

Ordinance Number 18

An Ordinance Regulating Auction Sales and Auctioneers, and
Prescribing License

Be it ordained by the City Council

Section 1 (Auctioneer Defined) Whoever shall sell or offer to sell any goods, wares, merchandise or other personal property, or any real estate or any interest therein at public outcry or auction for gain, or shall advertise, or in any way hold himself out as a public auctioneer is hereby declared to be an auctioneer.

Section 2 (Sales by auction to be made by licensed auctioneer.) All sale of goods, wares, merchandise or other personal property, at auction within the City of Washburn, except such as are made under and by virtue of legal process, or under or by virtue of a mortgage, shall be made by a person who shall first have obtained a license for such purpose, as hereinafter provided.

Section 2 (License, How obtained. Amount of Bond.) Any person may become an auctioneer and be licensed to sell real and personal property at public auction, by paying into the city treasury the sum of five (\$5) dollars per year, and executing a bond to the City of Washburn with two or more sureties to be approved by the mayor, in the penal sum of three hundred (\$300) dollars, conditioned for the due observance of the ordinances of the City of Washburn, and to account for and promptly pay over to the proper parties entitled thereto, all moneys and proceeds derived from sales made at auction by such auctioneer, less his reasonable expenses and commissions and to save harmless any person from damage on account of any false representation made at any public auction whereby such person is induced to become a purchaser at such sale; and such bond shall be filed with the city auditor.

Section 4 (Statement of sale to be distinctly made) Whenever an auctioneer sells or offers for sale any goods, wares, merchandise, or any other personal property he shall make all statements and representations concerning the same in a loud and distinct voice.

Section 5 (False statements. Bond) An auctioneer who makes any false statements or misrepresentations concerning any property sold by him shall be liable to the person damaged thereby and his bond shall stand good for all such damages.

Section 6 (License, Obtained, Mayor, How Transferred.) Every person who may wish to obtain a license as above provided, shall apply in writing for the same to the mayor, setting forth therein the names of his sureties and in no case shall such license be transferable without the consent of the mayor indorsed therein in writing, and without the transferee giving a like bond as that above mentioned.

Section 7 (License may be revoked, By whom, For what.) The license herein mentioned shall be subject to a revocation by the mayor whenever it shall appear to his satisfaction that the person so licensed shall have violated any of the provisions of any ordinance of the City of Washburn relating to auction or auction sales, or any condition of the bond aforesaid.

Section 8 (Signed by whom, Term of.) Such license shall be signed by the mayor and city auditor, and shall be granted for a term of one year from its date, and shall specify for what purpose it is granted.

Section 9 (Penalty for selling without a license) Any person who shall sell or attempt to sell at public auction in the City of Washburn any goods, wares, merchandise, commodity or other personal or real property whatever, except under or by virtue of legal process, or under or by virtue of a mortgage, without first having obtained a license therefor, as above required, shall forfeit and pay to the said city for each offense the sum of fifty (\$50) dollars.

Section 10.(Penalty for violation of Ordinance.) Any person or persons violating any provisions of this ordinance, when no other penalty is imposed, shall be subject to a fine of not less than twenty five(\$25)dollars nor more than one hundred (\$100) dollars.

Section 11. (repeal) All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Read first time, September 10, 1908.
Read second time, October 12, 1908.
Passed, January 20, 1909.
Approved, January 20, 1909.
(Seal)

Theo. J. Haugeberg,
Mayor

Attest: Theo. Serr,
City Auditor