

OFFICE OF THE CLERK OF THE LEGISLATURE

Christopher A. Jones
Clerk of the Legislature
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NOTICE OF ADOPTION

Per Section 214 of the County Law, you are hereby notified that on April 13, 2017, the Oswego County Legislature adopted the following:

**COUNTY OF OSWEGO LOCAL LAW NUMBER 1 OF 2017
“A LOCAL LAW AMENDING LOCAL LAW NUMBER 3 OF THE YEAR 2016
REGULATING SECONDHAND DEALERS REGARDING THE SALE AND
PURCHASE OF SECONDHAND ARTICLES WITHIN THE COUNTY OF OSWEGO”**

Copies of Local Law #1 of 2017 are posted in the Oswego County Courthouse on East Oneida Street in Oswego, at the County Clerk’s Office at 46 E. Bridge Street in Oswego and are available upon request to Christopher Jones, Clerk of the Legislature at 46 E. Bridge Street, Oswego, NY 13126, by phone at 315-349-8230 or by e-mail at chris.jones@oswegocounty.com

By Order of the Oswego County Legislature
April 13, 2017
Christopher A. Jones, Clerk

**COUNTY OF OSWEGO
LOCAL LAW NUMBER 1 OF 2017**

**“A LOCAL LAW AMENDING LOCAL LAW NUMBER 3 OF THE
YEAR 2016 REGULATING SECONDHAND DEALERS
REGARDING THE SALE AND PURCHASE OF SECONDHAND
ARTICLES WITHIN THE COUNTY OF OSWEGO”**

**BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF OSWEGO AS
FOLLOWS:**

1. **Purpose and Intent.** The Legislature of the County of Oswego heretofore has adopted Local Law Number 3 of 2016 regulating secondhand dealers and secondhand articles within the County of Oswego. The County Legislature finds and determines that amendments are necessary to clarify definitions in the local law and to amend record keeping requirements. This local law amends certain sections of Local Law Number 3 of 2016 regarding definitions and records to be maintained by secondhand dealers within the County of Oswego.

2. **Amendments to Local Law Number 3 of 2016**

Local Law Number 3 of 2016 shall be AMENDED as follows:

Section 2. Definitions...

- 2(b) “Secondhand Article” for the purposes of this enactment shall mean precious metals; jewelry, watches, earrings, rings, broaches, or similar items containing precious metals in whole or in part typically worn upon a persons for adornment; semi precious bullion, coins, or stones including diamonds, rubies, emeralds, topaz; televisions; cameras; antiques, tools; video and other digital recording equipment; video game consoles including any version of Playstation or Xbox; portable GPS units commonly used in motor vehicles and hand held GPS units, portable MP3 music players including IPods, computers; laptop computers; cell phones and tablet computers and iPads...

- 2(f) “Tools” shall mean power or hand tools commonly used in construction, such as lathes, forms, scaffolds, ladders, saws, chain saws, lawn and garden equipment, drill presses, table saws, band saws, electric welders, welding tanks, welding equipment, generators and pumps.

Section 11. Records to be Maintained by Secondhand Dealer

- 11.(a). Seller Information. Except as otherwise provided herein, no Secondhand Dealer operating within Oswego County shall acquire any Secondhand Article unless such Secondhand Dealer has obtained and recorded the following information: ...
 - (iv) A photograph of the secondhand article;...

The information shall be recorded on a written receipt, which shall be numbered in consecutive order and maintained in the Secondhand Dealer's records as provided for herein.

Additionally, every Secondhand Dealer shall electronically report each article purchased using an online real-time computer database approved by the Oswego County Sheriff by close of business on the day the article received. Such reporting will include the required information described in subsections (a) and (b) of Section 11 of this Local Law.

In the absence of an approved real-time online computer database, the reporting shall occur every Friday, before the hour of 10:00 AM, on electronic forms to be provided by the Oswego County Sheriff. The Secondhand Dealer shall forward a correct copy of records required by Section 11, subparagraphs (a) and (b), of all articles purchased within the preceding seven (7) day time period and MUST deliver the information via e-mail to an address designated by the Oswego County Sheriff. Photographs, are NOT to be transmitted with these records. Nothing in this section shall be construed as to prevent the Oswego County Sheriff from requesting the form required hereunder to be filed on such other date or at such other times and frequency as exigency or law enforcement need may require.

The Sheriff shall promulgate by rule the format and requirements of a real time, online reporting system and/or the transmission of data and may restrict the scope of the items that are to be electronically reported.

3. **Severability:** If any part of this Local Law or the application thereof to any person or circumstance should be adjudged to be invalid by any Court of competent jurisdiction, such judgment shall be confined in its operation to the application, part or provision of this Local Law directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the rest and remainder of this Local Law or the application thereof to other persons or circumstances and the Oswego County Legislature hereby declares that it would have passed this Local Law or the remainder of it had such invalid application or provision been apparent.
4. **Effective Date.** This local law shall take effect April 15, 2017.