

**AN ORDINANCE AMENDING SECTIONS 115 OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES [LMCO] RELATING TO JUNK AND SECONDHAND DEALERS.**

**SPONSORED BY: COUNCILMAN DAVID JAMES**

WHEREAS, Metro Council seeks to clarify the photo requirement contained in the Second Hand Metal ordinance to ensure compliance.

**NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (THE "COUNCIL") AS FOLLOWS:**

**Section 1:** LMCO Section 115.122(C) is hereby amended to read as follows:

**§ 115.122 TRANSACTION RECORD OF PURCHASES.**

(C) It shall be the duty of the Louisville Metro Police Department during regular business hours to examine and inspect transaction records, and if sufficient information cannot be gained from an inspection of transaction records, it shall be the duty of any person to permit and allow the officer to examine any and all regulated property and/or restricted metals mentioned herein belonging to or purchased by such person. A transaction record and digital photograph, ~~in accordance with § 115.125, if applicable,~~ for a purchase of all regulated property and/or restricted metals shall be maintained together on the premises for at least one year after the date of such purchase. The digital photo must accurately depict the regulated property and/or restricted metals purchased.


**Section 2:** LMCO Section 115.125 is hereby amended to read as follows:

**§ 115.125 REGULATED PROPERTY SALE LIMITATIONS.**


Gold, silver, precious metals, regulated property and/or restricted metals purchased by a person, secondary metals recycler, or mobile dealer as defined in § 115.120, who are carrying on a business as described in § 115.121, above, shall not be sold, modified, altered or

destroyed for a period of ten calendar days after the date of purchase by a person, secondary metals recycler, or mobile dealer who are carrying on a business as described in § 115.121. The property purchased must be kept in its original form, uncommingled, along with a copy of the transaction record, as set forth in § 115.122, on the premises of the business location during the holding period for purposes of inspection, if necessary, as provided by this subchapter. This section shall not apply to ferrous metals, nonferrous metals, and items listed in subsection (17) of the definition for "regulated property" in § 115.120. ~~if a digital photograph is taken and maintained for at least one year from the date of purchase along with the transaction record, as set forth in § 115.121. The digital photo must accurately depict the regulated property and/or restricted metals purchased.~~

**Section 3:** This Ordinance shall take effect 60 days after its passage and approval.

  
Stephen Ott  
Metro Council Clerk

  
David W. Tandy  
President of the Council

  
Greg Fischer  
Mayor

Approved: 11/24/15  
Date

**APPROVED AS TO FORM AND LEGALITY:**

Michael J. O'Connell  
Jefferson County Attorney

By: 

**LOUISVILLE METRO COUNCIL  
READ AND PASSED**  
*November 19, 2015*

Ordinance to amend LMCO 115 Secondhand Dealers ROC sjm Nov 2015