

**AGENDA**  
**CITY COUNCIL - CITY OF ONTARIO, OREGON**  
Monday, July 19, 2010, 7:00 p.m., M.T.

**1) Call to order**

A) Roll Call: Norm Crume \_\_\_ Charlotte Fugate \_\_\_ John Gaskill \_\_\_  
Susann Mills \_\_\_ David Sullivan \_\_\_ Ron Verini \_\_\_  
Joe Dominick \_\_\_

**2) Pledge of Allegiance**

This Agenda was posted on Wednesday, July 14, 2010, and a study session was held on Thursday, July 15, 2010. Copies of the Agenda are available at the City Hall Customer Service Counter and on the city's website at [www.ontariooregon.org](http://www.ontariooregon.org).

**3) Motion to adopt the entire agenda**

**4) Consent Agenda: Motion Action Approving Consent Agenda Items**

A) Approval of Minutes of Regular Meeting of 07/06/10 . . . . . 1-4  
B) Liquor License Application - New Outlet: A-Lot-A-Beers . . . . . 5  
C) Proclamation: Americans with Disabilities Act 2010 . . . . . 6  
D) Approval of the Bills

**5) Public Comments:** Citizens may address the Council on items not on the Agenda. Council may not be able to provide an immediate answer or response, but will direct staff to follow up within three days on any question raised. Out of respect to the Council and others in attendance, please limit your comment to three (3) minutes. Please state your name and city of residence for the record.

**6) Presentation:**

A) Scott Torland, Oregon Department of Fish & Wildlife: Request for Youth Pheasant Hunt on Ontario Recreational Access Property  
B) Snake River Transit Routed Service Update

**7) Old Business**

A) Ordinance #2647-2010: Amend OMC 3-16 re: Dealers of Regulated Property (Final Reading) . . . 7-11

**8) Discussion Item(s): Thursday**

A) Budget Forecast Update  
B) Police Staffing

**9) Executive Session(s): Thursday/Monday**

A) ORS 192.660(2)(e)  
B) ORS 192.660(2)(h)  
C) ORS 192.660(2)(a)

**10) Correspondence, Comments and Ex-Officio Reports**

**11) Adjourn**

*MISSION STATEMENT: TO PROVIDE A SAFE, HEALTHFUL AND SOUND ECONOMIC ENVIRONMENT, PROGRESSIVELY ENHANCING OUR QUALITY OF LIFE*

The City of Ontario does not discriminate in providing access to its programs, services and activities on the basis of race, color, religion, ancestry, national origin, political affiliation, sex, age, marital status, physical or mental disability, or any other inappropriate reason prohibited by law or policy of the state or federal government. Should a person need special accommodations or interpretation services, contact the City at 889-7684 at least one working day prior to the need for services and every reasonable effort to accommodate the need will be made. T.D.D. available by calling 889-7266.

**COUNCIL MEETING MINUTES**  
**July 6, 2010**

The regular meeting of the Ontario City Council was called to order by Mayor Joe Dominick at 7:00 p.m. on Tuesday, July 6, 2010, in the Council Chambers of City Hall. Council members present were Norm Crume, Joe Dominick, Charlotte Fugate, John Gaskill, Susann Mills, David Sullivan and Ron Verini.

Members of staff present were Henry Lawrence, Tori Barnett, Larry Sullivan, Mike Kee, Mark Alexander, Chuck Mickelson, and camera operator Delaney Kee.

David Sullivan led everyone in the Pledge of Allegiance.

**AGENDA**

David Sullivan moved, seconded by Charlotte Fugate, to adopt the Agenda as presented. Roll call vote: Crume-yes; Fugate-yes; Gaskill-yes; Mills-yes; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 7/0/0.

**CONSENT AGENDA**

Ron Verini moved, seconded by John Gaskill, to approve Consent Agenda Item A: Approval of Minutes of regular meeting of 06/21/2010; Item B: Liquor License Application: New Outlet – Jolts & Juice Company; and Item C: Approval of the Bills. Roll call vote: Crume-yes; Fugate-yes; Gaskill-yes; Mills-yes; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 7/0/0.

**OLD BUSINESS**

**Dog Shelter Contract with Ani-Care Animal Shelter**

Larry Sullivan, City Attorney, stated in June, 2010, Council discussed the initial draft of the Contract prepared by Ani-Care, and directed him to redraft the Contract in light of issues raised by the Council. On June 19<sup>th</sup>, the Council tabled review of the revised Contract until Ani-Care's attorney had an opportunity to review and comment on the revisions. Ani-Care's attorney, Charles Oakes, reviewed the draft of the Contract prepared by the City Attorney and requested changes in that draft, as requested via email. Those changes were now incorporated into the proposed Contract.

John Gaskill moved, seconded by Susann Mills, that the Mayor and City Council approve the Dog Shelter Contract with Ani-Care Animal Shelter, LLC. Roll call vote: Crume-yes; Fugate-yes; Gaskill-yes; Mills-yes; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 7/0/0.

**Ordinance #2647-2010: Amend OMC 3-16 re: Dealers of Regulated Property (1<sup>st</sup> Reading)**

Mark Alexander, Police Captain, stated Title 3, Chapter 16, of the Ontario Municipal Code had been adopted in October, 2003, through Ordinance #2515-2003, established regulations for dealers of regulated property. The police department now believed it necessary to amend the ordinance to add desired language and new procedures.

Dealers of regulated property purchased various types of property from the general public, which was later sold back to the general public. Criminals involved with stolen property sought out those types of businesses in order to dispose of the property for cash. Criminals were less apt to use businesses that employed good practices such as video surveillance, customer identification and property documentation. It was common for criminals involving stolen property to travel to neighboring cities or even neighboring states to sell stolen property to these types of businesses.

Dealers of regulated property were required to submit reports of transactions to the police department. Reports were required to contain information such as the date of transaction, identity of the person making the transaction and a full description of property that was purchased by the business.

Police department staff, Telecommunicators from the 9-1-1 Center, would compare transaction reports to reports by crime victims of stolen property. OMC 3-16 required dealers of regulated property to hold property from transactions for a ten-day period in order to get comparisons complete. Police department staff had recently been inundated by the amount of transaction reports received and it had been impossible to complete the comparisons within the 10-day period. Several Idaho cities have pawnshops, which also take in property from the general public. The number of records they were tasked in reviewing had also inundated other law enforcement agencies.

Due to the popularity of these types of businesses across the nation, there had been the evolvement of businesses that would assist police agencies with the receipt, storage and comparison of property transactions. These were subscription-based services that police agencies initiated and then provided to dealers of regulated property within their jurisdiction. Dealers of regulated property were able to submit their transactions on-line immediately following the transaction. Subscribing police agencies were then able to search property and suspects within a database in order to solve crimes. There were cases of recovered property and arrests made within hours of a theft due to these types of services.

The police department would like to modify language in OMC 3-16 to help address issues involving Dealers of Regulated Property concerning employee requirements, business and record keeping practices, and violations of the ordinance. The two primary changes were that in addition to keeping written records, dealers of regulated property would also submit electronic records of transactions, if requested by the police department. Second, the timeframe for holding property would increase from 10 days to 14 to allow the police department to review stolen property records. These proposed changes further directed how a private business operated. The proposed changes would require additional time by the dealer of regulated property to complete electronic transaction submissions. The proposed changes increased the time property was taken in until that property could be put out for sale.

The desired subscription for services that would assist with the receipt, storage and comparison of property transactions would cost approximately \$1400 per year.

Susann Mills moved, seconded by David Sullivan, that the Council adopt Ordinance #2647-2010, AN ORDINANCE AMENDING ONTARIO MUNICIPAL CODE 3-16 REGARDING DEALERS OF REGULATED PROPERTY WITHIN THE CITY OF ONTARIO, on First Reading by Title Only. Roll call vote: Crume-yes; Fugate-yes; Gaskill-yes; Mills-yes; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 7/0/0.

#### NEW BUSINESS

**Resolution #2010-136: Approving a Local Agency Agreement for Fund Distribution for the Northwest Washington Avenue Realignment between the City of Ontario and the State of Oregon, Acting by and through its Department of Transportation, and Authorized by the Oregon Jobs and Transportation Act of 2009, Known as House Bill 2001**

Chuck Mickelson, Public Works Director, stated the Oregon Jobs and Transportation Act of 2009 provided funding for preservation and modernization projects chosen by the Oregon Transportation Commission. During the planning for the Yturri Beltline and the North Ontario Interchange, discussion was held on the realignment of Northwest Washington Avenue. This agreement provided \$4.5 million for the completion of design, acquisition of right of way, and construction of a realigned Northwest Washington to North Oregon and the extension of Park Boulevard to the recently acquired city property. The one clause in the agreement that would control the schedule on the project, under Paragraph 5, read:

*"5. The Agreement is contingent upon issuance and sale by the State Treasurer, of the bonds authorized by Section 61 of House Bill 2001, 2009 Legislative Assembly (Oregon Laws 2009, Chapter 865) in an amount sufficient to fund this Project. The Agreement is effective and work may begin upon execution of this Agreement, but ODOT's obligation to make Project payments is contingent upon the issuance and sale of such bonds. ODOT will notify Agency when such sale has occurred and the JTA funds are available."*

The City did budget for sewer and water extension to the new city property on Park Boulevard, and that construction was anticipated to begin this summer once right of way/easement issues were resolved.

In 2001, the Oregon Department of Transportation and the City of Ontario entered into an agreement, #697, where Ontario accepted maintenance responsibility for West Idaho, including the underpass, SW 2<sup>nd</sup> Street, SW 4<sup>th</sup> Avenue and North Oregon Street. ODOT agreed to pay the City \$490,000 for future maintenance of those facilities, and the agreement superseded prior agreements made in 1975 and 1979. All right, title, and interest in the above-mentioned streets would be transferred to Ontario upon completion of the Yturri Beltline. The agreement addressed various other elements, including underpass lighting system maintenance, traffic signal maintenance, signage, snow removal, and power costs for signals.

In 2006 through 2007, the City Council approved projects to realign Northwest Washington to North Oregon, and Ontario hired the firm of CH2M Hill to prepare plans and specifications for the project. Funding for the acquisition of right of way and construction of the realignment was not clearly identified at that time. In 2009, the Council approved Resolution 2009-126, with approved Amendment No. 1 with ODOT to Agreement No. 23255 also known as Cooperative Agreement OR 201 North Ontario Interchange Bridge #08635, an agreement transferring Northwest

Washington to the City of Ontario. In return, ODOT paid the City of Ontario \$375,200 for the realignment of the intersection of Northwest Washington and North Oregon and the construction of curb, gutter and sidewalks along Northwest Washington.

Since the early 1990's, ODOT and Ontario have been discussing various transportation related issues within and adjacent to the City. During this period of time, ODOT has reconstructed East Idaho, rebuilt the overpass over I-84, reconstructed the freeway ramps leading to East Idaho, constructed the Yturri Beltline bypass around the City, reconstructed the North Oregon overpass and ramps, constructed an overpass over the railroad on SW 18<sup>th</sup> Avenue and other miscellaneous projects. As noted above, in 2001 Ontario formally agreed to take maintenance and operational responsibility for West Idaho, the railroad underpass, SW 2<sup>nd</sup> Street, SW 4<sup>th</sup> Avenue, and North Oregon Street. Resolution 2009-126 provided for Ontario to take responsibility for Northwest Washington Street from North Oregon to the Yturri Beltline, which was about 1,500 feet in length. The following significant issues were addressed in the amendment:

- ODOT contributed \$375,200 to the City for improvements or realignment. Should the City not use these funds for the Northwest Washington improvements or realignment, they must be returned to ODOT.
- City accepts responsibility for all maintenance, power costs and repair responsibilities over this section of roadway.
- ODOT retains access control on the transferred right of way.

This current proposed agreement provided \$4.5 million to the City of Ontario for finalizing the design, acquisition of right of way and construction of the realignment of Northwest Washington and construction of Park Boulevard to the city property. In addition, the City could use the \$375,200 as part of the project. This agreement provided \$4,875,200 for the realignment of Northwest Washington. Primary expenses for the City included the costs for new sewer and water lines that were necessary to serve the area, and ongoing maintenance of the newly constructed infrastructure.

Charlotte Fugate moved, seconded by Ron Verini, that the City Council adopt Resolution #2010-136, A RESOLUTION APPROVING A LOCAL AGENCY AGREEMENT FOR FUND DISTRIBUTION FOR THE NORTHWEST WASHINGTON AVENUE REALIGNMENT BETWEEN THE CITY OF ONTARIO AND THE STATE OF OREGON, ACTING BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION, AND AS AUTHORIZED BY THE OREGON JOBS AND TRANSPORTATION ACT OF 2009, ALSO KNOWN AS HOUSE BILL 2001. Roll call vote: Crume-yes; Fugate-yes; Gaskill-yes; Mills-yes; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 7/0/0.

**Resolution 2010-137: Acknowledging Receipt and Authorizing Expenditure of ODOT Project Funding for the Northwest Washington Avenue Realignment Project within the City's Grant Fund**

Chuck Mickelson, Public Works Director, stated the proposed resolution was in conjunction with the above-addressed Resolution #2010-136, and identified new project-specific grant funds from ODOT with 100% funding, no match required. The agreement stated that any project costs over and above the \$4.5M were to be paid by the City. The City's Grant Fund budget needed to be adjusted to reflect the ODOT grant revenues and to identify the project expenditures. This would not result in any change in contingency balances.

John Gaskill moved, seconded by Ron Verini, that the Council adopt Resolution #2010-137, A RESOLUTION ACKNOWLEDGING RECEIPT AND AUTHORIZING EXPENDITURE OF ODOT PROJECT FUNDING FOR THE NORTHWEST WASHINGTON AVENUE REALIGNMENT PROJECT WITHIN THE CITY'S GRANT FUND. Roll call vote: Crume-yes; Fugate-yes; Gaskill-yes; Mills-yes; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 7/0/0.

**CORRESPONDENCE, COMMENTS, AND EX-OFFICIO REPORTS**

- Chief Mike Kee stated for next year, they needed more notification out and better enforcement on the fireworks ban in the parks and on school property.
- Henry Lawrence reminded the Council of the next work session on the 15<sup>th</sup>, and issues up for discussion would be the budget forecast and the police staffing issues. Also, a packet would be delivered to the Council on Friday of the forecast and two different years of audits just received. This would allow the Council additional time to review the documents prior to discussion. Further, he was drafting a letter to the Burns-Paiute Tribe, inviting them to give a presentation to the Council. He was looking at the 22<sup>nd</sup>, which was an off Thursday for any regular meetings.

Councilor Sullivan stated he would like to see the Thursday meetings stay consistent, and to try and not hold "special" meetings. He would like to keep those to a minimum.

Mr. Lawrence stated the other option was the regular meeting on the 29<sup>th</sup>.

Mayor Dominick stated they wanted to be careful not to overload any one meeting. At times, it was more productive to hold a special meeting than to have a 4-hour one. The main goal was to give the Tribe options for meeting dates.

- Councilor Verini stated they would be having the Treasure Valley Car and Bike show on July 24<sup>th</sup> in the Kinney & Keele parking lot. It would also encompass Red Apple, Farmer's Supply Co-Op, and all the way up to the Auto Zone.
- Councilor Mills requested an update on the Fire Station building.

Mr. Mickelson stated the contract with MVCI was issued, had been signed, and the Notice to Proceed was issued on July 1<sup>st</sup>. They were working closely together, and he expected to have a packet of information, including the site plan, soon. They had gone out into the field last week to discuss the lay-out of the building, and he expected to receive drawings and a significant number of submittals in the next week. The Fire Chief had already selected his colors.

- Tori Barnett stated there were 4 spots up for election/re-election this coming November, and packets were available in her office.
- Mayor Dominick suggested to the Council that if they had any budget questions, get them to Mr. Lawrence prior to the study session so they could be researched.

**ADJOURN**

John Gaskill moved, seconded by David Sullivan, that the meeting be adjourned. Roll call vote: Crume-yes; Fugate-yes; Gaskill-yes; Mills-yes; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 7/0/0.

ATTEST:

\_\_\_\_\_  
Joe Dominick, Mayor

\_\_\_\_\_  
Tori Barnett, MMC, City Recorder

**CONSENT AGENDA**  
JULY 19, 2010

TO: Mayor and City Council

FROM: Mike Kee, Police Chief

THROUGH: Henry Lawrence, City Manager

**SUBJECT: LIQUOR LICENSE APPLICATION – NEW OUTLET  
Limited On-Premises Sales**

DATE: July 12, 2010

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**SUMMARY:**

Ellen and Richard Anderson, under the trade name of A-Lot-A-Beers, have completed the “New Outlet” application process for “Limited On-Premises Sales” liquor license privileges through the Oregon Liquor Control Commission for their business located at 105 SE 2<sup>nd</sup> Street, Ontario, Oregon.

All necessary paperwork has been approved through OLCC office and is awaiting approval through the Ontario City Council.

**BACKGROUND:**

Criminal Record process was completed on both Ellen and Richard Anderson, owners/managers of the business. All records returned clear. The application forms have been filled out appropriately and required fees have been paid. All Permit requirements have been met.

**RECOMMENDATION:**

I have completed a review of this application information in accordance with the City of Ontario’s ordinance regulating this license. I recommend that we approve the application for New Outlet Limited On-Premises Sales liquor license.

*ANNIVERSARY OF THE AMERICANS WITH DISABILITIES ACT 2010*

*A PROCLAMATION*

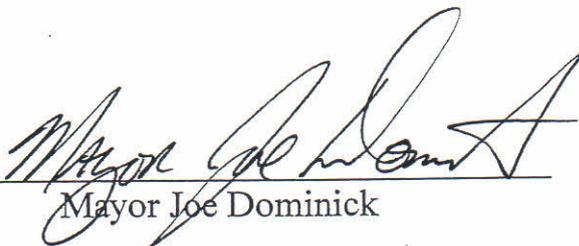
The Americans with Disabilities Act (ADA) has helped fulfill the promise of America for millions of individuals living with disabilities. The anniversary of this landmark legislation is an important opportunity to celebrate our progress over the last 20 years and the many contributions individuals with disabilities make to our community.

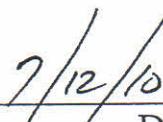
When President George H. W. Bush signed the ADA into law on July 26, 1990, he called this legislation a “dramatic renewal not only for those with disabilities but for all of us, because along with the precious privilege of being an American comes a sacred duty to ensure that every American’s right are also guaranteed.” The ADA’s far-reaching reforms have played a significant role in enhancing the quality of life for millions of Americans who must overcome considerable challenges each day in order to participate fully in all aspects of American life.

I call on all citizens of Ontario, Oregon to celebrate the many contributions of individuals with disabilities as we work towards fulfilling the promise of the ADA to give all our citizens the opportunity to live with dignity, work productively, and achieve their dreams.

NOW THEREFORE, I JOE DOMINICK (Mayor of the City of Ontario Oregon), by virtue of the authority vested in me, do hereby proclaim July 26, 2010, as a day in celebration of the 20<sup>th</sup> Anniversary of the Americans with Disabilities Act.

IN WITNESS WHEREOF, I have set my hand this twenty-sixth day of July, in the year of our Lord two thousand ten and the Independence of the United States of America and the Great State of Oregon.

  
\_\_\_\_\_  
Mayor Joe Dominick

  
\_\_\_\_\_  
Date

# AGENDA REPORT

July 19, 2010

TO: Honorable Mayor and City Council Members

THRU: Henry Lawrence, City Manager

FROM: Captain Mark Alexander

**SUBJECT: ORDINANCE #2647-2010: AN ORDINANCE AMENDING ONTARIO MUNICIPAL CODE TITLE 3, CHAPTER 16 REGARDING DEALERS OF REGULATED PROPERTY (Final Reading)**

DATE: July 8, 2010

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## **SUMMARY:**

Attached is the following document:

- Ordinance #2647-2010

Title 3, Chapter 16, of the Ontario Municipal Code establishes regulations for dealers of regulated property. The police department desires to amend the ordinance to add desired language and new procedures.

## **PREVIOUS COUNCIL ACTION:**

July 2, 2010 Council passed Ordinance #2647-2010 on first reading.

## **BACKGROUND:**

Ontario Municipal Code Title 3, Chapter 16, establishes regulations for dealers of regulated property within the City of Ontario.

Dealers of regulated property purchase various types of property from the general public, which is later sold back to the general public.

Criminals involved with stolen property will seek these types of businesses in order to dispose of the property for cash.

Dealers of regulated property are required to submit reports of transactions to the police department. Reports are required to contain information such as the date of transaction, identity of the person making the transaction and a full description of property that was purchased by the business.

Police department staff compares transaction reports to reports by crime victims of stolen property. Police department staff has recently been inundated by the amount of transaction reports received.

The police department desires to modify language in Ontario Municipal Code Title 3, Chapter 16 to help address issues involving Dealers of Regulated Property concerning employee requirements, business and record keeping practices and violations of the ordinance.

Language was added regarding how jewelry is to be described. It was noticed after the July 6<sup>th</sup> meeting that jewelry is not listed as Regulated Property. The addition of jewelry has been added to the current version of the ordinance.

**RECOMMENDATION:**

Staff recommends that the Council adopt Ordinance #2647-2010.

**PROPOSED MOTION:**

I move that the Council adopt Ordinance #2647-2010, AN ORDINANCE AMENDING ONTARIO MUNICIPAL CODE 3-16 REGARDING DEALERS OF REGULATED PROPERTY WITHIN THE CITY OF ONTARIO on Second and Final Reading by Title Only.

**AN ORDINANCE AMENDING VARIOUS PROVISIONS  
OF ONTARIO MUNICIPAL CODE TITLE 3, CHAPTER 16  
CONCERNING CHANGES FOR DEALERS OF REGULATED PROPERTY**

**WHEREAS,** the Ontario Police Department is charged with enforcing the laws of Ontario Code Title 3, Chapter 16, which addresses Dealers of Regulated Property, and;

**WHEREAS,** the sale of regulated property is commonly associated with criminal activity; and

**WHEREAS,** regulations and procedures need to be updated for dealers of regulated property.

**NOW THEREFORE,** The Common Council For The City Of Ontario Ordains As Follows:

Ontario City Code Section 3-16-1 is amended by adding the following underlined subsection (A):

**8. Jewlery, including but not limited to watches, rings, necklaces, earrings and bracelets.**

Ontario City Code Section 3-16-4 is amended by adding the following underlined subsection (C):

License qualifications.

**(C) Applicant Qualifications.**

**The applicant and the person who will be principally in charge of the business must be (18) years of age or older.**

**The applicant must not have been convicted of a felony or theft related offense within the five (5) years prior to the application date.**

**No dealer of regulated property shall employ a person under the age of eighteen (18) to conduct transactions regulated by this Chapter.**

Ontario City Code Section 3-16-5 is amended by adding the underlined and eliminating the strikethrough language:

Records required.

(A) Required Information.

On reporting forms furnished by the Ontario Police Department, every person who shall be engaged in the business of a dealer of regulated property shall maintain a records system. The records shall be written, in the English language **and legible** at the time of each loan or purchase.

The records shall contain an accurate account or description of the goods, article or other thing pawned, pledged, or purchased, the time of the receipt, and a description of the person, verified by identification, pawning, pledging, or selling the property.

The record shall be made immediately upon taking the item or article into possession. The description of any item of personal property shall include ~~serial numbers, make, model, year or such other identification numbers if available.~~ **as applicable: brand name, make, model, serial number, and owner applied number or other identifying marks. Jewelry shall be described with the type, color, number and description of stones, style, size or length, any engraving, and whether it is considered a man's woman's or child's piece. CDs, DVDs, videos, tapes, records, etc., shall be described with any owner identification marks and the category of movie or music to which it belongs. The title and artist should also be documented if practicable.**

Purchases by a dealer of regulated property of individual goods or items priced at less than a ten dollars (~~\$10.00~~) **twenty dollar (\$20.00)** value are exempt from the above reporting requirements, but shall be reported at such times when the cumulative total of all such sales exceeds fifty dollars (\$50.00).

**(B) Records Transmittal**

**All records described in this Chapter shall be electronically stored as long as the process to do so has been provided by the City of Ontario. These electronic records shall be transmitted within 48 hours from the time of the transaction to the Ontario Police Department in a method and fashion approved by the Chief of Police or his designee. Dealers of Regulated Property shall prepare a legible and correct written copy of records when electronic copies cannot be submitted for reasons beyond the dealer's control or the process has not been made available by the Ontario Police Department.**

**(B) Reports to Police Chief.**

~~Every dealer of regulated property shall make available to the Police Chief, daily, a legible and correct copy of the records required by subsection (A) of this Section. The Police Department will then be responsible for acquiring those records.~~

Ontario City Code Section 3-16-6 is amended adding the underlined and eliminating the strikethrough language:

Condition of property not to be changed.

All property purchased or received by a dealer of regulated property, incident to such business, and valued by the merchant for sale at ten **twenty** dollars (~~\$10.00~~) **(\$20.00)** or more, shall be held without alteration, change or subsequent sale for a period of ten (10) days after the property is received by the merchant and the record has been completed.

Ontario City Code Section 3-16-7 is amended by adding the following underlined:

Stolen property--Return to true owner.

**Every dealer of regulated property receiving property that the dealer has reason to suspect has been lost or stolen shall promptly notify the police.**

If in the course of a specific criminal investigation, the Chief has probable cause to believe that property received by a dealer of regulated property was not lawfully obtained by the seller or borrower or is evidence of a criminal offense, the Chief may issue a written or oral order requiring the dealer of regulated property to hold said property without alteration or change, and not allow it to be sold or redeemed for a specific period, not to exceed ninety (90) days from the date of the order. If such order is given orally, the Chief shall confirm it in writing within seventy-two (72) hours.

Ontario City Code Section 3-16-8 is amended by adding the following underlined to subsection (C) 6 through 9:

Unlawful acts.

**6. Enter into any regulated transaction in which the property at interest is such property that is manufactured or produced with a serial or identification number, and the said number has been removed, altered or rendered unreadable.**

**7. Fail to report the possession of property that the dealer has reason to suspect has been lost or stolen.**

**8. Failure to make a record of any transaction as described in this Chapter.**

**9. Falsifying, obliterating or destroying any records required to be kept pursuant to this Chapter.**

PASSED AND ADOPTED by the Common Council of the City of Ontario this \_\_\_\_\_ day of \_\_\_\_\_, 2010, by the following vote:

AYES:

NAYES:

ABSENT:

ABSTAIN:

APPROVED by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

ATTEST:

\_\_\_\_\_

Joe Dominick, Mayor

\_\_\_\_\_

Tori Barnett, MMC, City Recorder