



Legislation Details (With Text)

File #: 181769 **Version:** 1
Type: Ordinance **Status:** Passed
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On agenda: **Final action:** 3/26/2019
Effective date:
Title: A substitute ordinance relating to the licensing of automated recycling kiosks.
Sponsors: THE CHAIR
Indexes: RECYCLING
Attachments:

Date	Ver.	Action By	Action	Result	Tally
2/28/2019	0	COMMON COUNCIL	ASSIGNED TO		
3/5/2019	0	LICENSES COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	3:0
3/26/2019	1	COMMON COUNCIL	PASSED	Pass	15:0
4/5/2019	1	MAYOR	SIGNED		

181769
SUBSTITUTE 1

THE CHAIR

A substitute ordinance relating to the licensing of automated recycling kiosks.

92-2-1-b rn
92-2-1-b cr
92-2-1-c rn
92-2-1-d rn
92-2-1-e rn
92-2-1-f rn
92-2-1-g rn
92-2-1-g am
92-2-1-h rn
92-2-6-i cr

This ordinance requires a secondhand dealer license for any entity operating, owning or leasing an automated recycling kiosk for the purchase, sale or exchange of any secondhand articles of personal property.

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part. 1: Section 92-2-1-b to g of the code is renumbered 92-2-1-c to h.

Part 2: Section 92-2-1-b of the code is created to read:

92-2. Secondhand Dealer's License.

1. DEFINITIONS.

b. "Automated recycling kiosk" means an interactive device that meets all of the following requirements:

b-1. Is installed in a secure retail space.

b-2. Has the following technological functions:

b-2-a. Verification of a seller's identity by remote examination of a government-issued identification card by a live representative during all hours of operation.

b-2-b. Secure storage of articles accepted by the kiosk for recycling.

b-2-c. Capture and storage of images of the seller and the article purchased during the transaction.

b-2-d. Electronic reporting of all transactions to law enforcement.

Part 3: Section 92-2-1-g of the code is amended to read:

g. "Secondhand dealer" means any person, firm, partnership, corporation or association operating, owning or leasing a fixed place of business >>or automated recycling kiosk<< for the purchase, sale or exchange of any secondhand articles of personal property.

Part 4: Section 92-2-6-i of the code is created to read:

i. A secondhand dealer operating an automated recycling kiosk may store items acquired at the kiosk in a secure off-site location and must retain an item stored under this subsection for 30 days, and upon request, return that item to a law enforcement officer of this state within 3 business days without cost.

APPROVED AS TO FORM

Legislative Reference Bureau

Date: _____

IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney

Date: _____

LRB 173761 - 2
Aaron Cadle
March 4, 2019