

CITY OF SURREY

BY-LAW NO. 16669

A by-law to amend the provisions of "Surrey Secondhand Dealers and Pawnbrokers By-law, 1997, No. 13183" as amended.

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The Council of the City of Surrey, in open meeting assembled, ENACTS AS FOLLOWS:

1. "Surrey Secondhand Dealers and Pawnbrokers By-law, 1997, No. 13183" as amended, is hereby further amended as follows:

1. Section 2 – Definitions be amended by deleting "Dealer's Register" and replacing it with "Dealer's Registers" as follows:

"Dealer's Registers" means the Goods Information Register and the Seller Information Register as referred to in this By-law and where this By-law stipulates that a dealer has an obligation in connection with a register, the reference is to the registers which the dealer is obliged, under this By-law, to establish and maintain.

2. Section 2 – Definitions be amended by adding the following new definition of "Goods Information" after "Dealer's Registers":

"Goods Information" means, as regards a dealer:

- (a) the price paid for goods, articles or things purchased or received by the dealer including:
 - (i) the method of payment, and
 - (ii) the GST registration number of the seller;
- (b) the precise date and time of purchase;
- (c) a full and complete description of, and any descriptive mark or name, on any goods, articles or things purchased or received, including make, model number, serial number, and the gram weight of jewelry or any engravings.

3. Section 2 – Definitions be amended by deleting "metal" from the definition of "Junk".

4. Section 2 – Definitions be amended by deleting "License Inspector" and replacing as it as follows:

"License Inspector" means the Manager of By-law and Licensing Services and any authorized deputy.

5. Section 2 – Definitions be amended by adding the following new definition of "Seller" after "Secondhand Dealer":

"Seller" means an individual, firm or corporation from whom any goods, articles or things are received by a dealer ;

6. Section 2 – Definitions be amended by adding the following new definition of Seller Information after "Seller":

"Seller Information" means:

- (a) the full name, current residence or street address, telephone number, and birth date of the person from whom the goods, articles or things were received by the dealer;
- (b) confirmation of the identify of the seller by way of authorized identification bearing the signature of the seller, together with a complete description of the authorized identification and name of the authority that issued it;
- (c) the make, model, colour and provincial vehicle license plate number of any motor vehicle used by the seller to deliver the goods, articles or things to the dealer's premises including if applicable, taxi cab company name, taxi cab number and provincial vehicle license plate number; and
- (d) in a case where the seller is not the owner of the goods, articles or things, the full name, street address, telephone number and if applicable, goods and services registration number of that owner.

7. Deleting sections 3 through 6 and replacing them with:

Dealer's Registers

- 3. Every dealer shall keep a record to be called the Goods Information Register of the Goods Information respecting all goods, articles or things other than bottles purchased or otherwise received by the dealer.
- 4. Every dealer shall keep a record to be called the Seller Information Register of the Seller Information respecting all transactions of the dealer.

5. Immediately after the receipt of any goods, articles or things, every dealer must set out in the dealer's registers in chronological order by date of receipt, in the English language, a record of the transaction that must include the Goods Information and Seller Information.
6. Every dealer must:
 - (a) maintain the dealer's registers electronically or manually;
 - (b) record all Goods Information and Seller Information in the dealer's registers; and
 - (c) before the close of each business day, print out a hard copy of all electronic information recorded during the course of the day, and maintain all such hard copies as a manual version of the dealer's registers.
8. By changing the heading before Section 7 to "**Inspection of a Goods Information Register**".
9. By deleting Section 7 and replacing it with:
 7. On request by an Officer, a dealer must produce the Goods Information Register for inspection on the premises of the dealer.
10. By changing "dealer's register" in Section 8 to "Goods Information Register".
11. By changing "register" in Section 9 to "Goods Information Register" everywhere it appears.
12. By changing the heading before Section 10 to "**Preservation and Alteration of Dealer's Registers**".
13. By deleting Section 10 and replacing it with the following:
 10. A dealer must:
 - (a) not amend, obliterate or erase any entry in the dealer's registers or remove any page from the dealer's registers either wholly or partially or electronically or manually;
 - (b) not permit, allow or suffer any other person to amend, obliterate or erase any entry in the dealer's registers, or remove any page from the dealer's registers either wholly or partially or electronically or manually;

- (c) immediately report to the License Inspector any amendment, obliteration, or erasure of an entry in the dealer's registers or the removal of the dealer's registers or any part thereof from the premises of the dealer;
- (d) take steps to ensure that information recorded in the dealer's registers is reasonably secure from access, collection, use, disclosure, or disposal; and
- (e) maintain on the dealer's premises, all records pertaining to each transaction including any written invoice, cancelled cheques and dealer's registers, for a period of 24 months following the transaction.

14. By deleting Section 12 and replacing it with:

- 12. Every dealer shall transmit to the Chief of Police by facsimile daily before 9:30 a.m., a report of every record from the Goods Information Register for every good, article or thing purchased or received by the dealer during the twenty-four (24) hours immediately preceding the hour of 9:00 a.m. of the day on which the report is made.

15. By deleting the words "particulars set forth in Section 6" from Section 13 and replacing them with the words "Goods Information".

16. By deleting Section 15 and inserting a new Section 15 and heading:

Keeping of Records

- 15. Every dealer must:
 - (a) subject to removal of the Goods Information Register pursuant to section 8, or to directions by a court of competent jurisdiction, keep on the business premises of the dealer the dealer's registers, or any portion of the dealer's registers, that contains any record made or required to be made within the previous 24 months;
 - (b) keep, within the Province of British Columbia, each record entered on the dealer's registers for a period of seven (7) years following the date the record was made; and
 - (c) if the business of the dealer is sold, leased, assigned, transferred or disposed of to any person, transfer possession of the entire dealer's registers to the person who bought, leased, took assignment or transfer of the business or to whom the business was otherwise disposed.

17. By deleting Sections 29(b) and 30(b) and replacing them each with:
- (b) report the Goods Information for the goods, articles and things to the Chief of Police; and

18. By replacing "dealer's register" with "dealer's registers" in Sections 29, 30 and 33.

2. This By-law shall be cited for all purposes as "Surrey Secondhand Dealers and Pawnbrokers By-law, 1997, No. 13183, Amendment By-law, 2008, No. 16669."

PASSED THREE READINGS on the 26th day of May, 2008.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 3rd day of May, 2010.

_____MAYOR

_____CLERK

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