

ORDINANCE NO. 57

AN ORDINANCE REGULATING THE CONDUCT
OF TRANSIENT AUCTIONEERS AND MERCHANTS,
AND PROVIDING FOR THE LICENSING THEREOF

THE CITY COUNCIL OF THE CITY OF DANUBE DOES ORDAIN AS FOLLOWS:

Section 1: It shall be unlawful for transient auctioneers and merchants to conduct auctions or sales within the City of Danube without first having applied for a Transient Auctioneers and Merchants License, on forms available from the City Clerk, and paying the appropriate license fee.

Section 2: The license application shall contain the applicant's name, address, date of birth, driver's license number, name, address and telephone number of employer, date license is to be effective, and the name and address of any State or Federal authority which may have also issued a license which is in effect at the time of the application. The completed application shall be submitted to the City Council, together with a license fee of \$100.00 and an itemized list of all merchandise to be sold, including but not limited to brand name of product; name and address of manufacturer; serial number; whether the product is new or used; what warranties, if any, apply to the product and the name and address of the person or firm honoring the warranty; and whether or not the product is a factory second or blemish model.

Section 3: The completed application, license fee, and required attached information sheet shall be referred by the City Council to the Chief of Police at least 30 days prior to the proposed date of the auction or sale so as to provide sufficient time to enable the investigating agency in determining the accuracy of the information supplied and to check for stolen goods.

Section 4: Upon approval by the Chief of Police and the verification as to the truth and accuracy of the information contained in the application, the City Council shall grant a license to conduct an auction or sale and which license shall be valid for the lesser of a period of 72 hours or until the merchandise listed on the application shall be sold.

Section 5: Violation of the ordinance or the providing of false information shall be a misdemeanor, and upon conviction thereof a sentence of \$500.00 and/or 90 days incarceration shall be imposed.

Section 6: Transient auctioneer and merchant, as used herein, shall be construed to mean a person or firm with no fixed headquarters or base of operations within the City of Danube or surrounding communities, where purchasers of goods can go for warranty services, complaints about product quality and similar consumer concerns.

Section 7: This ordinance shall be in full force and effect from and after its publication.

By order of the City Council. Passed this 16th day of August, 1978.

ATTEST:

CITY OF DANUBE

Arlene Frank, City Clerk

By Melvin Goldhammer
Melvin Goldhammer, Mayor