

87 Nepperhan Ave  
Room 212  
Yonkers, NY 10701

CITY OF YONKERS  
SECOND HAND DEALER  
LICENSE APPLICATION

Phone: 914-377-3000  
Fax: 914-377-6811  
Website:  
www.YonkersNY.gov

**INSTRUCTIONS FOR USING THIS FORM**

**Please Note:**

**If the required supporting documents are not submitted with the application, it will result in the delay and/or denial of the application.**

**Requirements:**

1. Application must be signed by the applicant before a Notary Public.
2. If applicant is a member of a partnership or sole proprietor of the business and it is located within the County of Westchester, a copy of the Business Certificate obtained from the County Clerk (995-2000) of Westchester County must be provided. If applicant is a corporation, copy of Certificate of Incorporation or filing receipt must be submitted.
3. Provide a copy of a valid NYS Driver's License issued by the Motor Vehicle Department. If you do not have NYS Driver's License, a copy of a Motor Vehicle issued NY State ID Card is required.
4. Must be submit a Certificate Of Insurance for \$10,000 with the City of Yonkers listed as certificate holder.
5. Application must be submitted with a copy of the New York State Certificate of Authority for Sales Tax. If you do not have this certificate you should call the Department of Taxation & Finance at (914) 933-2204.
6. Make checks payable to the City of Yonkers.
7. Every Second Hand Dealer must keep a book to include: the description of every purchase and sale; a photo of all gold, silver or precious metal purchases, the name and address of the seller (copy of ID) and the date and time of purchase or sale. See complete list of requirements attached.
8. All licenses must be clearly displayed in the place of business, accessible to the public.

**LICENSING FEES AND EXPIRATION DATE**

\$250.00/term  
License expires December 31st, following date of issuance.

**INFORMATION FOR ALL OWNERS, PARTNERS, CORPORATE OFFICERS**

NAME	ADDRESS	SOCIAL SECURITY #	PHONE #

Mike Spano, Mayor  
Kerry O'Brien Hess, Director

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Pursuant to the provisions of the Code of the City of Yonkers, I the undersigned respectfully petition for the below-listed license in the City of Yonkers, and for that purpose, I hereby provide the following answers to the questions contained herein.

Name: \_\_\_\_\_ Social Security #: \_\_\_\_\_

Home Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Home Phone #: \_\_\_\_\_ Cell #: \_\_\_\_\_ E-mail: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Sex: \_\_\_\_\_ Height: \_\_\_\_\_ Hair Color: \_\_\_\_\_ Eye Color: \_\_\_\_\_

Are you a citizen of the United States? \_\_\_\_\_

If not, please provide a copy of your INS A Card and #: \_\_\_\_\_

DBA or Corporate Name: \_\_\_\_\_

Address: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ E-mail: \_\_\_\_\_

Have you ever been arrested or convicted of a crime? \_\_\_\_\_

If yes, explain: \_\_\_\_\_

Type of Goods to be purchased/sold: \_\_\_\_\_

Name of premises: \_\_\_\_\_

Address: \_\_\_\_\_ Telephone: \_\_\_\_\_

Is property owned or leased by applicant? \_\_\_\_\_

If leased, give names and addresses of owners: \_\_\_\_\_

Has applicant ever had a previous license? \_\_\_\_\_ If yes, what type of license: \_\_\_\_\_

Has applicant ever had a license denied or revoked? \_\_\_\_\_

If yes, provide explanation: \_\_\_\_\_

Mike Spano, Mayor  
Kerry O'Brien Hess, Director



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

STATE OF NEW YORK )  
COUNTY OF WESTCHESTER ) SS:  
CITY OF YONKERS )

I, \_\_\_\_\_,

Being duly sworn, depose and state that I am \_\_\_\_\_ years of age, being born on the  
\_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, in the City/Town/Village of \_\_\_\_\_  
\_\_\_\_\_, in the State of \_\_\_\_\_.

I presently reside at \_\_\_\_\_,  
in the City/Town/Village \_\_\_\_\_,  
State of \_\_\_\_\_, with my \_\_\_\_\_.

I am presently employed as a \_\_\_\_\_,  
by \_\_\_\_\_.

I do hereby solemnly swear under oath that I have never been arrested or convicted of  
any crime, anywhere or at any time.

I make this statement with full knowledge that if same is not the truth, I will be liable  
to the criminal charge of perjury for giving false information.

Signed: \_\_\_\_\_

Witness: \_\_\_\_\_

Witness: \_\_\_\_\_

SUBSCRIBED AND SWORN TO BEFORE ME

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_

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I, \_\_\_\_\_, being duly sworn, deposes and says that all of the answers in the foregoing application are true.

Signature/Date: \_\_\_\_\_ Print name: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

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Mike Spano, Mayor  
Kerry O'Brien Hess, Director

**\*KEEP FOR YOUR REFERENCE\***

**Section 31-209. Restrictions.**

All persons, who possess a Second Hand 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 Second-Hand 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 Second Hand 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 Second Hand 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 Second-Hand 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 Second-Hand 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 Second Hand Dealer, upon receiving written or oral notice to do so, such Second Hand Dealer shall give information thereof in writing to the Commissioner.

B. Every Second Hand 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 Second Hand Dealer.

**Section 31-211 Sign for New and Second Hand articles.**

Every Second Hand 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 second-hand articles are sold within said department or area.

**Section 31-212. Labeling.**

Every Second Hand 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.

#### § 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.

**§ 84-5 Penalties for offenses.**

The violation of any provision of this chapter shall be a Class III offense except that any violation of § 84-2A, B, C, D and E shall be a Class I offense.



# Yonkers Police Department

104 South Broadway  
Yonkers, New York 10701

I \_\_\_\_\_, the owner of

*PRINT NAME*

\_\_\_\_\_ located at

*PRINT NAME OF BUSINESS*

\_\_\_\_\_

*PRINT ADDRESS*

Telephone Number \_\_\_\_\_ E-Mail 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.

\_\_\_\_\_ Date \_\_\_\_\_

*Signature*

Sworn and subscribed to before me  
This \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public or Commissioner of Deeds

**\*PLEASE RETURN THIS COMPLETED FORM TO THE CPB: 87 Nepperhan Ave. Yonkers, NY 10701**