

ORDINANCE NO. 9155 (NEW SERIES)

AN ORDINANCE AMENDING SECTIONS 21.702 AND 21.1303
OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES
RELATING TO REGULATION OF SECONDHAND DEALERS

The Board of Supervisors of the County of San Diego do ordain as follows:

Section 1. Section 21.702 of the San Diego County Code is hereby amended to read as follows:

Sec. 21.702 DEFINITIONS. For the purposes of this chapter, the definitions contained within the State Business and Professions Code shall apply.

“Secondhand dealer” includes persons, copartnerships, firms or corporations whose business includes buying, selling, trading, taking in pawns, accepting for sale on consignment, accepting for auctioning, or auctioning antique and/or secondhand tangible personal property, including antique dealers and/or operators of antique malls where there is a centralized cash register or centralized checkout system under the control or supervision of the mall operator.”

Section 2. Section 21.1303 of the San Diego County Code is hereby amended to read as follows:

Sec. 21.1303. DEFINITIONS. For the purposes of this chapter the following definitions shall apply:

- (a) SWAP LOT means a building, structure, enclosure, lot or other area into which persons are admitted to display, exchange, barter, buy, sell, or bargain for new or used merchandise.
- (b) SWAP MEET means any event:
 - (1) At which two or more persons offer personal property for sale or exchange; and
 - (2) At which a fee is charged for the privilege of offering or displaying personal property for sale or exchange; or
 - (3) At which a fee is charged to prospective buyers for admission to the area where personal property is offered or displayed for sale or exchange; or
 - (4) Regardless of the number of persons offering or displaying personal property or the absence of fees, at which used personal property is offered or displayed for sale or exchange if such event is held more than six times in any 12-month period.

SWAP MEET does not include the operation of an antique mall, provided that the antique mall operator or the antique dealers operating within the mall are licensed and regulated as secondhand dealers pursuant to the Business and Professions Code and Chapter 7 of Division 1 of Title 2 of the San Diego County Code.

- (c) OWNER OR OPERATOR means any person, partnership, organization or corporation which controls, manages, conducts or otherwise administers a swap meet.

PASSED, APPROVED AND ADOPTED this 13th day of June, 2000.