

Chapter 9

**JUNK SHOPS, JUNK COLLECTORS
AND YARD SALES***

Art. I. In General, §§ 9-1-9-23

Art. II. License, §§ 9-24-9-27

ARTICLE I. IN GENERAL

Sec. 9-1. Scales.

The kind of scales to be used by collectors of, dealers in or keepers of a shop for the purchase, sale or barter of junk, old metals and secondhand articles, shall be prescribed by the sealer of weights and measures.

(Code 1965, § 10-5)

Cross reference—Weights and measures, Ch. 24.

Sec. 9-2. Record of purchases and sales.

Every person keeping a junk shop shall keep a book in which shall be plainly written, at the time of every purchase or receipt of any such article, a description thereof, the name, age, residence and signature of the person from whom and the day and hour when such purchase was made or the article received. Such book shall be open at all times for inspection by any regular member of the police department.

(Code 1965, § 10-6)

Sec. 9-3. Purchases or sales by minors.

No keeper of a junk shop and no junk collector shall, directly or indirectly, either purchase or receive by way of barter or exchange, any of the articles mentioned in this chapter, from a minor knowing or having reason to know him to be such.

(Code 1965, § 10-7)

***Cross reference**—Fire prevention regulations for junkyards, § 7-241 et seq.

State law reference—Power of city to regulate junk dealers, collectors, etc. G.L. c. 140, § 54.

Sec. 9-4. Articles purchased not to be disposed of for thirty days.

Articles purchased or received by any shopkeeper or dealer in junk shall be retained for a period of at least thirty (30) days before disposal thereof.

(Code 1965, § 10-8)

Sec. 9-5. Storage of material.

All material purchased or received in the usual course of business by the keeper of a junk shop shall be stored upon the premises for which a license has been issued and shall not be kept in an unsightly condition nor upon land nearer the street than the front line of his building. A junk collector's license shall not entitle the holder thereof to store any of the articles mentioned in this chapter in any building or land not specified in his license.

(Code 1965, § 10-9)

Sec. 9-6. Examination of shops, vehicles, etc.

Every junk shop and all articles therein, and any place, vehicles or receptacle used for the collecting or keeping of the articles mentioned in this chapter, may be examined at all times by the mayor, city council or any police officer whom they may authorize.

(Code 1965, § 10-12)

Sec. 9-7. Hours of business.

All junk shops shall be closed at 5:00 p.m. during the months of November, December, January and February in the year, and shall be kept closed during the hours thereafter until 7:00 a.m. the next day. None of the articles mentioned in this chapter shall be purchased or received during the hours that such shops are required to be closed. During the hours which such shops are authorized to remain open, the proprietor thereof or someone for whom he shall be responsible, shall remain in charge thereof and keep the same open so that an examination thereof, together with all materials on hand and the receptacles that they are kept in, may be had by the persons authorized in this chapter to make such examination; provided, however, that such shop may be

closed temporarily for not more than one (1) hour at any one (1) time, in cases of emergency.
(Code 1965, § 10-10)

Sec. 9-8. Yard or garage sales.

(a) No person shall conduct a so-called yard or garage sale or a like sale without first obtaining a license from the city clerk. The fee for said license shall be ten dollars (\$10.00) and each sale shall be limited to two (2) consecutive days and shall be conducted only on the premises where the licensee resides. No property, except personal property owned by the applicant or members of his family residing on the premises, shall be sold at such sale. Only two (2) such sales in any calendar year shall be permitted. Application for a license to be filed with the city clerk at least twelve (12) hours prior to sale date.

(b) The police department shall be given notification of all applications and shall enforce this section.

(c) Any person who violates this section shall be fined one hundred dollars (\$100.00); each days' violation shall constitute a separate offense.

(Code 1965, § 10-15; Ord. No. D113, 8-11-82; Ord. No. D165, 9-29-83; Ord. No. D332, 8-3-93)

State law reference—Penalty for ordinance violations, G.L. c. 40, § 21.

Secs. 9-9—9-23. Reserved.

ARTICLE II. LICENSE

Sec. 9-24. Required.

No person shall be a dealer in and keeper of a shop for the purchase, sale, barter, exchange or storage of junk, old metals or secondhand articles, and no person shall be a junk collector, collecting by purchase or otherwise, junk, old metals or secondhand articles from place to place in the city, without having first obtained a license therefor from the city council. The fee for such license shall be one hundred dollars (\$100.00) and shall be renewed annually. Such license shall not be transferable. There

shall be issued no more than one (1) license per every two thousand five hundred (2,500) population or fraction thereof.
(Code 1965, § 10-1; Ord. No. D325, 3-30-93)

Sec. 9-25. Reserved.

Editor's note—Ord. No. 325, enacted March 30, 1993, repealed § 9-25 in its entirety. Former § 9-25 pertained to persons eligible for license, and derived from the Code of 1965, § 10-2.

Sec. 9-26. Applicant to present certificates from sealer of weights and measures.

Every applicant for a license as a collector of, dealer in or keeper of a shop for the purchase, sale or barter of junk, old metals and secondhand articles, shall present with his application for such license, a certificate from the sealer of weights and measures, that his measures and scales have been properly sealed.

(Code 1965, § 10-4)

Cross reference—Weights and measures, Ch. 24.

Sec. 9-27. Compliance with and incorporation of chapter.

Each license granted pursuant to this chapter shall be subject to the regulations contained in this chapter, and a copy of this chapter shall be incorporated in every such license.

(Code 1965, § 10-3)