

AN ORDINANCE RELATING TO THE PURCHASE OF PERSONAL PROPERTY MADE OF PRECIOUS METALS BY DEALERS WITHIN THE CITY OF PORT ST. JOE; PROVIDING FOR THE KEEPING OF CERTAIN RECORDS; PROHIBITING THE DISPOSAL OF CERTAIN PERSONEL PROPERTY WITHIN SPECIFIED PERIOD OF TIME; PROVIDING FOR THE FILLING OF CERTAIN REPORTS; PROHIBITING CERTAIN TRANSACTIONS WITH MINORS; PROVIDING FOR THE ARRANGEMENT OF CERTAIN STOCKS; PROSCRIBING PENALTIES; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSION OF THE CITY OF PORT ST. JOE, FLORIDA:

Section 1. Purpose.

The purpose of this ordinance is to set forth regulations governing the purchase and disposition of personal property made of precious metals by dealers within the City of Port St. Joe.

Section 2. Definitions.

As used in this ordinance, unless the context otherwise requires:

- A. "Dealer" shall mean any person engaged in the business of purchasing or selling at retail or wholesale or otherwise dealing in any old, used or secondhanded precious metals of any kind or description, whether with a fixed place of business or as itinerant.
- B. "Precious metal" shall mean gold, silver or platinum.
- C. "Bullion coins" shall mean fungible coins with intrinsic value greater than the numismatic value.

Section 3. Register of transactions.

- A. Any person engaged in business as a dealer shall keep a register in connection with his business, said register to be approved as to type and form by the Board of City Commission of the City of Port St. Joe, and at the time of each transaction shall enter or cause to be entered therein, an accurate description of the person from whom any article of personal property made of precious metal is purchased or received, and shall include in the description, but not limited to, the name, date of birth, sex, race, place of residence and drivers license or, if none, other government identification numbers of the person, together with an accurate description of any article of personal property made of precious metal so purchased or received, which description may contain any mark, brand, monogram, hallmark, word or letters which may be engraved, stamped etched or otherwise permanently marked upon the article. The description of bullion coins shall be adequate if it provides the total dollar amount of each denomination. The register shall at all times be kept open and available for the inspection of the Board of City Commission of the City of Port St. Joe or any other person authorized by the Board of the City Commission to inspect the register.
- B. Any and all persons engaged in business as a dealer shall, in keeping the register required in paragraph A above, take the following precautions to insure the accuracy of the personal indentification required:

(1) Require the customer, as a condition to the purchase, to sign his name on the registration form.

(2) Require reasonable proof of identify which would include but not be limited to display of a drivers license or other governmental identification cards or certificates.

C. It shall be unlawful for any customer to give or display false identification to the dealer or to sign a false name.

Section 4. Disposal within ten (10) days of receipt prohibited.

A. Except for the exempt transactions hereinafter provided, no articles of personal property made of precious metals shall be sold, melted, altered, or otherwise disposed of by any dealer until ten (10) days have elapsed from the time the Board of City Commission of the City of Port St. Joe has had made available to them a copy or transcript of the register in which such articles of personal property made or precious metals are entered, and said articles shall not be transferred from within the City of Port St. Joe during said ten (10) day period of time.

B. The following trasaction shall be exempt from the provisions of paragraph A above.

(1) Coins repurchased by a dealer, provided the dealer repurchases from the same person and maintains a record of the prior sale and the repurchase.

(2) The purchase of bullion coins.

(3) Transactions between dealers, provided the article has been registered in accordance with this ordinance and in the possession of any local dealer for the period set forth in Section 4A above.

Section 5. Transcript of register to be made available to Board of City Commission of the City of Port St. Joe.

All dealers shall, not later than 12:00 noon of each business day, make available to the Board of City Commission of the City of Port St. Joe or their representative, a full and complete copy or transcript of the register in which is entered the transactions of the preceding business day as required by Section 3.

Section 6. Dealing with minors prohibited.

It shall be unlawful for any dealer to buy, take or receive by way or purchase or exchange any articles made of precious metals from any person under age of eighteen (18) years.

Section 7. Arrangement of stock to facilitate inspection.

All articles of personal property made of precious metals purchased or received by dealers shall remain attached to a copy of the bill of sale and be so arranged in stock as to enable the stock to be inspected by the Board of City Commission or any other person with such authority during the period set forth in Section 4A above.

Section 8. Penalty.

Any and each violation of any provision of this ordinance shall be punished according to law.

Section 9. Effective date.

This ordinance shall become effective according to law.

CITY OF PORT ST. JOE

/s/ Frank Pate, Jr.

Frank Pate, Jr.

ATTEST:

/s/ Alden Farris

City Auditor and Clerk