

CHAPTER 806  
Auctioneers

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CROSS REFERENCES

Auctions and auctioneers - see M.C.L.A. Secs. 446.26 et seq.

Sale of property recovered by police - see ADM. 252.01

Sale of abandoned vehicles - see TRAF. 410.03(UTC 2.5a)

Pawnbrokers - see B.R. & T. Ch. 846

Secondhand stores - see B.R. & T. Ch. 856

**806.01 INTENT**

It is in the interest of the public morals and welfare to regulate auctions and auctioneers for the preventing of deceit, misrepresentation and fraud in the selling of goods, wares, merchandise and personal property.

**806.02 REGISTRATION REQUIRED.**

No person shall engage in the trade or business of a general or livestock auctioneer without first obtaining a registration therefor. This Chapter shall not apply to any public auction or sale made or conducted by a public officer or to an auction sale conducted solely for charitable purposes where none of the proceeds are paid to the auctioneer.

**806.03 APPLICATION FOR REGISTRATION; FEE.**

An applicant for a auctioneer's registration shall file with the City Clerk an application and such information as shall be required by the City Clerk and pay an annual fee in an amount established by resolution of the City Commission.

**806.04 BOND.**

Before an auctioneer's registration is issued, the applicant for such registration shall furnish to the City Clerk an annual surety bond in an amount established by resolution of the City Commission, which surety bond shall be conditioned for the due observance, during the time of the registration, of the laws of the State and City. Any person aggrieved by the action of any such registration shall have a right of action on the surety bond for the recovery of money or damages, or both.

**806.05 PERMIT REQUIRED.**

No person shall conduct an auction without first obtaining a permit therefor.

**806.06 APPLICATION FOR PERMIT; FEE.**

Any applicant for an auction permit shall request a permit from the City Clerk no later than three (3) days prior to holding the auction. The applicant shall provide such information as shall be required by the City Clerk and pay a fee in an amount established by resolution of the City Commission. The applicant shall state on the application whether the auction sale shall be with or without reservation. Permits shall be granted only to applicants holding an auctioneer's registration pursuant to this Chapter.

**806.07 FALSE BIDDING OR PRETENDING TO BUY.**

At any auction sale, no person shall act as "bidder" or what is commonly known as a "capper", "booster" or "shiller" or offer to make any false bid, or offer any false bid or pretend to buy any article sold or offered for sale at any sale by auction.

**806.08 APPEARANCE TICKETS.**

The Police Chief and the appointed officers of the Police Department, or such other officials as are designated by the City Manager, are hereby authorized to issue and serve appearance tickets with respect to a violation of this chapter pursuant to Section 1 of Act 147 of the Public Acts of 1968, as amended (MCLA 764.9c(2); MSA 28.868(3)(2)). Appearance tickets shall be in such form as determined by the City Attorney and shall be in conformity with all statutory requirements.

**806.09 CIVIL INFRACTION.**

A person who violates this Chapter is responsible for a civil infraction.

(Ord. 415. Passed 2-6-95.)

**806.99 PENALTY.**

(EDITOR'S NOTE: See Section 202.99 for general Code penalty if no specific penalty is provided.)