

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDINANCE NO: 14-02

IN THE MATTER OF AMENDING
CHAPTER 3 OF LANE CODE TO
REMOVE THE TERM "FIREARM" (LC
3.600)

WHEREAS, certain changes to Lane Code Chapter 3 is desired to bring Lane Code into compliance with Oregon Revised Statutes,

WHEREAS, amending Chapter 3 of the Lane Code will remove the term "firearm" from the Used Merchandise section,

WHEREAS, if any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion is deemed a separate, distinct, and independent provision, and such holding does not affect the validity of the remaining portions.

NOW, THEREFORE, the Board of County Commissioners of Lane County **ORDAINS** as follows:

1. Lane Code Chapter 3 is amended by removing, substituting and adding the following sections:

REMOVE THESE SECTIONS


3.600

INSERT THESE SECTIONS


3.600

Amended sections are attached and incorporated herein by reference.

ENACTED this 22nd day of April, 2014.



Pat Farr, Chair, Lane County Board of Commissioners



Recording Secretary for this Meeting of the Board

APPROVED AS TO FORM

Date 3-25-14 Lane County



OFFICE OF LEGAL COUNSEL

At left margin indicates changes
Bold indicates material being added
Strikethrough indicates material being deleted

LEGISLATIVE
FORMAT

3.600

Lane Code

3.600

USED MERCHANDISE DEALERS

3.600 Definitions.

For the purposes of this subchapter, the following terms shall mean:

Approved identification. A currently valid identification issued by a government agency that includes a physical description and photograph of the person and bears the signature of the person.

Peace Officer. As defined in ORS 133.005.

Pawnbroker. A person, partnership, corporation or other business association licensed as a pawnbroker under ORS Chapter 726.

Pledge. Any article deposited with a pawnbroker in the course of the business of the pawnbroker as defined in this section.

Precious metal. Gold in eight karat or greater purity, silver, platinum or palladium. Precious metal does not include unrefined metal ore, an electronic product or any part of a mechanical system on a motor vehicle that contains precious metal as a result of the vehicle manufacturing process.

Purchase. The buying, exchanging, transferring, collecting, consigning or otherwise acquiring of regulated property from another person not a used merchandise dealer, for resale, exchange, or transfer by the purchaser. This includes the taking possession of regulated property with an expressed or implied agreement or understanding to return regulated property at a subsequent time at a stipulated price or for the payment of a storage or handling fee.

Regulated Property.

(a) Except for property excluded in subparagraph (b) below, any used or secondhand personal property, including, but not limited to, precious metals and gems; watches, jewelry, and household items containing precious metals or precious gems; audio and video equipment and media; photographic and optical equipment; electrical office equipment; yard and garden tools; power equipment and tools; hand tools; telephones or telephone equipment; musical instruments; ~~firearms;~~ and sporting equipment.

(b) The term "regulated property" does not include any of the following property: vehicles required to be registered with the state Motor Vehicles Division; boats required to be certified by the state Marine Board; books; collectible trading cards (e.g. baseball trading cards or movie trading cards); glassware; furniture; clothes; refrigerators, stoves, washers, dryers, window air conditioner units, and other similar major household appliances; small kitchen appliances; or property that is purchased for investment purposes, limited to the following:

(i) Gold bullion bars or rounds (0.995 fine or better);

(ii) Silver bullion bars or rounds (0.995 fine or better);

(iii) Palladium and platinum bars or rounds (0.995 fine or better);

(iv) All tokens, coins, or money, whether commemorative or an actual medium of exchange, adopted by a domestic or foreign government as part of its currency;

(v) Postage stamps, stamp collections and philatelic items; or

(vi) Privately manufactured coins.

Sheriff. The Sheriff of Lane County, or his or her designee.

Used merchandise dealer.

(a) A person who engages in, conducts, manages, or carries on any business that, as part or all of its business:

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**LEGISLATIVE
FORMAT**

3.600	Lane Code	3.600
	(i) Purchases regulated property; or	
	(ii) Lends money on security of regulated property.	
	(b) A used merchandise dealer does not include:	
	(i) A person who engages in, conducts, manages, or carries on any business that does not buy regulated property outright, but occasionally accepts in trade regulated property as part or full payment for new articles, where such business is incidental to the primary business of the sale of new articles;	
	(ii) A person who engages in, conducts, manages, or carries on any business that deals exclusively in the purchase and sale of used whole automobiles, books, trading cards or sports memorabilia, clothing, furniture, major household electric or gas appliances, or farm implements and machinery; or	
	(iii) A person who engages in, conducts, manages, or carries on any nonprofit corporation or association that purchases, sells or otherwise exchanges only donated articles. <i>(Revised by Ordinance No. 14-77, Effective 10.26.77; 12-79, 11.9.79; 7-05, 8.25.06; 13-3, 5.31.13)</i>	

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