



**TOWN OF WHITCHURCH-STOUFFVILLE
COUNCIL PUBLIC HEARING AGENDA
TUESDAY, SEPTEMBER 4TH, 2001**

**COUNCIL CHAMBERS
37 SANDIFORD DRIVE, 4TH FLOOR**

7:00 P.M.

1. CONFIRMATION OF AGENDA
2. DECLARATIONS
3. ADOPTION OF MINUTES
- March 20th, 2001
4. CONSIDERATION OF REPORTS
5. CONFIRMATORY BY-LAW
6. MOTION TO ADJOURN

COUNCIL PUBLIC HEARING AGENDA

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NOTES	ITEM	DESCRIPTION	PAGE	RECOMMENDATION
HB MC PD CD WE SP SS _____ _____ _____	1.	PAWNBROKERS AND SECOND HAND GOODS BY-LAW (C10-CL & PO1)	1	THAT Council provide direction with respect to the passing of the by-law.

REPORT #1

PAWNBROKERS AND SECOND HAND GOODS BY-LAW (C10-CL & PO1)

Report prepared by the Clerk:

RECOMMENDATIONS:

The Clerk recommends:

THAT Council provide direction with respect to the passing of the by-law.

BACKGROUND:

Detective Constable Chris Reid will be in attendance to speak to Council and the public regarding the need for such a license.

The following is a summary of events as noted in the Clerk's August 21st, 2001 Council in Committee meeting report regarding the pawnbrokers and second hand goods by-law:

In May 2000, the Town of Markham circulated a report to the area municipalities advising that a growing number of pawnbrokers and second hand goods shops were locating in York Region as a result of the strict licensing requirements in Toronto. At the request of York Regional Police, the Council of the Town of Markham enacted a by-law to licence, regulate and govern pawnbrokers and second hand goods shops in the municipality. Since that time the Towns of Newmarket and Aurora and the City of Vaughan have followed suit and passed similar by-laws. The Towns of East Gwillimbury and Georgina are going through the process and the Town of King has postponed a decision until the fall.

There are concerns that such businesses will relocate to those areas that are unregulated and therefore, York Regional police are trying to convince all municipalities in York Region to pass such a by-law. To this end York Regional Police have established a Property Crime Bureau and Detective Constable Chris Reid has been actively lobbying municipalities with respect to the by-law.

A licensing by-law for Pawnbrokers and Second Hand Goods Shops would be designed to prevent abuse of such businesses when it comes to purchasing stolen or suspicious goods. At the same time, the by-law would offer guidelines to legitimate business owners to help prevent them from being abused by criminals who would utilize these stores to sell stolen goods. The Property Crime Bureau would work with these stores, conduct all inspections and do all of the enforcement with respect to the terms and conditions contained within the by-law. The Town would be responsible for ensuring that the businesses are licensed.

The proposed by-law requires the owner of such a business to maintain certain records, including:

- (a) the day, month, year and time of the transaction;
- (b) the full name, sex, date of birth, address and a description of the Seller including their approximate height and weight;
- (c) the full particulars of both pieces of the Seller's identification required to be presented pursuant to the By-law;
- (d) a detailed description of each Second Hand Good that is reasonably sufficient to identify features as applicable;
- (e) the price paid by the Pawnbroker or Second Hand Vendor or the value of goods exchanged for the Second Hand Good; and
- (f) the name of the employee who conducted the transaction.

Staff set up a meeting between Detective Constable Chris Reid and the local businesses in order for Chris Reid to explain the need for such a by-law and to answer any questions.

The following businesses were notified of the meeting which was held on July 3rd at 7:00 p.m.:

Whitchurch Metals	Stewart Truck Wrecking Limited
Tom Clarkson, auctioneer	Don Mills Steel & Metal (1974) Ltd.
National Sports Clearance	Reinhart Auctioneer
McCowan Antiques	Erin Magilsen (E.L.M. Auctions)
Wilson Antiques, Country Furniture and Collectables	Stouffville Country Market
Earl Gauslin, auctioneer	Boyd's Sports
Michael Schurman, auctioneer	Steve's Buy & Sell
Taylor Auto Parts	Phil Faulker Auctions
J.C. Marshall & Associates	Jewellery Season
McKenzie's Associated Auctioneers	Reid's Consignment Shop
Neil Bacon Auction Ltd.	Riordan Antiques

As a result of the above noted meeting, some minor changes were made to the by-law to address concerns raised at the meeting. It was noted that the transient nature of the vendors at the Stouffville Country Market would make licensing the vendors extremely difficult. As a result, while the vendors at the market are obligated to comply with the terms and conditions as set out in the by-law, they are exempt from being licensed. The owner of the Stouffville Country Market held a separate meeting with all of their vendors and advised them about the proposed by-law.

The by-law has been drafted so that those businesses which are already licensed, such as auctioneers and salvage yards, would not be required to pay an additional fee. In addition, the By-law **does not** apply to Second Hand Vendors who are engaged in the sale of the following classes

of goods:

- sale of goods for charitable purposes;
- sale of goods as part of a garage sale held pursuant to the definition in Section 1.0 of this By-law;
- sale of used books;
- sale of used clothing;
- sale of used automobiles;
- sale of used large household appliances (e.g. refrigerators, stoves, washers, dryers, dishwashers and freezers);
- sale of used furniture;
- second hand goods that consist of articles purchased new and rented out in the normal course of business by the Second Hand Vendor;
- sale of used horse riding tack and saddles; and
- auction of estate goods (however, it **does** apply to the auction of consignment goods).