



CITY OF YONKERS SECONDHAND DEALER APPLICATION

20 South Broadway, 10th Floor • Yonkers, NY 10701
914-377-6808 • Email: ConsumerHelp@YonkersNY.gov

APPLICATION REQUIREMENTS

Pursuant to the provisions of the City Code of Yonkers,
All required documents must be submitted with the completed application.
Missing items will result in the delay and/or denial of the application.

1. Application signed by the applicant before a Notary Public.
Applicant must be an owner, partner or officer of the business.
2. Certificate of Occupancy listing current Corporation and/or Tenant.
To obtain Certificate or apply for Change of Tenant, contact Dept. of Housing and Buildings.
3. Business Certificate, Partnership Certificate or Articles of Incorporation.
4. Valid NY State-Issued ID.
5. Certificate of Liability Insurance (One Million Dollar Policy) listing the City of Yonkers as Additional Insured and Certificate Holder.
6. NYS Certificate of Authority Certificate issued by NYS Department of Taxation and Finance.
7. Video Camera Affidavit signed by applicant before a Notary Public.
8. Department of Housing and Buildings Inspection Report with Listed Documents.
9. Owner Affidavit completed and signed by the **owner of premises/building** before a Notary.

LICENSE FEE, TERMS AND EXPIRATION DATE

1. \$250.00 License Fee; NON-REFUNDABLE.
Payable to the City of Yonkers; *Certified Business Check OR Money Order*
2. Record Keeping; requirements include:
Description of each purchase/sale.
Photo of all gold, silver or precious metal purchases.
Name and Address of the seller (copy of ID), including date and time of purchase/sale.
3. License must be displayed in business and accessible to the public;
Refer to City Codes for Additional License Requirements.
4. Certificate of Occupancy will not be accepted without current Corporation or Tenant listed.
Change of Tenant must be applied with Dept. of Housing and Buildings prior to submitting Secondhand Dealer Application.
5. License expires December 31st following date of issuance and will not be prorated.

Mayor Mike Spano
Director Kerry O'Brien Hess



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Name:		Social Security #:	
Home Address:			
City:		State:	Zip Code:
Phone/cell #: () -			
Date of Birth: / /		Driver License State:	#:
E-mail:			
Type of Ownership: ☐ Individual ☐ Partnership ☐ LLC ☐ Corporation ☐ Other (explain)			
Name of Company:			
DBA/Trade or Display Name:			
Business Address:			
City:		State:	Zip Code:
Business Phone Number:		Web address:	
Your Title with Company:			
Request to ☐ BUY and/or ☐ SELL Type of Products/Items:			

Hold Harmless Clause

The applicant agrees to protect, defend, indemnify, and hold the City of Yonkers and its employees free and harmless from and against any and all losses, claims, liens, demands, and causes of action of every kind and character including, but not limited to the amount of judgments, penalties, interest, court cost, legal fees incurred by the City of Yonkers et al, death or damages to property (including property of the City of Yonkers et al) and without limitations by enumeration, all other claims or demands of every character occurring or in anyway incident to, in connection with, or arising directly or indirectly out of the said agreement. The applicant agrees to investigate, handle, respond to, provide defense for, and defend any such claims, demands, or suit at its sole expense and agrees to bear all other costs and expenses related thereto, even if it (claims, etc.) is groundless, false, or fraudulent.

I, _____ being duly sworn,
deposes and says that all of the answers in the foregoing application are true. I give my consent for the agency to conduct a background check to confirm any/all information provided herein.

Sworn and subscribed to before me

This ____ day of _____, 20__.

Signature of Applicant

Date

Notary Public

Mayor Mike Spano
Director Kerry O'Brien Hess

20 South Broadway
3rd Floor
Yonkers, NY 10701

CITY OF YONKERS
CONSUMER PROTECTION BUREAU
COMPANY INFORMATION FORM

Phone 914-377-6808
Fax 914-377-6811
Email ConsumerHelp
@YonkersNY.gov

You must list EACH additional owner, partner and officer involved with the company:
(use additional sheets, if necessary) *If none, initial here: _____

Name:	Title:	SS#:
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Home Address:

Name:	Title:	SS#:
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Home Address:

Name:	Title:	SS#:
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Home Address:

Name:	Title:	SS#:
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Home Address:

You must list ALL unsatisfied judgments in which the applicant, partner(s) or officer(s) are named
as judgment debtor:
(use additional sheets, if necessary) *If none, initial here: _____

Judgment Debtor	Judgment Creditor	Disposition / Court	Date

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PREMISES/BUILDING OWNER AFFIDAVIT Consent to Operate as a Secondhand Dealer

IN THE MATTER OF: _____,
APPLICANT'S NAME

APPLICANT FOR LICENSE TO OPERATE A SECONDHAND DEALER AT:

BUSINESS NAME

ADDRESS

STATE OF NEW YORK)
COUNTY OF _____) :SS

I, _____, being duly sworn depose and say that:
PREMISES/BLDG. OWNER

_____ is the owner of the land and
PREMISES/BLDG. OWNER/CORP NAME

improvement located at the address named above where the Secondhand Dealer is to be operated. The deponent individually, as such owner, or on behalf of said corporation as its duly authorized officer and managing agent, hereby consents that the applicant named above may maintain a Secondhand Dealer, until said consent is terminated in writing and a copy of such termination is transmitted by certified mail, return receipt requested, to the Consumer Protection Bureau. Deponent warrants that he or she is authorized to make this affidavit and the statements and representations contained herein.

Signature of Premises/Building Owner Date

SWORN TO BEFORE ME THIS

_____ DAY OF _____, 20____

NOTARY

Mayor Mike Spano
Director Kerry O'Brien Hess

CITY OF YONKERS
DEPARTMENT OF HOUSING AND BUILDINGS Phone:914-377-6500
INSPECTION REPORT

For Information Contact Dept. of Housing and Buildings: (914) 377- 6500

Type of Business:

☐ YES. If YES, attach current Certificate of Occupancy.

☐ NO. If NO , a CHANGE OF TENANT must be filed with Dept. of Housing and obtained prior to submitting application/renewal with Consumer Protection.

☐ YES. If YES, attach the annual DOH-1013 test report.
☐ NO.

☐ YES. If YES, attach the annual NFPA-25 Sprinkler test report.
☐ NO.

☐ YES. If YES, attach annual NFPA Fire Alarm test report and monitoring agreement.

☐ NO.

☐ YES. If YES, attach licensed Electricians' notarized report on Electricians' letterhead.

☐ NO. If NO, licensed Electrician must file Electrical Permit to install lights with Building Dept. prior to submitting application with Consumer Protection.

☐ YES. If YES, attach current Sign Permit.
☐ NO.

VIDEO CAMERA SYSTEM CODE REQUIREMENTS

84-1 Video camera systems required.

It shall be required that the following business establishments: businesses that are licensed to sell alcohol by the State of New York to the public for consumption, either on or off premises; businesses whose premises are regularly open to the public for any amount of time between the hours of 12:00 midnight and 4:00 a.m.; check-cashing businesses; licensed secondhand dealers that buy and sell precious metals; pharmacies that are licensed by the State of New York; and pawn shops that are licensed by the City of Yonkers (hereinafter collectively referred to in this chapter as "businesses") install and maintain a video camera system (hereinafter referred to as "system") that conforms with the following requirements:

- A.** The video cameras shall be installed at or near each and every entrance or exit regularly used by customers or employees. Said cameras shall be positioned so as to view and record a full frame of the individual's face as he/she is entering and/or exiting the business establishment, and to the extent practicable, activity within 15 feet of the area around each entrance or exit.
- B.** The video cameras shall be sufficiently light sensitive and provide sufficient image resolution (supported by additional lighting if necessary) to produce easily discernible and accurate facial images recorded at all times.
- C.** The video camera shall record at a minimum speed of eight frames per second.
- D.** The video cameras images shall be capable of being viewed through use of appropriate technology, including but not limited to a computer screen or closed-circuit television monitor.
- E.** The video recorder shall be digital in nature and be capable of transferring the recorded images to a portable, digital form of media.
- F.** The video cameras are not required to have audio capability.
- G.** The video cameras shall be maintained in good working condition.
- H.** The video cameras shall be in operation and recording during all hours of operation of the business and for two hours after the business closes.
- I.** The recordings made by video cameras installed and maintained pursuant to this section shall be indexed by dates and times.

84-2 Operating procedures.

The businesses subject to the provisions of this chapter must comply with the following requirements in relation to the preservation of the recordings, storage of the system, availability of recordings, dissemination of recordings, inspection of systems and certification of compliance:

- A.** The recordings made by video cameras installed and maintained pursuant to this chapter must be preserved for a minimum of 30 days.
- B.** The recordings made by video cameras installed and maintained pursuant to this chapter must be made available to the City of Yonkers Police Department for purposes of an official investigation or when approved by the Police Commissioner or his/her designee.
- C.** The recordings must be turned over to the City of Yonkers Police Department upon its demand while the business is open and/or as soon as possible if the business is closed.
- D.** All recordings made by video cameras installed and maintained pursuant to this chapter while in possession of the business shall be stored in a locked receptacle, preferably located in a controlled access area, to which only authorized personnel may have access, or shall otherwise be secured so that only authorized personnel may access such video recordings.
- E.** The establishment shall keep a log of all instances of requests for, access to, dissemination and use of recorded materials made by video cameras installed and maintained pursuant to this chapter. Copies of the access log shall be provided to the City of Yonkers Police Department upon demand.
- F.** The video camera system must be available to the City of Yonkers Building Department and Police Department for inspection at all times, during such time that the business is open to the public, to ensure compliance with the requirements set forth in this chapter.
- G.** Each business establishment subject to the provisions of this chapter shall submit a certification report to the Police Department, on a form prescribed by said department, by January 31 of each year. The report shall certify that the business has complied with this chapter.

84-3 Installation of video cameras.

The businesses subject to the provisions of this chapter must comply with the New York State Uniform Fire Prevention and Building Code and the rules and regulations promulgated thereunder and the Code of the City of Yonkers when installing and maintaining the video camera system.

84-4 Extension of time for compliance.

In the event the business demonstrates a good reason why it cannot meet the date set for obtaining a video camera system, the Police Commissioner, or his/her designee, may for such good reason stated grant one extension of time to comply with this chapter, such time not to exceed six months.



City of Yonkers
POLICE DEPARTMENT
104 South Broadway
Yonkers, New York 10701
(914) 377-7235

VIDEO CAMERA AFFIDAVIT

I _____, the owner of

APPLICANT'S NAME

_____, located at

BUSINESS NAME

BUSINESS ADDRESS

have read and understand *Chapter 84. Video Camera Systems* of the City Code of Yonkers. I also understand that failure to fully comply with *Chapter 84* is a Class III offense, except that any violation of 84-2A, B, C, D and E shall be a Class I offense. The above Business may be inspected by the Yonkers Police Department at any time to ensure compliance.

Business Contact Number : _____

E-Mail Address: _____

Applicant Signature & Date: _____

SUBSCRIBED AND SWORN TO BEFORE ME

THIS _____ DAY OF _____, 20____.

NOTARY PUBLIC

KEEP FOR YOUR REFERENCE

Section 31-209. Restrictions.

All persons, who possess a Secondhand Dealers license, shall;

A. Not falsely or fraudulently misrepresent the quantity, character or quality of any article offered for sale or offer for sale any non-wholesome, tainted or diseased provisions or merchandise.

B. Keep the premises and used by the licensee in a clean and sanitary condition and the offered for sale items well-dusted and insect free.

C. Not create or maintain any booth or stand or place any barrels, boxes, crates or other obstructions upon any street or public place for the purpose of selling or exposing for sale any goods, wares or merchandise.

D. Not engage in any selling activities at any place other than the place of business designated in such license.

E. Not purchase any secondhand goods, articles, or things from any person whom he or she knows to be or has reason to believe is under the age of 18 years.

F. Not sell or dispose of any secondhand goods, articles, or things until the expiration of fifteen (15) business days after the acquisition by such dealer of such articles.

G. Not purchase any secondhand goods, articles, or things from any person between the hours of 12:00 a.m. and 6:00 a.m.

Section 209.1 Refusal, Suspension and Revocation of a license.

In addition to any of the powers that may be exercised by the Director, pursuant to the Code of the City of Yonkers, the Director, after notice and an opportunity to be heard, may refuse to issue or renew, or may suspend or revoke, a license required under this Article if the applicant or licensee, or any of its general partners, members, principals, officers or directors, or any of its stockholders owning more than ten percent of the outstanding stock of the corporation, for any one of the following causes:

A. Fraud, misrepresentation or bribery in securing a license.

B. The making of any false statement as to a material matter in any application for a license.

C. The business transactions of the licensee or applicant have been marked by a practice of failure to perform its contracts or the manipulation of assets or accounts, or by fraud or bad faith.

D. Failure to display the license as provided in this article.

E. Violation of any provision of this article or of any rule or regulation adopted hereunder.

Section 31- 209.2 Record of purchase and sales.

A. Every dealer in secondhand articles shall keep a book in which shall be legibly written in English, at the time of every purchase and at the time of every sale, a description of every article so purchased or sold, the number or numbers and any monograms, inscription or other marks of identification that may appear on such article, a description of the articles or pieces comprising old gold, silver, platinum, or other metals or gems or jewelry, and any monogram, inscription or marks of identification thereon, the name, residence and general description of the person from whom such purchase was made or to whom sold and the day and hour of the purchase or sale.

B. Such book, at all reasonable times, shall be open to the inspection of any officer or employee of the Office of Consumer Protection, Police Officer, to the Director, the Commissioner, or any judge of the court of the Unified Court System, or any person duly authorized in writing for such purposes by the Director, Commissioner or by any judge of the Unified Court System, who shall exhibit such written authority to the dealer. All records shall be maintained for a period of not less than two years.

C. Every dealer who purchases or sells gold, silver, platinum or other precious metals or gems or jewelry, shall keep a separate book or record containing a clear photograph of such item or items sold or purchased, a copy of the forms of identification presented by the seller and a telephone number and address at which the seller may be contacted, whose identity shall be confirmed upon presentation of one form of identification, in addition to such other information contained in Section 31-209.2 (a). All records shall be maintained for a period of not less than two years.

Section 31-209.3 Report to the Director or Commissioner.

Every dealer in secondhand articles, upon being served with a written notice to do so by a officer or employee of the Office of Consumer Protection or a member of the Police Department, shall report to the Director or Commissioner, a copy of the records required to be kept under section 31-209.2 of this Article, of all goods or articles or any part thereof, purchased, received or sold in the course of his or her business, during the days specified in such notice.

Section 31-210. Lost or Stolen Property.

A. If any goods or articles shall be advertised in any newspaper published in the City of Yonkers as having been lost or stolen, and if any goods or articles answering such advertised description or any part thereof, shall be in or come onto the possession of any Secondhand Dealer, upon receiving written or oral notice to do so, such Secondhand Dealer shall give information thereof in writing to the Commissioner.

B. Every Secondhand Dealer who shall have or receive any goods, or articles lost or stolen, or alleged or supposed to have been lost or stolen, shall exhibit the same, on demand, to the Commissioner, to any City of Yonkers police officer, Director, or to any judge of the court of the Unified Court System, duly authorized in writing by the Commissioner, Director or by any judge of the Unified Court System, who shall exhibit such written authority to the Secondhand Dealer.

Section 31-211 Sign for New and Secondhand articles.

Every Secondhand Dealer who also sells new articles within the licensed premises, shall have a sign of not less than two hundred sixteen square inches with letters thereon not less than two inches in height prominently displayed within the established place of business where said articles are sold, informing the public that new articles and secondhand articles are sold within said department or area.

Section 31-212. Labeling.

Every Secondhand Dealer, who also sells new articles within the Established Place of Business, shall label all second articles in such manner that the public will be informed thereof.

Section 31-213. Penalties for offenses.

A violation of this chapter shall constitute a Class II offense, except for a violation of Section 31-209.2 which shall be a Class I offense.