

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 1995**

No. 7

Introduced by Council Member Koslowitz, the Public Advocate (Mr. Green), Council Members Dear, DeMarco, Lasher, Pagan, Watkins, Abel, Eristoff, Fossella, Fusco, Ognibene and Stabile (by the request of the Mayor); also Council Members Fisher, Leffler, Povman, Weiner, Spigner and Millard.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to repealing the regulation of dealers in antiques who maintain no place of business within the city.

Be it enacted by the Council as follows:

Section 1. Section 20-265 of the administrative code of the city of New York is amended to read as follows:

§20-265 **License required.** a. It shall be unlawful for any person to act as a dealer in second-hand articles without a license therefor.

b. There shall be [four types of licenses (1) a general license, (2) management license, (3) an exposition license and (4) a secondhand automobile dealer's license.] *the following types of licenses:*

A general license *which* shall authorize the licensee to act as a secondhand dealer with respect to all articles other than secondhand automobiles, within the city during the license period specified in section 20-266 of this subchapter.

A management license *which* shall authorize the licensee who is not a dealer in antiques to operate and manage an antique exposition where such antiques are sold at any fair, show or exhibit within the city during a period of one month from the date of issuance of such license.

[An exposition license shall authorize a dealer in antiques who maintains no place of business within the city to exhibit and sell such antiques at any fair, show or exposition within the city during a period of one month from the date of issuance of such license.] A secondhand automobile dealer's license *which* shall authorize the licensee to act as a secondhand dealer with respect to secondhand automobiles within the city during the license period specified in section 20-266 of this subchapter.

§2. Subdivision c of section 20-266, as amended by local law number 51 for the year 1991, is amended to read as follows:

c. The fee for licenses shall be as follows: for a general license, a biennial fee of three hundred forty dollars; for a management license, a monthly fee of sixty-five dollars; [for an

exposition license, a monthly fee of five dollars;] for a second-hand automobile dealer's license, a biennial fee of six hundred dollars.

§3. Notwithstanding any other provision of law, any exposition license issued by the commissioner of consumer affairs pursuant to subchapter 11 of chapter 2 of title 20 of the administrative code of the city of New York prior to the effective date of this local law shall become null and void and be of no further effect as of the effective date of this local law. Notwithstanding any other provision of law, if the holder of such exposition license surrenders the license within 60 days after the effective date of this local law to the department of consumer affairs, such holder shall be entitled to receive a refund of an amount equal to the fee for the exposition license prorated to the unexpired portion of the exposition license term.

§4. No action or proceeding, civil or criminal, pending at the time when this local law shall take effect shall be affected or abated by the adoption of this local law or by anything contained herein and all such actions or proceedings may be continued notwithstanding the adoption of this local law.

§5. This local law shall take effect immediately.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of the City of New York, passed by the Council on December 21, 1994, and approved by the Mayor on January 10, 1995.

CARLOS CUEVAS, City Clerk, Clerk of the Council

CERTIFICATION PURSUANT TO MUNICIPAL HOME RULE LAW §27

Pursuant to the provisions of Municipal Home Rule Law §27, I hereby certify that the enclosed Local Law (Local Law 7 of 1995, Council Int. No. 453) contains the correct text and:

Received the following vote at the meeting of the New York City Council on December 21, 1994: 44 for, 0 against.

Was approved by the Mayor on January 10, 1995.

Was returned to the City Clerk on January 10, 1995.

JEFFREY D. FRIEDLANDER, Acting Corporation Counsel