

JUNK DEALER/JUNK COLLECTOR LICENSES

Minimum Requirements for a Junk Dealer or Junk Collector License

1. Approval must be received from Building Inspector prior to submitting application. Plan of premises must be submitted to Building Inspector for his review.
2. Police Investigation is required.
3. Application must have plan of premises attached when submitted to the Board of Selectmen
4. Applicants will be verified with the Finance Department for monies owed to the Town of Walpole.
5. Copy of Corporation or Business Certificate from Town Clerk's Office.
6. All statutory requirements as provided in the General Laws must be complied with
7. \$75.00 due for each license.
8. Copy of Worker's Compensation Policy and/signed affidavit with appropriate boxes checked.

All applicants must check with the Building Inspector's Office and the Board of Health regarding any other necessary permits that may be required.

This license is subject to revocation for cause.

Definition

Junk Dealer –Required for any person who sells or buys junk (second hand articles) (Keeper of a shop). Limited to activity within the Town which issues the license.

Junk Collector – Is a person who goes from place to place to collect junk, old metals and second hand articles.

APPLICATION FOR LICENSE OR PERMIT



TOWN OF WALPOLE COMMONWEALTH OF MASSACHUSETTS

DATE: _____, 200__

I, _____, hereby make application to the
Board of Selectmen of the Town of Walpole, Massachusetts for a

Type of License: Junk Collector \$75.00

Date: _____

Hours: _____

License/Permit to be made out in the name of _____

Address _____

Is this your first application for a license/permit? _____

Is this a renewal of a license/permit? _____

SIGN YOUR NAME IN FULL: _____

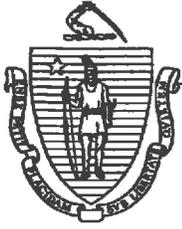
RESIDENTIAL ADDRESS: _____

TELEPHONE: _____

Application

Approval Date: _____

Restrictions: _____



The Commonwealth of Massachusetts
 Department of Industrial Accidents
 Office of Investigations
 600 Washington Street
 Boston, MA 02111
 www.mass.gov/dia

Workers' Compensation Insurance Affidavit: General Businesses

Applicant Information

Please Print Legibly

Business/Organization Name: _____

Address: _____

City/State/Zip: _____ Phone #: _____

Are you an employer? Check the appropriate box:

- 1. I am an employer with _____ employees (full and/or part-time).*
- 2. I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required]
- 3. We are a corporation and its officers have exercised their right of exemption per c. 152, §1(4), and we have no employees. [No workers' comp. insurance required]**
- 4. We are a non-profit organization, staffed by volunteers, with no employees. [No workers' comp. insurance req.]

Business Type (required):

- 5. Retail
- 6. Restaurant/Bar/Eating Establishment
- 7. Office and/or Sales (incl. real estate, auto, etc.)
- 8. Non-profit
- 9. Entertainment
- 10. Manufacturing
- 11. Health Care
- 12. Other _____

*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.

**If the corporate officers have exempted themselves, but the corporation has other employees, a workers' compensation policy is required and such an organization should check box #1.

I am an employer that is providing workers' compensation insurance for my employees. Below is the policy information.

Insurance Company Name: _____

Insurer's Address: _____

City/State/Zip: _____

Policy # or Self-ins. Lic. # _____ Expiration Date: _____

Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date).

Failure to secure coverage as required under Section 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

I do hereby certify, under the pains and penalties of perjury that the information provided above is true and correct.

Signature: _____ Date: _____

Phone #: _____

Official use only. Do not write in this area, to be completed by city or town official.

City or Town: _____ Permit/License # _____

Issuing Authority (circle one):

- 1. Board of Health
- 2. Building Department
- 3. City/Town Clerk
- 4. Licensing Board
- 5. Selectmen's Office
- 6. Other _____

Contact Person: _____ Phone #: _____

Pursuant to M.G.L. Ch. 62C, sec. 49A, I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes required under law.

Social Security Number of Federal
Identification Number

Signature of Individual or
Corporate Name

by: _____
Corporate Officer
(If applicable)

Chapter 361

JUNK DEALERS AND COLLECTORS

§ 361-1. License and other requirements.

§ 361-2. Operational regulations.

[HISTORY: Adopted by the Town Meeting of the Town of Walpole as Article XVI of the 1973 General Bylaws, as updated through 2002. Subsequent amendments noted where applicable.]

GENERAL REFERENCES

Secondhand vehicle dealers — See Ch. 459.

§ 361-1. License and other requirements. [Amended 5-11-2005 SATM, Art. 57; 5-3-2006 SATM, Art. 40]

The Board of Selectmen may, pursuant to the General Laws of the Commonwealth and the local Zoning Bylaws, license suitable persons to be dealers in and keepers of shops for the purchase, sale and barter of junk, old metals, second-hand articles, precious metals and precious stones in the Town. They may license suitable persons as junk collectors to collect, by purchase or otherwise, junk, old metals, second-hand articles, precious metals and precious stones from place to place in the Town; and they may provide that such collectors shall display badges on their persons or their vehicles or upon both, when engaging in collecting, transporting or dealing in junk, old metals or second-hand articles, precious metals and precious stones, and may prescribe the design thereof. They may also provide that such shops and all articles of merchandise thereof and any place, vehicle or receptacle used for the collection or keeping of the articles aforesaid, may be examined at all times by the Chief of Police or by any police officer so authorized or the Building Inspector. They may also require screening of such merchandise which is kept outside the structures on the premises for more than a twelve-hour period to be screened from view of abutting public or private ways by screening consisting of natural vegetation (trees or shrubs) or fencing, the adequacy and design of which shall be subject to review by the Planning Board.

§ 361-2. Operational regulations.

Every keeper of a shop for the purchase, sale or barter of junk, old metal or second-hand articles, precious metals and precious stones, within the limits of the Town shall keep a book in which shall be written at the time of every purchase or any such article, a description thereof, the name, age and residence of the person from whom, and the day and hour when such purchase was made; such book shall at all times be open to the inspection of the Board of Selectmen or any other person by them authorized to make such inspection, and every keeper of such shop shall put in a suitable and conspicuous place on his shop, a sign having his name and occupation legibly inscribed thereon in large letters and such shop and all articles of merchandise therein may be at all times examined by the Chief of Police or by any police officer by him authorized or by the Building Inspector to make such inspection; and no

keeper of such shop and no junk collector shall, directly or indirectly either purchase or receive by way of barter or exchange, any of the articles aforesaid of a minor or apprentice knowing or having reason to believe him to be such; and no articles purchased or received by such shopkeeper shall be sold until at least 14 days from the date of its purchase or receipt has elapsed. Such shop shall be closed between the hours of 9:00 p.m. and 7:00 a.m. and no keeper thereof and no junk collector shall purchase any of the articles aforesaid during such hours.

Junk Dealer Collects

EXTRACTS FROM GENERAL LAWS, CHAPTER 140, AS AMENDED

Section 55. Whoever acts as a collector of, dealer in or keeper of a shop for the purchase, sale or barter of junk, old metals or second hand articles without a license, or in any other place or manner than that designated in his license or after notice to him that his license has been revoked, or violates any such rule, regulation or restriction, shall forfeit twenty dollars. The purchase, sale or barter of books, prints, coins or postage stamps shall not be deemed to be the purchase, sale or barter of second hand articles within the meaning of this and the preceding section.

Section 56. A junk collector shall be deemed to be any person who by going from place to place collects by purchase or otherwise junk, old metals or second hand articles, whether or not by previous contract or arrangement.

Section 202. Licenses granted to keepers of intelligence offices, dealers in junk, old metals and second hand articles, junk collectors, pawn brokers and keepers of billiard saloons, pool or sippio rooms or tables, bowling alleys, skating rinks and picnic grounds shall, except as hereinafter provided, be signed by the clerk of the town where they are granted. Every such license shall, before being delivered to the licensee, be recorded by the town clerk, in a book kept for that purpose. Such license shall set forth the name of the licensee, the nature of the business, and the building or place in such town in which it is to be carried on, and shall continue in force until May first following unless sooner revoked. The board or officer issuing such a license shall, except as provided in section seventy-seven, receive for the use of the town such amount, not less than two dollars for each license, as the board or officer considers reasonable.***

Section 203. Such licenses may be granted in April, to take effect on May first following.

Section 204. A license issued as aforesaid shall not protect the holder thereof in a building or place other than that designated in the license unless consent to removal is granted by the licensing board or officer.

Section 205. Upon the revocation of such a license, such clerk shall note the revocation upon the face of the record thereof, and shall give written notice to the licensee by delivering it to him in person or by leaving it at the place of business designated in the license.