

Section

Chapter 1: General Provisions

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CHAPTER 1: GENERAL PROVISIONS

§ 24-1-1-1 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

COUNTY INSPECTOR. The person or persons duly authorized to inspect weighing or measuring instruments in the County.

INSTRUMENT. Any scale, weight, beam, measure, or weighing or measuring device of every kind or instrument, or parts thereof, subject to regulation by the Division of Weights and Measures of the State Department of Health.

(Ord. 2009-05, passed 4-27-2009)

§ 24-1-1-2 STATE STANDARDS; COMPLIANCE REQUIRED.

No person engaged in the business of selling, buying, exchanging goods or commodities by weight, measurement, or volume shall use an instrument in his or her business operations for such purpose if such instrument does not meet the standards established by the state or the Division of Weights and Measures of the State Department of Health. A person who violates this section shall be fined \$50.

(Ord. 2009-05, passed 4-27-2009)

§ 24-1-1-3 INSPECTION OF MOBILE INSTRUMENTS.

- (A) If an instrument is mobile or otherwise operated at more than one location and is not made available to be inspected by the County Inspector at a permanent business location during regular business hours of the County, the County Inspector shall have the authority to order the owner or

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operator to present the instrument for inspection by the County Inspector at a time and location designated by the County Inspector.

- (B) A person who fails to comply with such order of the County Inspector shall be fined \$50.

(Ord. 2009-05, passed 4-27-2009)

§ 24-1-1-4 INSTRUMENT REPAIR AND INSTALLATION.

- (A) All owners or operators of instruments shall inform the County Inspector that an instrument has been repaired or installed, and shall provide the County Inspector with the location of such instrument prior to that instrument being placed into service. The County Inspector thereafter shall certify the instrument's accuracy, and shall affix a security seal and/or annual approval seal. A person who violates this section shall be fined \$50 for each such instrument placed into service without such certification and seal.
- (B) Any person who owns or operates more than one instrument of a particular type at a business location shall serially number each instrument in such a manner that each instrument shall be readily distinguishable from all other such instruments of that type present at that location. A person who violates this section shall be fined \$25.

(Ord. 2009-05, passed 4-27-2009)

§ 24-1-1-5 SECURITY SEALS.

- (A) When a weighing or measuring device is security sealed by a County Inspector, such security seal shall not be cut, severed, or removed without permission of a County Inspector. Any weighing or measuring device designed to be security-sealed shall be sealed by a County Inspector.
- (B) Repair personnel whose equipment is certified under § 24-1-1-4 may remove a security seal for the purpose of making repairs without prior approval of the County Inspector. Repair personnel who cut, sever, or remove a security seal shall notify the County Inspector within 24 hours.
- (C) If the instrument bears an annual approval seal on its exterior, such approval seal shall not be altered, defaced, or removed.
- (D) No security seal or annual approval seal shall be valid in the County except a seal authorized by the County Inspector.
- (E) No weighing or measuring device shall be used in the business of selling, buying, bartering, or exchanging of goods or commodities if the security seal has been cut, severed, or removed until it is resealed by the County Inspector or permission is given by the County Inspector if immediate resealing is impractical.
- (F) A person who violates this section shall be fined \$100.

(Ord. 2009-05, passed 4-27-2009)

§ 24-1-1-6 COMMODITY REGULATIONS.

- (A) All persons engaged in the selling, buying, bartering, or exchanging of goods or commodities must sell, buy, barter, or exchange the goods or commodities using the legal method of selling, buying, bartering, or exchanging such goods or commodities as required by the National Conference on Weights and Measures Sale of Commodities Regulation.
- (B) All commodities and goods offered for sale in packages or containers shall meet all labeling requirements of the National Conference on Weights and Measures Packaging and Labeling Regulations. A manufacturer, wholesale distributor, or retail seller who violates this section may be fined as follows for the number of such units at each location where they are available for purchase:

1 to 25 units	\$50
26 to 50 units	\$100
51 to 75 units	\$150
76 to 100 units	\$200
101 to 200 units	\$400
201 or more units	\$500

- (C) All commodities when required to be sold by weight must be sold by net weight, and all commodities required to be sold by measure or count shall be accurate as required.
- (D) The manufacturer, wholesale distributor, or retail seller of a prepackaged commodity that is less than the weight, measure, or count designated on its package may be fined as follows for the number of such units at each location where they are available for purchase:

1 to 25 units	\$50
26 to 50 units	\$100
51 to 75 units	\$150
76 to 100 units	\$200
101 to 200 units	\$400
201 or more units	\$500

(Ord. 2009-05, passed 4-27-2009)

§ 24-1-1-7 ENFORCEMENT.

- (A) The County Inspector may issue to the violator a citation that shall be written on a citation ticket and kept on file in the Weights and Measures Office.

- (B) If the violator does not pay the fine and/or correct the problem within 10 calendar days, the matter shall be referred to the County Attorney for prosecution.
 - (C) The fine shall be doubled if the person has a prior violation of this chapter within one year.
 - (D) Each day the violation continues constitutes a separate violation.
 - (E) All fines shall be deposited into a dedicated, nonreverting fund (Fund Number 462) to be used for capital purchases for the Weights and Measures Department, subject to appropriation of funds by the County Council.
- (Ord. 2009-05, passed 4-27-2009)

TITLE 25: LICENSES

Article

- 1. **SECOND-HAND GOODS; PAWN BROKERS**
- 2. **PEDDLERS, SOLICITORS, AND TRANSIENT MERCHANTS**
- 3. **FOOD SERVICE ESTABLISHMENTS**
- 4. **CONTRACTORS OPERATING WITHIN JURISDICTION OF COUNTY**
- 5. **ALCOHOL SALE**
- 6. **TATTOO PARLORS; BODY PIERCING**

ARTICLE 1: SECOND-HAND GOODS; PAWN BROKERS

Section

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- 25-1-1-1 Pawnbrokers
- 25-1-1-2 Dealers in used or second-hand goods

CHAPTER 1: GENERAL PROVISIONS

§ 25-1-1-1 PAWNBROKERS.