

ORDINANCE NO. 14,676

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, by amending Sections 30-254 and 30-261 thereof, relating to Chapter 30 - Businesses, Article VII - Secondhand Good, regarding records and suspension or revocation of licenses.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, is hereby amended by amending Section relating to Chapter 30 - Businesses, Article VII - Secondhand Good, regarding records and suspension or revocation of licenses, as follows:

Sec. 30-254. Records.

- (a) Each salvage dealer shall keep complete, accurate, and legible records in the English language of all purchases and receipt of all junk, such records to include the following:
 - (1) The identity of the person from whom received or purchased.
Including:
 - a. Name and address,
 - b. Date of birth,
 - c. Iowa drivers license number or Iowa identification number, or social security number with photo identification indicating the type of photo identification provided,
 - d. Sex,
 - e. Age,
 - f. Height, and
 - g. Race.
 - (2) The vehicle license plate number of the vehicle that delivered the junk material.
 - (3) The date and hour of the purchase or receipt of the junk material.
 - (4) A reasonably accurate inventory and description of the junk

obtained.

- (5) The value or amount paid for the junk material.
- (6) The weight or other quantity of junk obtained.
- (7) From whom and at what time and place the junk was obtained by the person from whom it was bought or received.
- (8) The date and manner of disposition of the junk by each article or in bulk by the salvage dealer.
- (9) The name and address of the person to whom the junk was sold or otherwise disposed.
- (b) Such records shall be maintained and located at the business for at least one year from the date of purchase.

Sec. 30-261. Suspension or revocation of license.

- (a) Any license issued pursuant to this division may be suspended or revoked or its renewal denied for violation of this division or any other chapter of this Code. No such suspension, revocation or denial shall issue except upon notice delivered to the licensee by mailing the notice in the regular mail addressed to the licensee at the licensed premises a minimum of ten days prior to the date set for hearing before the administrative hearing officer. Such notice shall inform the licensee of the time, date and place of hearing; the purpose of the hearing; and shall set out briefly the reasons therefor.
- (b) If, after such hearing, the administrative hearing officer makes a finding based on substantial evidence that a violation of this division or another chapter of this Code did in fact take place as alleged, the administrative hearing officer may suspend or revoke the license or deny its renewal; the determination of whether to suspend or revoke such license or deny its renewal shall be in the discretion of the administrative hearing officer and shall be dependent upon the circumstances surrounding the violation and its severity.
- (c) A licensee whose license has been revoked or its renewal denied shall not be eligible for another such license for a period of 180 days after such revocation or denial.

Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

Douglas P. Philiph, Assistant City Attorney

T.M. Franklin Cownie, Mayor

Attest:

I, Diane Rauh, City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance (Roll Call No. 07-1423), passed by the City Council of said City at a meeting held July 23, 2007 signed by the Mayor on July 23, 2007 and published as provided by law in the Business Record on August 6, 2007, Authorized by Publication Order No. 5734.

Diane Rauh, City Clerk