

BY-LAW NO. 412

BEING A BY-LAW for licensing and regulating Second Hand Shops and Junk Stores or Shops and Dealers in Second Hand Goods in the Town of North Bay.

WHEREAS it is deemed advisable by the Municipal Council of the Town of North Bay that a by-law should be passed for the purpose of licensing and regulating second hand shops and junk stores or shops and dealers in second hand goods within the limits of the said town of North Bay.

BE IT ENACTED AND IT IS THEREFORE HEREBY ENACTED BY THE MUNICIPAL COUNCIL OF THE TOWN OF NORTH BAY, AS FOLLOWS:-

1. No person shall keep a shop or store or other place for the purchase, sale or exchange of second hand goods, wares or merchandise, or any junk shop or store in the town of North Bay, without having first taken out therefor a license, to be known as a "Second-hand Shop License," and no person, whether such person has or has not taken out a Second hand Shop License, shall pass from house to house or along streets or lanes, public or private, in the town of North Bay, for the purpose of collecting, purchasing or obtaining second-hand goods, without first having taken out therefor a license to be known as a "Rag Collector's License". Such Second Hand Shop License may be in the form A, and such Rag Collector's License in the form B to this By-law annexed, or to the like effect.
2. The words "second hand goods, wares or merchandise," where used in this by-law, shall mean goods, wares or merchandise worn, used or purchased for wearing or use, and no longer or not required by the owner or person who wore, used or purchased same, and shall include in addition to other goods, bicycles, bottles, waste paper, bones and rags; also goods wares or merchandise of every description obtained on pawn tickets purchased or taken in exchange, and shall also include metals of every description, whether whole, broken or melted, if such metals are bargained for or delivered to the purchaser at any place within the town of North Bay, other than on the premises of the person or persons from whom the purchase, sale or exchange is made or obtained; provided, however, that no license will be required for persons engaged in the purchase of second hand household furniture, stoves, pianos, sewing machines or books, but does not include in his business any other goods, wares or merchandise herein referred to. The purchasers of and dealers in any goods herein referred to as second hand goods, wares or merchandise, shall be known as second hand dealers.
3. Every store, shop or other place in respect of which a license is issued under this by-law, shall be liable to be inspected at all reasonable times by the Chief Constable, and any police officer or other person duly authorized in that behalf; and no person so licensed shall refuse admission to such officer or person after or upon demand made.
4. Before a license shall be issued under this by-law the Chief Constable shall ascertain if the applicant therefor is of good reputation, and if he ascertain that the said applicant is of good reputation, and upon all other provisions of this by-law being complied with, the license may be issued by the Town Clerk, but if he is satisfied that the applicant's reputation is not good, no such license shall be granted except upon the order of this Council after due consideration of the application, and of a report from the Town Clerk thereon and any representations the applicant may desire to make concerning the same.
5. All licenses, shall be taken out on the 1st day of January and shall expire on the 31st day of December following the date of the same.

6. The fee for a second hand shop license shall be Twenty dollars (\$20.00) per year and the fee for a Rag Collector's license shall also be Twenty dollars (\$20.00) per year.

7. Every license issued under this by-law shall be delivered to the person licensed, who shall produce the same whenever it may be demanded by the Town Clerk or any Constable or other person duly authorized to demand its production.

8. Every person taking out a Rag Collector's License under the provisions of this by-law shall, at the time of the issue of his license, receive from the Town Clerk two plates bearing a number, one of which during the carrying on of his business he shall carry affixed upon the outside of the front of his coat or waistcoat, and in case he is using any wagon, cart or other vehicle in the carrying on of his business or calling, one of such plates shall be affixed upon the left hand side of the outside of such wagon, cart or vehicle, and it shall remain thereon during the period for which such license is granted, and no other device displaying a number shall be exhibited upon the outside of such wagon, cart or other vehicle, and such plates shall be returned to the Town Clerk at the expiration of the term of the license.

9. The Chief Constable shall have the supervision of all persons licensed under this by-law and of all stores, shops, warehouses, yards, or other places used by them for the purpose of the business.

10. Any act or duty to be performed by the Chief Constable under this by-law may be performed by any Constable authorized by such Chief Constable to perform such act or duty.

11. There shall be levied and collected from the applicant for every license granted for any business or object in this by-law specified as requiring a license, such license fee as shall from time to time be prescribed therefor by by-law of the Council of the Corporation of the town of North Bay for that purpose.

12. Every application for a license to carry on business on a premises not under license during any portion of the previous twelve months, or for a transfer of a license already in force to such premises, must be accompanied by a certificate from the Medical Health Officer of the town of North Bay to the effect that the business proposed to be carried on is unobjectionable on sanitary grounds. No action shall be taken on such application until after the expiration of twenty one days from the receipt thereof, and at least fifteen days' notice of such application shall be given in writing by the Chief Constable to the three nearest residents on each side of the premises for which the license is sought, and an opportunity given them to state their objections, if any, to the issue of such license.

13. Any number of persons dealing in second hand goods in partnership need only take out one second hand shop license, but when the license is applied for, the name and residence of each member of the partnership must be given and entered on the license and in the books of the Department.

14. No person or partnership licensed under this by-law shall, by virtue of one license, keep more than one store, shop, or other place for the transaction of business, or for taking in and storing goods purchased or otherwise obtained under such license.

15. Every person holding a second hand shop license, except those dealing in bicycles only, shall during the whole period in which the license is in force, exhibit over the street door, or on the front

window of the licensed premises, or in some other conspicuous place on the front thereof, satisfactory to the Chief Constable, in large plain letters in the English language, the words "Licensed Second-hand, or Junk Shop," and shall also keep the license constantly exposed in a conspicuous place in the interior of the licensed premises.

16. No person licensed under this by-law shall purchase, take in exchange, or receive any goods, article or thing from any person who appears to be under the age of eighteen years, or from any person under the influence of liquor, nor transact any business whatsoever by virtue of said license on a Sunday, or upon any statutory or other holiday, nor on any other day between the hours of 11 o'clock in the afternoon and 7 o'clock on the morning of the following business day, except on Saturdays and any day preceding a statutory or other holiday, when the hour for closing may be extended till 12 o'clock midnight.

17. No person holding a second hand shop license shall alter, repair, dispose of, or in any way part with any goods or articles purchased or taken in exchange until after the expiration of 3 clear days, exclusive of Sundays and holidays, from the date of purchase, and during these 3 days the goods or articles so obtained shall remain on the licensed premises and be kept apart from goods previously purchased, and shall be subject to inspection at any time during business hours by members of the Police Force, who may be accompanied by such other persons as in their judgment may be necessary for the identification of goods reported or suspected of having been stolen.

18. The Town Clerk shall furnish free of charge to every person holding a second hand shop license a book known as "The Second-hand Dealers' Register", in which shall be entered in the English language written in ink in a plain legible hand, a record of all goods purchased or taken in exchange. The entry must be made at the time of purchase or immediately thereafter, and shall include, in addition to the date and hour of purchase, a full description of the article or articles, the price paid therefor, and the name, address and description of the person from whom the purchase was made. Goods of every description redeemed on pawn tickets purchased or taken in exchange by licensed dealers shall be treated as purchases and so entered. In entering bicycles, the name of the maker and the number of the bicycle shall in every case be recorded, if known or can be ascertained.

19. The "Register" mentioned in the last preceding section shall remain the property of the Town, and the dealer to whom issued shall be responsible that it is not mutilated or destroyed. It shall be open to inspection by members of the Police Force at all times during business hours, and may be removed at any time by any member of the Force to Police Headquarters for inspection there, or for use in the Courts if necessary. The dealer shall not be held liable for neglect to enter purchases made while the "Register" is so absent from his premises.

20. Every licensed dealer or any person acting as the servant or agent of such dealer, shall make every reasonable effort to obtain the name, address and description of any person offering to him goods or articles of any kind, which he has cause to suspect have been stolen or otherwise unlawfully obtained, and report the facts promptly to the Police.

21. Any person convicted of a breach of any of the provisions of this by-law shall forfeit and pay, at the discretion of the convicting Magistrate, a penalty not exceeding (exclusive of costs) the sum of fifty dollars for each offence, and in default of payment of the said penalty and costs forthwith, the said penalty and costs, or costs only, may be levied by distress and sale of the goods and chattels of the offender, and in case of there being no distress found out of which such penalty can be levied, the convicting

Magistrate may commit the offender to the common jail of the Town of North Bay, with or without hard labor, for any period not exceeding six calendar months, unless the said penalty and costs (if any) including the costs of the said distress and of the commitment and conveyance of the offender to the said jail, are sooner paid.

This by-law shall come in force and take effect on the day of the passing thereof.

Passed in open Council this 15th day of December 1914.

(Sgd.) W. K. P. Kennedy, CLERK. (Sgd.) Geo. W. Lee, MAYOR.

FORM "A"

No. ....

TOWN OF NORTH BAY SECOND-HAND SHOP LICENSE

This License is granted, on payment of  
Dollars to the Town Treasurer, as hereunder acknowledged,  
to \_\_\_\_\_ of No.  
\_\_\_\_\_  
Street, to authorize him to open and keep a Second-hand  
shop, place or warehouse, for the sale of second-hand  
goods, wares or merchandise, in the town of North Bay.

This License to be in force until the \_\_\_\_\_ day of  
191 .

---

Town Clerk

Dated this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 191 .

Received the sum of \_\_\_\_\_ Dollars.

---

Town Treasurer

FORM "B"

No. ....

TOWN OF NORTH BAY RAG COLLECTOR'S LICENSE

This License is granted on payment of  
Dollars to the Town Treasurer, as hereunder acknowledged,  
to \_\_\_\_\_ of No. \_\_\_\_\_  
Street, to authorize him to carry on the business of pur-  
chasing, collecting and obtaining Second-hand goods in  
the town of North Bay.

This License to be in force until the \_\_\_\_\_ day of  
191 .

\_\_\_\_\_  
Town Clerk

Dated this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 191 .

Received the sum of \_\_\_\_\_ Dollars.

\_\_\_\_\_  
Town Treasurer