



CITY CLERK'S OFFICE  
61 CHURCH STREET  
AMSTERDAM, NY 12010

(518) 841-4307 841-4305  
(518) 842-6802 FAX

APPLICATION FOR A LICENSE FOR  
SECONDHAND DEALER PURSUANT  
TO SECTION 169 OF THE CITY CODE

NAME OF APPLICANT: \_\_\_\_\_  
DATE OF BIRTH: \_\_\_\_\_  
SOCIAL SECURITY NO.: \_\_\_\_\_  
STREET ADDRESS: \_\_\_\_\_  
CITY: \_\_\_\_\_

TELEPHONE NUMBER AT WORK: \_\_\_\_\_  
AT HOME: \_\_\_\_\_

IF APPLICABLE, THE TRADE NAME  
THE SECONDHAND DEALER IS  
OPERATING UNDER: \_\_\_\_\_

(On a separate sheet list the names, addresses and telephone numbers for corporate officers, if applicable.)

(You must provide the City Clerk with a photostatic copy of your d/b/a certificate, Partnership Certificate or Certificate of Incorporation.)

DESCRIPTION OF APPLICANT:

Height \_\_\_\_\_  
Weight \_\_\_\_\_  
Sex \_\_\_\_\_  
Hair Color \_\_\_\_\_  
Eye Color \_\_\_\_\_

NAME OF OWNER OF PREMISES  
WHERE THE BUSINESS IS LOCATED: \_\_\_\_\_

STREET ADDRESS OF OWNER: \_\_\_\_\_  
CITY \_\_\_\_\_

TELEPHONE NUMBER AT WORK \_\_\_\_\_  
AT HOME \_\_\_\_\_

Have you in the last 10 years been convicted of any crime or violation of any municipal ordinances?

\_\_\_\_\_ YES          \_\_\_\_\_ NO

If yes, please explain on a separate sheet.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Print Name

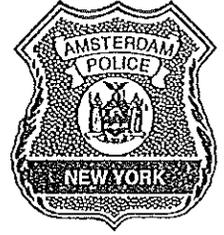
\_\_\_\_\_  
FOR OFFICE USE ONLY

Date Fee Paid: \_\_\_\_\_  
Calendar Year: \_\_\_\_\_  
License Effective: \_\_\_\_\_  
License Expiration Date: \_\_\_\_\_

city1:secondhand dealers



# Amsterdam Police Department



CHIEF OF POLICE

Guy Park Avenue Ext.  
Amsterdam, New York 12010

Phone (518) 842-1100  
Fax (518) 843-4987

## CITY OF AMSTERDAM Secondhand Dealer Purchase Form

Full name of Seller: \_\_\_\_\_

Residence Address: \_\_\_\_\_

Home Telephone #: ( ) \_\_\_\_\_

Place of Employment: \_\_\_\_\_

Business Telephone #: ( ) \_\_\_\_\_

Age: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Sex of seller: Male / Female \_\_\_\_\_

Signature: \_\_\_\_\_

Driver's License # or other form  
of ID issued by a governmental agency:  
\_\_\_\_\_

Full Name of Dealer: \_\_\_\_\_

Name of Business: \_\_\_\_\_

Business Address: \_\_\_\_\_

Business Telephone #: ( ) \_\_\_\_\_

THE RECORDS OF ANY PURCHASE OF SECONDHAND PROPERTY SHALL BE MAINTAINED FOR A PERIOD OF ONE YEAR FOLLOWING THE PURCHASE OF SECONDHAND PROPERTY AND A COPY SHALL BE HAND-DELIVERED WITHIN 24 HOURS TO THE AMSTERDAM POLICE DEPARTMENT.

SECONDHAND DEALERS SHALL RETAIN POSSESSION OF ANY SECONDHAND PROPERTY PURCHASED, IN AN UNALTERED CONDITION FOR A PERIOD OF TEN (10) DAYS FOLLOWING THE PURCHASE.

City of Amsterdam, NY  
Wednesday, November 23, 2011

## Chapter 169. PAWN SHOPS AND SECONDHAND DEALERS

[**HISTORY:** Adopted by the Common Council of the City of Amsterdam 10-17-2000. *Editor's Note: This ordinance provided that it take effect 1-1-2001. Amendments noted where applicable.*]

### § 169-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

#### **SECONDHAND DEALER**

Any person or company which engages in the business of purchasing, selling or otherwise dealing in, whether as a principal or an agent, secondhand articles of precious metals, jewelry and/or firearms. Pawnbrokers, precious metals dealers and transient merchants, for the purposes of this chapter, shall be classified as secondhand dealers.

#### **SECONDHAND PROPERTY**

Any precious metals, jewelry or firearms which are not new which have been previously sold or offered for sale, including but not limited to watches, rings and all other jewelry and firearms.

### § 169-2. Exemptions.

- A. Dealers in secondhand or used motor vehicles, used clothing, used books and used furniture are exempted from the provisions of this chapter.
- B. Thrift shops and similar secondhand stores, operated by bona fide religious or charitable organizations, are exempted from the provisions of this chapter.

### § 169-3. Records and reports.

- A. Each secondhand dealer shall maintain, for a period of one year following the purchase of secondhand property, the following records concerning the seller of such secondhand property:
  - (1) Full name.
  - (2) Residence address.
  - (3) Home telephone number.
  - (4) Place of employment.
  - (5) Business telephone number.
  - (6) Age.
  - (7) Sex of each person from whom the secondhand property is purchased.
  - (8) The signature of the seller.

- (9) The driver's license number of the seller or the number from another form of identification issued by a governmental agency.
- B. Each secondhand dealer shall maintain a specific description of the secondhand property item, on a form provided by the Police Department, which description is accurate and as reasonably complete as the nature of the item permits. The description of the secondhand property item shall include, but not be limited to:
- (1) The type of item purchased.
  - (2) The substance of which the item is made.
  - (3) The name of the manufacturing company where the item was made, if that can be determined.
  - (4) Any permanent initialing or marking on the secondhand property item, including any brand, monogram or hallmark, or serial number.
  - (5) The quantity of the secondhand property purchased.
  - (6) The date of the purchase.
  - (7) The amount paid by the dealer for the item.
- C. A copy of the records of any purchase of secondhand property shall be immediately available at the request of the Police Department.

**§ 169-4. Holding period.**

Each secondhand dealer shall retain possession of any secondhand property purchased by that dealer in an unaltered condition for a period of 10 calendar days following the purchase. However, this section may not be interpreted to limit the right of the secondhand dealer to transfer ownership of the secondhand property before the end of the ten-day holding period, as long as the dealer retains physical possession of the secondhand property for the remainder of the ten-day holding period. Further, this section shall not prevent secondhand dealers from allowing the true owner of an article of secondhand property to redeem, repurchase or recover the article at any time within the ten-day holding period.

**§ 169-5. Purchase of secondhand property from certain persons prohibited.**

No secondhand dealer may purchase any secondhand property from any intoxicated person, any person under the age of 18 years or any person providing obviously false information pursuant to § 169-3.

**§ 169-6. Hours of business.**

No secondhand dealer shall have his or her shop or store open for the transaction of business nor shall he or she purchase any used precious metals, jewelry or firearms from persons other than other licensed dealers between the hours of 10:00 p.m. and 7:00 a.m.

**§ 169-7. Inspection of records and premises of secondhand dealers.**

- A. The premises and required records of each secondhand dealer may be inspected during regular business hours at least once every month by the Chief of Police or the Chief's designee.
- B. The examination permitted by Subsection A above may include an examination of both the stock and the required records to determine that the records are being maintained as set forth by § 169-3 and that the secondhand dealer is complying with the holding period required by § 169-4.

**§ 169-8. License required.**

- A. Secondhand dealers, including precious metals dealers, pawnbrokers and transient merchants, shall pay to the City Clerk an annual license fee of \$100, before engaging in business. Persons dealing primarily in new property and licensed by the city as such dealers shall not be required to pay the additional license fee required by this section, but shall abide by all other provisions of this chapter.

**§ 169-9. Issuing authority; fees; age restrictions.**

- A. The City Clerk is authorized to issue a license to carry on the business of soliciting, buying and dealing in used precious metals, jewelry or firearms, upon payment to the city of the sum of \$100. A license is valid for the calendar year for which issued. No used precious metals license will be issued to any person under the age of 18.

**§ 169-10. Application procedure for license.**

Every person wishing to obtain a license shall file with the City Clerk an application, supplied by that office, containing the following information:

- A. The name and description of the applicant. Individuals operating under a trade name shall present a certified copy of the trade name certificate. A partnership conducting a business, whether or not under a trade name, shall submit a photostatic copy of the partnership certificate; a corporation shall furnish a photostatic copy of its certificate of incorporation.
- B. A statement as to whether or not the applicant has within the past 10 years been convicted of any crime or violation of any municipal ordinance.
- C. The name and address of the owner or owners of the business premises where the secondhand dealer conducts business.
- D. A corporate applicant shall furnish the name, address and title of the officers of the corporation or the designated agent of service upon whom process or other legal notice may be served.

**§ 169-11. Revocation or suspension of license.**

- A. The City Clerk may, in his or her discretion, after notice to the licensee and an opportunity for a prompt hearing before the City Clerk, suspend or revoke a license granted under this chapter for cause. No refund of the unearned portion of the license fee shall be made.
- B. Notice to the licensee by personal service or by certified mail at the address set forth on the

application is sufficient notice for the purpose of this section.

**§ 169-12. Penalties for offenses.**

Any person, firm, association or corporation or other legal entity who violates any of the provisions of this chapter shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine not to exceed \$500 or imprisonment not to exceed 60 days, or both.