

PART X SECOND-HAND DEALER AND SALVAGE YARD

1.0 DEFINITIONS

1.1 In this Schedule:

“Acquire” means, without limitation, to purchase, receive directly or indirectly, take in exchange, accept, trade or otherwise deal with and acquisition has a corresponding meaning;

“Dispose” means, without limitation, to sell, offer for sale, part with directly or indirectly, trade, exchange or otherwise deal with and disposition has a corresponding meaning;

“Holding Area” means a part of a premises for a Salvage Yard or Second-hand Goods Business in which goods, articles or objects are retained and not offered or displayed for the purposes of disposition;

“Police Record Check” means a vulnerable criminal information report that is a result of a search of the local police records where the applicant resides and the national databases maintained by the Canadian Police Information Centre;

“Salvage Yard ” includes but is not limited to a business where scrap metal, material from demolished buildings or structures, recyclable material, scrapped, demolished or inoperable motor vehicles or appliances or parts thereof, junk or salvage of any type is received, processed, stored or dismantled prior to being sold or disposed of, and includes but is not limited to an automobile wrecking yard, junkyard or scrap yard but does not include a Second-hand Goods Business.

“Second-hand Goods Business” means a business where second-hand goods of any kind are Acquired or Disposed but does not include a Salvage Yard.

2.0 LICENCE CATEGORIES

2.1 The following categories of licences are hereby established:

- (a) Salvage Yard; and
- (b) Second-hand Goods Business.

3.0 APPLICATIONS FOR LICENCE AND RENEWALS

3.1 In addition to the licensing requirements of Part 6 of this By-law, every application for a Salvage Yard and Second-hand Goods Business licence and renewal licence shall include a Police Record Check for the Applicant, any partner if the Applicant is a partnership, or any officer, director or shareholder of the corporation if the Applicant is a corporation; dated no later than 60 days prior to the application for a licence.

4.0 POWERS OF THE LICENCE MANAGER

4.1 In addition to any other power, duty or function prescribed in this By-law, the Licence Manager may make regulations under this Schedule including:

- (a) prescribing the form and content of the register required under section 6.1(a) of this Schedule;
- (b) prescribing the types of goods, articles or objects required to be included in the report required under section 6.1 (c) of this Schedule;

- (c) prescribing the form and content of the report required under section 6.1(c) of this Schedule;
- (d) prescribing the specifications and standards for fences required under section 6.2 of this Schedule; and
- (e) prescribing the types of goods, articles or objects which must be held in a Holding Area for the period of time specified under section 5.4 of this Schedule.

5.0 PROHIBITIONS

5.1 No person shall operate a Salvage Yard without a current valid licence issued under this By-law.

5.2 No person shall operate a Second-hand Goods Business without a current valid licence issued under this By-law.

5.3 No holder of a Salvage Yard or Second-hand Goods Business licence shall Acquire any goods, articles or objects:

- (a) on which the serial number has been obliterated, altered, mutilated or removed without the prior written approval of the London Police Service;
- (b) from any person who appears to be under the age of (18) eighteen years;
- (c) from any person who appears to be under the influence of drugs or alcohol;
or
- (d) from any person without first verifying their identity.

5.4 No holder of a Salvage Yard or Second-hand Goods Business licence shall alter, repair, Dispose of any prescribed goods, articles or objects Acquired by them without:

- (a) first keeping such goods, articles or objects within a Holding Area for a period of no less than five (5) business days from the date such goods, articles or objects were Acquired; and
- (b) during the period prescribed in paragraph (a) of this section, ensuring that the goods, articles or objects have not been displayed, offered or visible for the purposes of Disposition.

5.5 No holder of a Salvage Yard or Second-hand Goods Business licence shall at any time, leave, place, store, exhibit or expose any goods, articles or objects in any place other than the premises so licensed.

6.0 REGULATIONS

6.1 Every holder of a Salvage Yard or Second-hand Goods Business licence:

- (a) shall keep and maintain a register, in a form as prescribed by the Licence Manager under section 4.1(a) of this Schedule, of all goods, articles or objects Acquired by them;

- (b) shall open the register required under paragraph (a) of this section to inspection at all times during regular business hours to an Enforcement Officer;
- (c) shall before noon of every business day make a report, in a form and including the content as prescribed by the Licence Manager under section 4.1(c) of this Schedule, to the London Police Service of every prescribed good, article or object Acquired the next previous business day; and
- (d) who has reasonable and probable grounds to believe that a person offering any goods, articles or objects is unable to satisfactorily account for them, or is wilfully giving false information as to the same, or that such goods, articles or objects are stolen or have been illegally obtained, shall refuse to Acquire such goods, articles or objects.

6.2 Every holder of a Salvage Yard licence shall erect and maintain, in accordance with the regulations prescribed by the Licence Manager, a fence on all boundaries of the premises from which the business is operated.