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POLICY OF THE BOARD OF SELECTMEN
TOWN OF UXBRIDGE, MASSACHUSETTS

PRECIOUS METAL DEALER BYLAW, POLICY AND PROCEDURES

PURPOSE AND AUTHORITY

The Uxbridge Board of Selectmen (hereinafter "Board") by the provisions of the Town of Uxbridge General Bylaws, C. 236, as the local licensing authority, hereby adopts the following policy and procedures for Precious Metal Dealer License for the Town of Uxbridge.

GENERAL BYLAWS – CHAPTER 236 - PRECIOUS METAL DEALERS

(Adopted at the Spring Annual Town Meeting 5/14/13)

§ 236-1. Definitions

PRECIOUS METALS: For the purpose of this bylaw, the term "precious metals" means and includes any precious metal, including, but not limited to, gold, silver or platinum without regard to the form or amount of such precious metal.

PRECIOUS OR SEMI-PRECIOUS STONE OR GEMS: any stone or gem that is rare or costly or any stone or gem that is of lower value than those classified as precious.

ARTICLES: The commodities defined within this section.

DEALER: Any person, corporation, or partnership who buys precious metal and/or precious or semiprecious stones or gems from the general public, whether in bulk or in manufactured form, with an intent to obtain a monetary profit for himself/herself or for a principal.

§ 236-2. License Required

A. No dealer shall collect, deal in or keep a shop, residence or other location for the purchase, sale or barter of precious metals, and/or precious or semi-precious stones or gems in any building or place within the limits of the town without a license from the Board of Selectmen.

B. The Board of Selectmen may, for a fee, license suitable persons to be dealers in for the purchase, sale or barter of precious metals, and/or precious or semi-precious stones or gems at such places within the town, as may be designated in such license, under such conditions and restrictions as are prescribed in this chapter, which shall be incorporated in every such license.

§ 236-3. License fee

The Board of Selectmen shall annually determine the license fee as described.

§ 236-4. Transacting with minors prohibited.
No dealer shall directly or indirectly, either purchase or receive by way of barter or exchange any of the articles of a minor, knowing or having reason to believe him/her to be such.

§ 236-5. Waiting Period.
No article purchased or received shall be sold or altered in appearance, form or substance until a period of at least thirty (30) days from the date of its purchase or receipt has elapsed.

§ 236-6. Weekly list of articles purchased required.
Every licensee under this chapter shall make out and deliver to the police chief (or his/her designee), on Friday of each week, a legible and correct list, containing an accurate description of all articles purchased during the preceding business week, the prices paid therefor, the time when such articles were purchased, and the respective numbers of such articles.

§ 236-7. Recordkeeping requirements – Inspections.

A. Every dealer licensed as provided in this chapter shall keep a book in which shall be written, in English, at the time of every purchase, a description of precious metals and/or precious or semi-precious stones or gems so purchased, the name, age and residence of the person from whom purchased, and the day and hour when such purchase was made.

B. Every such dealer shall, at the time of making any purchase, attach a number to each article purchased and shall make entry of such number in the book. Such book shall, at all times, be open for the inspection of the police chief or any member of the police department.

§ 236-8. Posting of name and occupation.
Every dealer shall display, in some suitable and conspicuous place in his shop, residence, or other place of business, a sign having his/her name and occupation legibly described thereon in large letters. Such shop and all articles purchased therein, may at all times, be examined by the police chief or member of the police department.

§ 236-9. Violation-Penalty.
Any person or entity not licensed as required under §2 of this chapter, who/which collects, deals in or barters precious metals and/or and precious or semi-precious stones or gems in any place or manner other than that designated in his/her/its license, or who/which engages in any such activity after notice to him/her that a previously issued license has been revoked, or any person or entity which violates any rule, regulation or restriction contained in his/her license, shall be subject to a fine to be determined annually by the Board of Selectmen; each day of such violation shall constitute a separate offense.

APPLICATION POLICY/PROCEDURES

The applicant must submit and obtain the following:

1. A completed Precious Metal Dealer Permit form.

2. Application fee made payable to the Town of Uxbridge in the amount of $20.00.

3. A Criminal Background check will be conducted on the applicant and all employees. Please provide a completed CORI form.

5. A Business Certificate from the Town Clerk's office.

6. Zoning Compliance verification from the Zoning Enforcement Officer

7. Worker's compensation Insurance Affidavit and Insurance Certificate.

Licensee shall conform with the provisions of the Town of Uxbridge Zoning Bylaws, General Bylaws and the laws of the Commonwealth of Massachusetts.

LICENSE INFORMATION

Licenses are issued annually and expire on December 31st . The license must be posted in a conspicuous place upon the premises.

VIOLATION/PENALTY

All notices of violations and complaints received by the Board of Selectmen concerning the licensed property shall be placed in the file of the licensee.

The following shall serve as a guideline for minimum penalties/action to be taken by the Licensing Authority for license violations. These guidelines shall not preclude the Licensing Authority from taking additional action, as it may deem reasonable, necessary or appropriate in each situation:

First Offense	Second Offense	Third Offense	Fourth Offense
1-Day Suspension of License	3-Day Suspension of License (Consecutive Days)	5-Day Suspension of License (Consecutive Days)	10-Day Suspension of License (Consecutive Days)

The above penalties/actions shall commence on the day(s) specified by the Board of Selectmen. Suspension shall apply and relate to usual "business" days of the subject business.

The Licensing Authority will notify police department of any suspension to ensure the establishment is in compliance.

If any further violations occur at the establishment during the term of any suspension, the Board shall revoke the suspended license.

The licensee has the right to appeal any decision of the Board.

The Board of Selectmen enacted this policy, by vote, at its regularly scheduled meeting on 11/12/13, which was duly posted and noticed.

Tim Rice, Chair

Peter Baghdasarian, Selectman

Joe Frisk, Vice Chair

Lance Anderson, Selectman

Jennifer Modica, Clerk

Attachments: Precious Metal Dealer Permit
Worker's Comp Affidavit
CORI Form

TOWN OF UXBRIDGE
OFFICE OF THE BOARD OF SELECTMEN
21 South Main Street
Uxbridge, MA 01569-1851
508-278-8600 Fax 508-278-8605

APPLICATION FOR PRECIOUS METALS DEALER PERMIT

Please complete all information.
Application Fee $20.00
[General Bylaws Chapter 236]

Name of business: _____

Address of business: _____

Full name of applicant: _____ Date of birth: _____

Current address: _____

Business Number _____ Cell Number _____

Email Address: _____

Form of business (check one):

_____ Individual _____ Partnership _____ Association or corporation

If partnership, association or corporation:

List name and current address of all Officers, Directors of the corporation and all persons owning 10% or more of the stock in the corporation or interest in the partnership or association.

Names	Addresses
_____	_____
_____	_____
_____	_____
_____	_____

List all other names and addresses used now or in the past five years by the partnership, association or corporation:

Names	Addresses

List names of all current employees engaged in the practice of buying and selling merchandise:

Names	Addresses

The undersigned hereby applies for a license in accordance with the provisions of the statutes relating thereto.

Pursuant to MGL Chapter 62C, s. 49A, I certify under the penalties of perjury that I have, to the best of my knowledge and belief, complied with the law of the Commonwealth relating to taxes, reporting of employees and contractors.

Pursuant to MGL Chapter 152, s. 25A, I certify under the penalties of perjury that I have, to the best of my knowledge and belief, complied with the law of the Commonwealth relating to Worker's Compensation Insurance.

Signature of applicant:_____ Date: _____

cc: Board of Selectmen
Police Dept.
Zoning Enforcement Officer

Attachments: CORI Form