

Ordinance No. 00- 5131

AN ORDINANCE OF THE CITY OF BILLINGS, REPEALING SECTIONS, 7-401 THROUGH 7-423 AND 7-425 THROUGH 7-428 OF THE BILLINGS MONTANA CITY CODE OF ORDINANCES PERTAINING TO AUCTIONS AND AUCTIONEERS AND DECLARING THE SAME TO BE NULL AND VOID AND OF NO EFFECT AND REPLACING THOSE REPEALED SECTIONS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

Section 1. That Sections 7-401, 7-402, 7-403, 7-404, 7-405, 7-406, 7-407, 7-408, 7-409, 7-410, 7-411, 7-412, 7-413, 7-414, 7-415, 7-416, 7-417, 7-418, 7-419, 7-420, 7-421, 7-422, 7-423, 7-425, 7-426, 7-427, 7-428 of the Billings Montana City Code are hereby repealed in their entirety and replaced as follows:

“Sec. 7-401. Definitions.

For purposes of this article, the following definitions apply:

Auction Sale includes a sale of property by public outcry to the highest bidder, where successive increased bids are made.

City Official means any person employed by the City whose duties include investigating auction sales.

Jewelry includes any goods, wares and merchandise customarily kept in retail jewelry stores for sale including but not limited to, precious and semiprecious stones and imitations thereof, whether sold or offered for sale with or without sets, watches, rings, brilliants, articles made in whole or in part of gold, silver, platinum or other precious or semiprecious metal, whether solid, plated or overlaid.

Sec. 7-402. Entry to Premises.

City officials may enter any place in the city where any auction sale is being conducted to inspect or investigate the jewelry, goods, wares, merchandise or articles sold or offered for sale, or any records, books, or inventory pertaining to the merchandise so offered for sale.”

Section 2. Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of this ordinance are declared to be severable.

Section 3. Repealer. All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

Section 4. Effective Date. This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law.

PASSED by the City Council on first reading this 11th day of Sept, 2000.

PASSED, ADOPTED and APPROVED on second reading this 25 day of Sept, 2000.



CITY OF BILLINGS

By Charles F. Tooley
Mayor

ATTEST:

By Marita Nersis
City Clerk