

SECONDHAND DEALER

BASIS

Any person, firm, company, partnership, association or corporation or their employee engaged in the business of buying, selling, trading, exchanging or otherwise dealing in secondhand merchandise of any sort or description, whether or not he or she deals in other goods and regardless of where goods are bought, except the term shall not include the following persons:

- Secondhand merchandise is limited exclusively to secondhand books, magazines, handbills, collectible cards (i.e., baseball cards), and/or posters; clothing, apparel, dishes, linens, and furniture; and cassette tapes, compact discs, phonograph records, VHS, BETA and DVD videotapes and computer software.
- Grocers or other persons primarily engaged in the business of the retail sale of food who purchase recyclable food and beverage containers for resale;
- Obtain such merchandise incidental to the making of a new sale.
- Licensed as pawnbrokers;
- Secondhand merchandise is limited exclusively to precious metals and who are licensed as Precious Metal Dealers;
- Licensed as scrap processors; and
- Charitable institutions which receive used merchandise for resale.

It does not include property previously owned by a wholesaler, retailer, or another secondhand dealer.

LEGAL

REFERENCE

Charter Ordinance No. 192 and 206, Code of the City of Wichita, Kansas.

REGULATIONS

Secondhand dealers must keep a register at the place of business which lists a detailed description of all property taken, purchased or received in the conduct of business, including any trade name or brand and including any serial or identification number or any trademarks or identifying marks that may be in or upon any such article. The description must also include the date and time of the purchase, the correct legal name and address of the person selling the property, the driver's license number of individual (or if not available, a military ID number, passport number, or other approved State ID number) and the amount paid for the property.

It is the duty of the secondhand dealer to furnish a full, true and correct transcript of the record of all transactions to the Wichita Police Department every Tuesday by 5:00 p.m. All records shall be maintained by the secondhand dealer at the place of business for not less than 2 years following the date of the transaction.

Every secondhand dealer shall segregate all property purchased or received from property purchased or received from other sellers and shall attach to the property or to the container in which the property is held a tag indicating the name of the seller and the date on which the property was purchased or received. The secondhand dealer shall retain possession and withhold the property from resale or salvage for 14 calendar days from the date of the transaction and available for inspection by the Police Department.

If the Police Department has reasonable cause to believe that any property received by a secondhand dealer is stolen, a hold notice shall be placed on the property for 60 days unless released sooner by the police.

No secondhand dealer shall purchase or receive any article or property from any person under 18 years of age. The Police Department shall be permitted to examine any goods, articles, items, books, or other records on the premises, and to search for and to place a hold upon any article known or believed to be stolen.

Rental lease must be for at least nine months. License is non-transferrable from person to person but is transferable location to location with approvals.

Allow 2 weeks for approval.

ENFORCING AUTHORITY

Police Department, Office of Central Inspection

FEES

Due annually on date of approval..... \$100.00
New applicant fee..... \$ 1.00