

CHAPTER 856
Secondhand Stores

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CROSS REFERENCES

Secondhand dealers - see M.C.L.A. Secs. 445.401 et seq.

Pawnbrokers - see M.C.L.A. Secs. 455.471 et seq.,
446.201 et seq.; B.R. & T. Ch. 846

Licenses in general - see B.R. & T. Ch. 802

Solicitors - see B.R. & T. Ch. 862

Transient traders - see B.R. & T. Ch. 870

856.01 DEFINITIONS.

As used in this chapter:

- (a) "Materials" means articles incidental to the operation of a secondhand store, including, but not limited to, crates, boxes, bags, discarded goods or refuse.
- (b) "Secondhand goods" means household articles that have been sold before and used one or more times. Secondhand goods are goods that have been previously owned by someone other than the manufacturer or dealer. Household articles shall not include vehicles, farm machinery, boats or business machinery.
- (c) "Secondhand store" means any permanent place in which a substantial portion of the business is devoted to the sale of secondhand goods for profit or fundraising for charitable purposes.
(Ord. 195. Passed 3-17-86.)

856.02 LICENSE REQUIRED.

No person shall have and operate a secondhand store without first obtaining a license therefor. Such license is required in addition to any other required State or Municipal license. (Ord. 195. Passed 3-17-86.)

856.03 CONDITIONS FOR ISSUANCE.

(a) Goods or materials on the premises of a secondhand store shall not be stored, allowed to rest upon or protrude over any public street, alley, walkway or curb, or become scattered or blown off the business premises.

(b) The area on the premises where goods or materials are kept shall be indoors or enclosed, except for entrances and exits, with a solid wood or masonry vertical wall or fence of a minimum height of six feet measured from ground level. Entrances and exits shall not be wider or more numerous than reasonably necessary for the conduct of the licensed business.

(c) Deposits or donations of goods and materials are not permitted during periods when the secondhand store is not open for business. Receiving areas shall be posted with a single notice, not less than one square foot nor greater than two square feet in total area, stating that goods are to be left during business hours only.
(Ord. 195. Passed 3-17-86.)

856.04 LICENSE FEE.

Each application for a license or renewal of a license under this chapter shall be accompanied by payment of a license fee per calendar year or any portion of a year if the license is in effect for only part of a year. Such license fee shall be nonrefundable. The City Commission shall, by resolution, establish the amount of the license fee.
(Ord. 195. Passed 3-17-86.)

856.05 APPEARANCE TICKETS.

The Police Chief and the appointed officers of the Police Department, or such other officials as are designated by the City Manager, are hereby authorized to issue and serve appearance tickets with respect to a violation of this chapter pursuant to Section 1 of Act 147 of the Public Acts of 1968, as amended (M.C.L.A. 764.9c(2); M.S.A. 28.868(3)(2)). Appearance tickets shall be in such form as determined by the City Attorney and shall be in conformity with all statutory requirements.
(Ord. 360. Passed 5-17-93.)

856.99 PENALTY.

(EDITOR'S NOTE: See Section 202.99 for general Code penalty if no specific penalty is provided.)