §9)

§13-110. Record of Licenses.

The Code Administration Office shall keep a record of all licenses issued under this Part. Notice shall be given to the Chief of Police by the Code Office of the issuing of each such license. The Code Administration Office and the Chief of Police shall supervise the activities of all holders of such licenses.

(Ord. 589, 8/7/1972, §10; as amended by Ord. 813, 8/10/1998, §10)

§13-111. Penalties.

Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than \$300 plus costs and, in default of payment of said fine and costs to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(589, 8/7/1972, §11; as amended by Ord. 641, 10/9/1978; by Ord. 813, 8/10/1998, §11; and by Ord. 841, 12/19/2001)

PART 2

TRANSFER OR ISSUANCE OF LIQUOR LICENSES

§13-201. Application and Fees.

When the total number of existing restaurant and liquor licenses and eating place retail dispensing licenses exceeds one license per 3,000 inhabitants, the person seeking the transfer of a liquor license or the issuance of an economic development license in the Town of Bloomsburg shall file with the Town of Bloomsburg an application in a form to be designated by the Town of Bloomsburg and to pay a fee in an amount established, from time to time, by the Town Council of the Town of Bloomsburg. The fee shall include, but not be limited to, notice and advertising costs and the charges of a court reported for a hearing.

(Ord. 845, 2/11/2001, §1)

§13-202. Public Hearing Advertisement and Posting.

1. Upon receipt of the application and the appropriate filing fees as required in this Part, the Town shall establish a hearing date and provide notice as follows:
 - A. By advertising the date, time and location of the hearing in a paper of general circulation in the Town of Bloomsburg twice, with the first advertisement taking place not more than 30 days prior to the date of the hearing and the second advertisement taking place not less seven days prior to the date of the hearing.
 - B. By notice sent by certified mail to the applicant, at the address set forth in the application, no less than 30 days prior to the hearing.
 - C. By notice sent by regular mail to property owners within 500 feet of the premises which is the subject matter of the application, no less than 30 days prior to the hearing date. The applicant shall furnish the names and addresses of such property owners with the application.
 - D. By posting a notice of the hearing on the property which is the subject of the application no less than 30 days prior to the hearing.
2. The cost of advertising, mailing and posting shall be included in the application fee as set forth above.

(Ord. 845, 2/11/2001, §2)

LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS

§13-203. Hearing.

The hearing on the application shall be held before the Town Council of the Town of Bloomsburg and shall be governed by the Local Agency Act.

(Ord. 845, 2/11/2002, §3)

§13-204. Criteria for the Issuance or Transfer of a License.

The Town Council of the Town of Bloomsburg, in determining whether a liquor license will be transferred or whether a license for economic development should be issued, shall consider the following and make findings of fact relating thereto:

- A. The criminal history, if any, of the applicant. If the applicant is a corporation or partnership, the criminal history of all its principals.
- B. Liquor law violations of the applicant. If the applicant is a corporation or partnership, the history of liquor code violations of all of its principals.
- C. Other business interests of the applicant. If the applicant is a corporation or partnership, the other business interest of all of its principals.
- D. The population of the Town of Bloomsburg, including a breakdown of the number of student residents and non-student residents and the number of residents under the age of 21.
- E. The number of liquor licenses of all types existing within the Town of Bloomsburg, the clientele of such establishments and whether the number of liquor licenses exceeds existing quotas.
- F. The recommendation of the Chief of Police of the Town of Bloomsburg, the Code Enforcement Officer of the Town of Bloomsburg and the Administrator of the Town of Bloomsburg.
- G. How the transfer or issuance of a license will be in the best interests of the residents of the Town of Bloomsburg.
- H. Any other evidence relevant to the effect of the liquor license on the welfare, health, peace, safety and morals of the Town of Bloomsburg and its residents.
- I. Recommendations of interested individuals residing within the Town concerning the applicant's intent to transfer a liquor license into the Town or to acquire an economic development license.

(Ord. 845, 2/11/2002, §4)

§13-205. Decision of the Town Council of the Town of Bloomsburg.

Within 45 days from a request for approval, the Town Council shall render a decision to approve or disapprove the applicant's request for transfer of a license or the issuance of an economic development license. The decision shall be in writing and mailed to the applicant who shall have the right to appeal to the Court of Common Pleas as permitted by the Local Agency Act.

(Ord. 845, 2/11/2001, §5)

PART 3

**REGULATING BUSINESS ESTABLISHMENTS WHERE PATRONS BRING
THEIR OWN ALCOHOLIC BEVERAGES**

§13-301. Permit Required.

All business establishments that provide goods or services and permit patrons to bring their own alcoholic beverages to the establishment shall secure an annual permit from the Town of Bloomsburg. The term of the permit shall be from the first day of January to the last day of December of each and every year. Each such business shall submit an application on a form provided by the Town of Bloomsburg and shall pay an application fee that shall be set from time to time by resolution of the Town Council of the Town of Bloomsburg.

(Ord. 855, 1/27/2003)

§13-302. Revocation of Permit.

Failure to comply with the provisions of this Part may result in the revocation of the business establishment's permit. Prior to revocation of any license issued under this Part, the business establishment shall be given notice of the Town of Bloomsburg's intent to revoke the license setting forth the factual basis for the revocation. The business establishment shall have the right to be heard before the Town Council of the Town of Bloomsburg and the hearing shall be governed by the provisions of the Local Agency Act.

(Ord. 855, 1/27/2003)

§13-303. General Regulations.

All business establishments covered by this Part shall:

- A. Prohibit the consumption of alcoholic beverages after 2:00 a.m.
- B. Prohibit any lewd, immoral or improper entertainment to take place on the premises.
- C. Provide supervision by one person, for each 25 patrons, who is over the age of 25 and who is not consuming alcoholic beverages.
- D. Prohibit patrons from leaving the premises with open containers in violation of the Open Container Law of the Town of Bloomsburg.
- E. Provide food and nonalcoholic beverages for purchase by patrons.

LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS

- F. Provide a means as set forth in the application for a permit to distinguish persons under 21 years of age from those over 21 years of age.
- G. Prohibit the consumption of alcohol by any patron who is visibly intoxicated.
- H. Prohibit disorderly conduct by patrons within the establishment and on the public sidewalks outside of the establishment.

(Ord. 855, 1/27/2003)

§13-304. Penalties.

An person violating this Part shall, upon conviction in a summary proceeding, be sentenced to pay a fine not to exceed \$600 to the use of the Town of Bloomsburg, along with costs of prosecution, or to be imprisoned for not more than 10 days, or both.

(Ord. 855, 1/27/2003)

PART 4

PERMITS FOR LARGE OUTDOOR SOCIAL GATHERINGS WHERE ALCOHOLIC BEVERAGES ARE SERVED OR CONSUMED

§13-401. Definitions.

BUILDING — anything constructed or erected, the use of which requires a permanent location on the land or that is attached to something having a permanent location on the land. Tents, covered patios, open porches and decks are not buildings under this Part.

OUTDOOR — the space on a premises not including any building on the premises.

PERSON — an individual, corporation, proprietorship, partnership, association or other entity.

PREMISES — a parcel of land upon which all or part of a regulated social gathering takes place.

REGULATED SOCIAL GATHERING — an outdoor congregation of persons for social interaction where alcoholic beverages are served or consumed and which is attended at any one time by more than 150 persons, regardless of age. An outdoor gathering where the consumption of alcohol is prohibited shall not be considered a regulated social gathering under this Part.

(Ord. 857, 2/24/2003, §1.00)

§13-402. Permit Required.

1. Each person organizing, hosting or sponsoring a regulated social gathering shall file with the Chief of Police of the Town of Bloomsburg an application for a permit for a regulated social gathering on an application form provided by the Town of Bloomsburg. Where a regulated social gathering will take place on premises with a structure that contains more than one dwelling unit with common open space or a parking lot, no more than 150 persons may attend the regulated social gathering without a permit having been obtained, regardless of which dwelling unit or units sponsors the event.
2. A fee as set by resolution of the Town Council of the Town of Bloomsburg, from time to time, shall accompany a permit application.
3. An application for a permit for a regulated social gathering shall be filed no less than 14 days prior to the date of the regulated social gathering. Failure to timely

LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS

file the application shall be grounds in and of itself to deny the application for the permit.

4. The application for a permit for a regulated social gathering shall include the following:
 - A. The names, local and permanent addresses, telephone numbers and ages of all individuals sponsoring, hosting or organizing the regulated social gathering. If a corporation is sponsoring, hosting or organizing the regulated social gathering, the officers and directors of the corporation shall be considered the individuals sponsoring, hosting or organizing the regulated social gathering, in addition to any other individuals sponsoring, hosting or organizing the regulated social gathering.
 - B. The location of the regulated social gathering.
 - C. The number of persons who will attend the regulated social gathering.
 - D. The identity of the source of alcoholic beverages for the regulated social gathering.
 - E. The time that the regulated social gathering will start and the time it will end.
 - F. A description of the entertainment that will be present at the regulated social gathering.
 - G. The method in which the number of persons attending the regulated social gathering will be regulated.
 - H. Whether security will be provided and, if so, the manner in which security will be provided.
 - I. The written authorization for a regulated social gathering from the owner of the premises for the date on which the regulated social gathering may be held.
 - J. The square feet of open space on the premises where the regulated social gathering will take place.
 - K. The manner in which the furnishing of alcoholic beverages or the consumption of alcoholic beverages by minors will be prevented.
 - L. The manner in which the alcohol will be served.
5. A prior violation of this Part by the individuals or organization sponsoring, hosting or organizing the regulated social gathering will be in and of itself grounds for denying the application for permit.

6. A violation, at any time in the past, of the Pennsylvania Liquor Code by the serving of alcoholic beverages to a minor on the premises where a regulated social gathering was held shall, in and of itself, be ground for denying an application for permit under this Part.

(Ord. 857, 2/24/2003, §2.00, as amended by Ord. 915, 10/27/2008)

§13-403. Special Requirements.

1. If activities of any social gathering in the three years prior to the application for a permit for a regulated social gathering required the presence of the Police Department of the Town of Bloomsburg, the Chief of Police, taking into account all of the circumstances relating to the proposed regulated social gathering may, in his or her discretion, require the applicant to provide the following with a completed application:
 - A. A plan for private security which shall be approved by the Police Chief of the Town of Bloomsburg.
 - B. A cash bond in an amount no less than \$500 set by the Chief of Police of the Town of Bloomsburg to cover the projected costs to the Town of Bloomsburg for police response to the premises where the regulated social gathering is to be held.
2. If at any social gathering in the three years prior to the application for a permit for a regulated social gathering a person was injured or became ill from consumption of alcoholic beverages, the applicant shall provide a certificate of insurance showing comprehensive liability insurance covering the persons at the regulated social gathering with a policy limit of no less than \$500,000.
3. Dispensing of alcoholic beverages.
 - A. Any person, host, sponsor, group, or organization who obtains a permit to host a regulated social gathering where alcohol is being served, provided, or consumed shall be prohibited from the possession of or the providing of alcoholic beverages in glass bottle containers on the premises.
 - B. Alcoholic beverages may only be served in and consumed from plastic or aluminum containers and shall only be dispensed by keg or beer ball.
 - C. A violation of this paragraph shall authorize the revocation of a regulated social gathering permit and the dispersal of persons on the premises, in addition to the imposition of fines and costs as provided below.

(Ord. 857, 2/24/2003, §3.00; as amended by Ord. 900, 9/11/2006)

LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS

§13-404. Appeals.

The denial of a permit by the Chief of Police may be appealed to Town Council pursuant to the provisions of the Local Agency Act.

(Ord. 857, 2/24/2003, §4.00)

§13-405. Violations.

1. It shall be unlawful for any person to sponsor, host, organize, attend or participate in a regulated social gathering in the absence of a permit issued by the Chief of Police of the Town of Bloomsburg.
2. It shall be unlawful for the owner of the premises or those occupying or in control of the premises to permit a regulated social gathering to take place on the premises in the absence of a permit issued by the Chief of Police of the Town of Bloomsburg.
3. It shall be a violation of this Part for any property owner or person in control of the premises to permit a regulated social gathering to take place or continue on the premises that violates any special conditions imposed upon the regulated social gathering by the permit.
4. Furnishing false information on the application for a permit for a regulated social gathering shall be a violation of this Part.
5. A person who sponsors, hosts or organizes a regulated social gathering who is not identified as a sponsor, host or organizer on the application for permit shall be in violation of this Part.
6. It shall be unlawful for the owner of premises to knowingly permit a social gathering to take place on the premises in violation of this Part.
7. The failure to implement the representations set forth in the application for a permit with regard to the maximum number of persons attending the regulated social gathering, the serving or consumption of alcoholic beverages by minors, continuing the regulated social gathering after the time limit set forth in the application or the failure to comply with any conditions in the permit will be a violation of this Part.

(Ord. 857, 2/24/2003, §5.00)

§13-406. Enforcement.

1. Any person violating this Part shall, upon conviction in a summary proceeding, be sentenced to pay a fine not to exceed \$600 to the use of the Town of Bloomsburg, along with costs of prosecution, or to be imprisoned for not more than 10 days or both.
2. The Police Department of the Town of Bloomsburg shall have the authority to disperse persons, upon notice, who attend a regulated social gathering for which no permit has been obtained. Failure to disperse shall be a violation of this Part.
3. Nothing in the Part shall limit the Town of Bloomsburg from filing an action in equity to enjoin a regulated social gathering held in violation of this Part nor limit the Police Department from making arrests for violation of the laws of the Commonwealth of Pennsylvania and the ordinances of the Town of Bloomsburg.

(Ord. 857, 2/24/2003, §6.00)

PART 5

ANTIQUES DEALERS AND SECONDHAND GOOD DEALERS

§13-501. Definitions.

The following words, when used in this Part, shall have the meaning as set forth below:

ANTIQUES DEALER or SECONDHAND GOODS DEALER — Any person who either wholly or in part engages in or operates the trade or business of buying, selling, exchanging, or transferring used or secondhand goods.

IDENTIFICATION — A Pennsylvania driver's license or Pennsylvania non-driver's identification, valid U.S. passport, or military identification.

SECONDHAND GOODS — Items of personal property that have been previously purchased at retail.

(Ord. 888, 10/10/2005, §1)

§13-502. License Required.

1. Antiques dealers or secondhand goods dealers shall obtain a license from the Town of Bloomsburg Police Department on an annual basis for the term commencing the first day of January of each and every year and pay an annual fee set by the Town Council of the Town of Bloomsburg by resolution from time to time.
2. For the year 2005, the license term shall be from July 1, 2005, to December 31, 2005, and the fee shall be prorated accordingly.
3. It shall be unlawful for any person to engage in business as an antiques dealer or secondhand goods dealer without a license.

(Ord. 888, 10/10/2005, §2)

§13-503. Recordkeeping Requirements.

1. Purchase, exchange, or transfer of secondhand goods:
 - A. All antiques dealers and secondhand goods dealers shall keep complete and accurate records of any and all secondhand goods purchased, exchanged, or transferred on forms provided by the Town of Bloomsburg Police Department.
 - B. The records shall contain the following:

LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS

- (1) The name, address, and telephone number of the person selling, exchanging, or transferring the item of personal property.
 - (2) The nature of the identification shown by the person and any applicable identification number.
 - (3) The description, make, model, and serial number, where applicable, of the item purchased, exchanged, or transferred.
 - (4) The price for which the item was purchased. If the item was traded or exchanged, the value of the item that was traded or exchanged.
 - (5) The date and time of the transaction.
2. Resale, exchange, or transfer of secondhand goods. All antiques dealers or secondhand goods dealers shall keep complete and accurate records, on forms provided by the Town of Bloomsburg Police Department, of all secondhand goods that are resold, exchanged, or transferred, which shall include the following:
- A. The name, address, and telephone number of the person who purchases the resold, exchanged, or transferred item of personal property.
 - B. The price or value of the item of personal property that was resold, exchanged, or transferred.
3. Delivery of records to Police Department. A legible, accurate, and complete copy of the above records shall be delivered in person, by first class mail, or by facsimile transmission to the Town of Bloomsburg Police Department every Tuesday before 10:00 a.m.

(Ord. 888, 10/10/2005, §3)

§13-504. Transactions by Minors.

In the event the individual selling, exchanging, or transferring the item of personal property is under the age of 18 years, he/she shall be accompanied by a parent or legal guardian. The parent or legal guardian must also provide proof of identification as set forth above, which shall be recorded in the records of the antiques dealer or secondhand goods dealer.

(Ord. 888, 10/10/2005, §4)

§13-505. Modification or Alteration of Secondhand Goods.

If an item of personal property is to be changed, modified, or altered in any way, including but not limited to melting or smelting, the antiques dealer or secondhand goods dealer will photograph the object and immediately notify the Town of Bloomsburg Police Department by telephone. The notification shall include a description of the item, and the item of personal property shall not be altered within the 48 hours following the notification of the Town of Bloomsburg Police Department, subject to §13-506, paragraph 2, below.

(Ord. 888, 10/10/2005, §5)

§13-506. Inventory Records.

1. Upon demand, inventory records relating to items of personal property subject to this Part shall be made available to the Town of Bloomsburg Police Department for inspection upon request. A written record containing the above information must be kept of all transactions in the course of business and retained subject to this Part for a period of not less than three years from the date of the transaction.
2. All antiques dealers or secondhand goods dealers must retain all items received in the course of business at the business location where the transaction occurred. All property must be kept in the original condition as it was initially received at the time of purchase, exchange, or transfer. All property will be kept in such original condition for a period of five business days from the time of purchase, exchange, or transfer. Such property will be made available for inspection to any police officer engaged in the performance of his/her duties.

(Ord. 888, 10/10/2005, §6)

§13-507. Police Notification Required.

All antiques dealers and secondhand goods dealers shall provide either oral or written communication to the Town of Bloomsburg Police Department within two business days of any unusual or suspicious transaction or attempted transaction that is customarily associated with the sale, exchange, or transfer of stolen property. Such communication shall be made when the transaction includes, but is not limited to, the following:

- A. Firearms;
- B. Coins, stamps, or similar collectibles;
- C. Any item that appears to be new or in the original packaging; or

LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS

- D. More than one dozen compact discs, audio tapes, video tapes, or similar items customarily stolen from motor vehicles that are offered within a twenty-four-hour period.

(Ord. 888, 10/10/2005, §7)

§13-508. Marred, Altered or Defaced Serial Number or Identifying Marks.

No antiques dealer or secondhand goods dealer shall accept any item of personal property where a serial number or identifying mark has been defaced, altered, or marred.

(Ord. 888, 10/10/2005, §8)

§13-509. Exceptions.

The provisions of this Part shall not apply to secondhand goods purchased at auctions, estate sales, yard sales, or flea markets.

(Ord. 888, 10/10/2005, §9)

§13-510. Revocation of License.

1. The license of an antiques dealer or secondhand goods dealer may be suspended or revoked for violation of any provision of this Part after proper notice setting forth the reasons for the suspension or revocation.
2. The license of an antiques dealer or secondhand goods dealer may be suspended or revoked for making false reports to law enforcement authorities with regard to items of personal property and/or with regard to the requirements of this Part.
3. Any person aggrieved by the suspension or revocation of his or her license may appeal the decision to the Town Council of the Town of Bloomsburg under the provisions of the Local Agency Act.

(Ord. 888, 10/10/2005, §10)

§13-511. Violations and Penalties.

1. Any person violating any of the provisions of this Part shall, upon conviction thereof in a summary proceeding, be sentenced to either pay such fine not in excess of \$1,000, which shall be paid to the use of the incorporated Town with costs of prosecution, or to be imprisoned for not more than 10 days, or both.

2. Any person who provides false reports or information to the Town of Bloomsburg Police Department may be prosecuted for making false reports to law enforcement authorities.

(Ord. 888, 10/10/2005, §11)