



HISTORIC
FRANKLIN
TENNESSEE

ITEM #8
WRKS 07/13/2010

MEMORANDUM

July 13, 2010

TO: City of Franklin Board of Mayor and Aldermen

FROM: Eric Stuckey, City Administrator *ES*
Kristen L. Corn, Staff Attorney

SUBJECT: Ordinance 2010-54 – Registration for Scrap Metal, Antique, Jewelry, and Precious Stone and Metal Dealers

Purpose

The purpose of this memorandum is to provide the Board of Mayor and Aldermen (BOMA) with information to consider Ordinance 2010-54 that addresses the registration of antique, used and scrap jewelry and precious stone and metal dealers.

Background

The Municipal Code addresses certain registration requirements for antique, used and scrap jewelry and precious stone and metal dealers. Specifically, it is the duty of all persons, firms or corporations located within the corporate limits of the City of Franklin who deal in the purchase, sale or exchange of antique, used, or scrap jewelry or any precious stones or metals, or any valuable metals such as copper, brass, aluminum, and the like, for the purpose of resale of any item in original form or as changed by remounting, melting, reforming, remolding or recasting, or for resale as scrap or in bulk, to register with the Chief of Police of the City. This applies to all those dealers except those who deal solely in the coin business. Until last year, this provision essentially mirrored the state law regarding this issue, but in 2009, the state legislature modified this law to add another exception to this registration requirement: Transactions between dealers, when the selling dealer has previously complied with the registration requirements, do not have to be registered. Ordinance 2010-54 will bring our Code directly in line with this amended state statute.

Financial Impact

There is no anticipated financial impact.

Recommendation

Approval of Ordinance 2010-54 which amends the Municipal Code Title 9, Chapter 8 to comply with a recently modification by the state legislature in the Tennessee Code Annotated is recommended.

ORDINANCE 2010-54

TO BE ENTITLED, "AN ORDINANCE AMENDING THE CITY OF FRANKLIN MUNICIPAL CODE TITLE 9, CHAPTER 8, RELATIVE TO THE REGISTRATION ANTIQUE, USED AND SCRAP JEWELRY AND PRECIOUS STONE AND METAL DEALERS."

WHEREAS, the City of Franklin Municipal Code and the Tennessee Code Annotated provide that antique, used or scrap jewelry and precious metals dealers must register with the chief of police of each city in which the activity is carried on; and

WHEREAS, Tennessee Code Annotated §38-1-201 has been amended by the Tennessee General Assembly to provide another exception for said registration; and

WHEREAS, the Board of Mayor and Aldermen desires to update the Franklin Municipal Code to reflect this amendment.

NOW, THEREFORE:

SECTION I: BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FRANKLIN, Tennessee, Section 9-801 of the Franklin Municipal is hereby amended to add the following text noted in **bold**, and is approved to read as follows:

"TITLE 9, CHAPTER 8

Sec. 9-801 – Registration.

It shall be the duty of all persons, firms or corporations located within the corporate limits of the City of Franklin who deal in the purchase, sale or exchange of antique, used, or scrap jewelry or any precious stones or metals, or any valuable metals such as copper, brass, aluminum, and the like, for the purpose of resale of any item in original form or as changed by remounting, melting, reforming, remolding or recasting, or for resale as scrap or in bulk, to register with the Chief of Police of the City of Franklin, Tennessee. The provisions of this chapter shall not be applicable to **(a)** any person, firm or corporation purchasing or otherwise dealing solely in the coin business; **or (b) any transaction between dealers when the selling dealer has previously complied with the requirements described in Sections 9-802 and 9-803.**"

SECTION II. BE IT FINALLY ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FRANKLIN, Tennessee, that this Ordinance shall take effect from and after its passage on second and final reading, the public health, safety and welfare requiring it.

ATTEST:

CITY OF FRANKLIN, TENNESSEE

BY: _____

ERIC S. STUCKEY
City Administrator

BY: _____

JOHN C. SCHROER
Mayor

PASSED FIRST READING
PASSED SECOND READING

