

VILLAGE OF BRADLEY

ORDINANCE NO. O-2-14-1

**AN ORDINANCE AMENDING CHAPTER 12 (“BUSINESS REGULATION”)
OF THE CODE OF ORDINANCES OF THE VILLAGE OF BRADLEY BY
ADDING A NEW ARTICLE VIII (“CASH FOR JEWELRY DEALERS”)**

ADOPTED BY THE
BOARD OF TRUSTEES
VILLAGE OF BRADLEY

This 10 day of MARCH, 2014

Published in pamphlet form by authority of the Board of Trustees of the Village of
Bradley, Kankakee County, Illinois, this 10 day of MARCH, 2014.

CERTIFICATE:



Michael J. LaGessee, Village Clerk

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OF THE CODE OF ORDINANCES OF THE VILLAGE OF BRADLEY BY
ADDING A NEW ARTICLE VIII (“CASH FOR JEWELRY DEALERS”)**

WHEREAS, Chapter 12 of the Village of Bradley Code of Ordinances regulates certain businesses in the Village of Bradley; and

WHEREAS, the regulation of certain businesses that deal in "Cash for Jewelry" is necessary to protect the health and public safety of the citizens of the Village of Bradley; and

WHEREAS, "Cash for Jewelry" operations frequently pay cash for merchandise they receive which results in the ability of thieves to dispose of jewelry and other precious metals and coins without risk of identification;

NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS, as follows:

Section 1. Village Code Amended. Chapter 12 (“Business Regulation”) of the Code of Ordinances of the Village of Bradley is hereby amended by adding a new Article VIII (“Cash for Jewelry Dealers”) to read as follows:

Sec. 12-318 -- 12-330 Reserved.

ARTICLE VIII. CASH FOR JEWELRY DEALERS

Sec. 12-331. Definitions

Terms used in this article shall have the following meanings:

Dealer: This ordinance applies to cash for jewelry dealers, which means a person engaged in the business of buying, bartering, trading or exchanging gold, silver, platinum, coins, precious gems, semiprecious gems, or jewelry from persons other than those persons regularly engaged in the business of wholesale marketing or distributing such goods, licensed auctioneers or estate sales and those who advertise in any form that they purchase any such products "for cash." The licensing provisions of this ordinance shall not apply to retail jewelry stores whose revenues are more than ninety percent (90%) derived from the retail sale and/or servicing of jewelry.

Jewelry: Jewelry shall include any gold, silver, platinum, coins, precious and semiprecious gems and any other jewelry of any sort.

Sec. 12-332. Inspections generally - Cash for jewelry locations.

In addition to such other inspections that may be authorized by this Code of Ordinances, every store or location where second hand jewelry is dealt or purchased shall be subject to inspection by the Police and Fire Departments. Inspection shall be made at reasonable hours, with or without notice. Said inspections may include all merchandise and records of purchases located within the premises.

Sec. 12-333. Cash for Jewelry Dealers dealing with minors.

No cash for jewelry dealer shall, within the Village of Bradley, purchase any gold, silver, platinum, coins, precious gems, semiprecious gems or jewelry of any kind, from any minor without written consent of the parent or guardian of such minor.

Sec. 12-334. Recordkeeping; daily report; inspections.

- (a) Except as provided in subsection (c) of this section, every licensee shall keep a standard record book in which shall be typewritten or printed in ink, at the time of each transaction, an accurate account and description in the English language of:
- (1) All personal property purchased, bartered, traded or exchanged;
 - (2) A description of the person making the sale, barter, trade or exchange, including the person's name, address, age, sex, approximate height and weight, or in lieu of the person's physical description, the person's current valid Illinois drivers license number and/or identification number;
 - (3) The person actually performing the transaction on behalf of the licensee;
 - (4) The date of the transaction;
 - (5) The time of the transaction;
 - (6) A description of the identifications produced by any person from whom said property is purchased, bartered, or exchanged, including the assigned identification number of the person, if one appears on the identification;
 - (7) A digital photograph of the seller and of each item of the jewelry being sold.

If the licensee keeps more than one standard record book, each such book must contain all the information required by this subsection on all personal property purchased, traded, bartered or exchanged. The licensee shall produce all copies of said book for inspection during reasonable business hours upon the request of the Chief of Police.

- (b) It shall be the duty of every licensee to make out and deliver to the Police Department on each day the licensee does business before 12:00 noon, an exact, legible report on all the precious day's transactions from the standard record book, containing the following information:

- (1) A detailed description of each item of personal property purchased, bartered, traded or exchanged, including the manufacturer, any serial number, any engraved, stamped, or embossed identification information;
- (2) Name and address of the person making the sale, purchase, barter, trade or exchange;
- (3) Date and time of the transaction;
- (4) The bill of sale reference number..

Such daily report shall either be a photo static copy of the entries in the standard record book, or word processed, typewritten, or printed in ink. Said document may be provided to the Police Department in person, by facsimile transmission or by email.

- (c) The licensee need not record or report information regarding the purchase of personal property to or from the following sources:
 - (1) The manufacturer of said such goods or the manufacturer's agent;
 - (2) Persons regularly engaged in the business of marketing or distributing such goods and positively identified as such.

Sec. 12-335. Receipt of Property; Ownership of stolen property.

- (a) Personal property which is determined to have been stolen shall be returned to the owner thereof, without the owner being required to pay the licensee any money or in any manner pay the licensee for the personal property or for any charges the licensee may have placed upon the personal property.
- (b) No personal property purchase, bartered, traded or exchanged and held by the licensee shall be sold, altered, melted down or otherwise disposed of or permitted to be removed from the place of business of the licensee for not less than 72 hours after the delivery of the daily report listing such personal property to the Police Department as required by this ordinance;
- (c) No licensee shall take personal property from any person without first requiring such person to present two forms of identification of which at least one shall contain the person's full legal name, date of birth, photograph, full physical description, address and identification number;
- (d) Every licensee shall alert the Police Department immediately, either by phone call or by silent alarm, whenever the licensee knows or through the exercise of reasonable care, should have known, that the individual is attempting to sell, barter, trade or exchange personal property which does not belong to that individual and for which the individual is not the agent of the owner.

Sec. 12-336. Rules and Regulations

The Chief of Police may issue regulations, consistent with the provisions of this article, for the administration and enforcement of this article and may prescribe application forms for use in connection with requirements of this article. Such rules shall be effective for not less than fourteen days after such regulations have been received by the Village Clerk and mailed to each current licensee.

Sec. 12-337. License required by cash for jewelry; insurance.

No person shall engage in business advertising cash for gold, silver, platinum, coins, precious gems, semiprecious gems or jewelry without a license. The Village Clerk shall grant a license to such persons as shall produce satisfactory evidence of good character.

Sec. 12-338. Fee for cash for jewelry dealers.

The license fee for a license required by this division shall be paid in the amount of One Thousand and No/100s Dollars (\$1,000.00) per year or portion of any year. Said license shall be issued for a period of May 1 through April 30 of the following year.

Sec. 12-339. Suspension or Revocation of License

Failure of any licensee hereunder to abide by the provisions of this Ordinance shall result in revocation or suspension of said license by the Village Clerk of the Village of Bradley. Any such action by the Clerk is subject to the Administrative Review Act of the State of Illinois.

Sec. 12-340. Limitation of Number of Licenses.

No more than three (3) licenses shall be issued pursuant to this Ordinance.

Sec. 12-341. Violation/Fine

Any person or entity who violates the provisions of this ordinance is subject to a fine not to exceed One Thousand and no/100s Dollars (\$1,000.00). Each day that said violation continues shall be considered a separate violation and is subject to the penalties provided herein. In addition to said penalties, said person or entity shall be subject to orders of closure and injunctive proceedings, in discretion of the Village.

Sec. 12-342 -- 12-350 Reserved.

Section 2. Severability and Repeal of Inconsistent Ordinances. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance. All existing ordinances of the Village of Bradley are hereby repealed insofar as they may be inconsistent with the provisions of this Ordinance.

Section 3. Effective Date. This Ordinance shall be in full force and effect as of its passage, approval, and publication in pamphlet form in the manner provided by law. The Clerk of the Village of Bradley shall certify to the adoption of this Ordinance and shall cause it to be published in pamphlet form.

PASSED this 10 day of March, 2014.


TRUSTEES:

Jerry Balthazor:	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
Robert Redmond:	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
Lori Gadbois:	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
George Golwitzer:	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
Melissa Carrico:	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
Eric Cyr:	Aye - <input type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input checked="" type="checkbox"/>

Bruce Adams: Aye - Nay - Absent -

TOTALS: AYE - 5 NAY - 0 ABSENT - 1

APPROVED this 10 day of MARCH, 2014



Bruce Adams, President of the Board
of Trustees of the Village of Bradley

ATTEST:



Michael J. LaGessee, Village Clerk