

A BILL FOR AN ORDINANCE AMENDING CHAPTER )  
5.28 OF THE LEBANON MUNICIPAL CODE AND )  
DECLARING AN EMERGENCY. )

ORDINANCE BILL NO. 1  
for 1984  
ORDINANCE NO. 1925

THE CITY OF LEBANON ORDAINS AS FOLLOWS:

Section 1. Sub-section D of Section 5.28.010 of the Lebanon Municipal Code is hereby amended to read as follows:

D. "Secondhand dealer" means any person engaged in the business of buying, selling or otherwise dealing in secondhand goods, either as a separate venture or incidental to another business; provided, however, that a person who receives secondhand goods solely by donation or solely in trade on new merchandise shall not be considered a secondhand dealer. The term secondhand dealer does not include the following:

1. A person engaged in the business of buying and selling used automobiles;
2. A person engaged in business as an antique dealer, where the majority of the items bought and sold are at least fifty (50) years old;
3. A person conducting a "garage sale" or "yard sale".

Section 2. Section 5.28.010 of the Lebanon Municipal Code is hereby further amended to add a new Sub-section E as follows:

E. "Garage sale" or "yard sale" means the sale of used personal items from a place of residence on an irregular and temporary basis. Any person who conducts a "garage sale" or "yard sale" more than six (6) days in any one calendar year is a "secondhand dealer" and is required to be licensed as provided in this Chapter."

Section 3. Section 5.28.030 of the Lebanon Municipal Code is hereby amended to read as follows:

"5.28.030 License-Required.

No person shall engage in any business as an "auto wrecker", "pawnbroker", "secondhand dealer" or assist in the conducting of any such business, without first obtaining a license as required by this Chapter."

Section 4. Section 5.28.050 of the Lebanon Municipal Code is hereby amended to read as follows:

"5.28.050 License-Fee.

There shall be no fee required for the license or for the permit required by this Chapter."

Section 5. It is necessary for the health, safety, comfort and convenience of the people of the City of Lebanon that this Ordinance have an immediate effect. Therefore, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect immediately upon its passage and approval.

Passed by the Council of the City of Lebanon by a vote of 6 for and 0 against and approved by the Mayor this 11th day of January, 1984.

  
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Mayor

ATTEST:

  
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Recorder