

CHAPTER 112: COAL DEALERS

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112.01 SCOPE OF CHAPTER

This chapter does not apply to the sale of fuel, to recognized and regularly licensed coal dealers in carload lots, nor to the sale of fuel in carload lots to industries, institutions, firms, individuals, or other purchasers that receive delivery for their own use and consumption. This chapter shall not apply to a manufacturer or other employer of labor who sells coal to any of his employees. ('72 Code, 36.01) (Ord. 1016-1932)

112.06 MISREPRESENTATION

It shall be unlawful for any person to sell or offer for sale or delivery, any fuel by any name which is not the true, usual, and customary name of the fuel, or in doing so to misrepresent to the purchaser the state where it is mined, or the name, number of the district, mine, or seam from which it was mined, or the size of the lumps composing the coal or fuel, or the character of its preparation, or as to whether it is shoveled or forked lump or egg, nut, pea, mine run, slack, or screenings. ('72 Code, 36.05) (Ord. 1016-1932)

112.07 MIXING FUELS

It shall be unlawful for any person to substitute or mix fuels, or to cause the substitution or mixing of fuels, except when the fuel has been sold as such and is clearly understood by the purchaser, and clearly indicated on the delivery ticket. ('72 Code, 36.06) (Ord. 1016-1932) Penalty, see 112.99

112.08 DELIVERY TICKETS; RECORDS

Every licensee operating under this chapter shall compute the delivery ticket weight by using the last tare weight of deliver equipment, taken at least once a day of every day of dry weather and twice a day in rainy or wet weather. The daily record of tare weights of equipment shall be kept for reference by the dealer covering a period of the past ten days at all times. Dealers daily tare weight records of hauling equipment shall be

subject to inspection by the Inspector of Weights and Measures or his deputies. ('72 Code, 36.07) (Ord. 1016-1932)

112.09 WEIGHING COAL

(a) Any person retaining coal in the city shall send with each load a certificate showing, separately, the weight of the vehicle, and the weight of the coal. The certificate shall be signed by the person selling the coal and shall be delivered with the load of coal to the purchaser.

(b) Before the unloading or discharging of any load of coal on or near the premises of the proposed purchaser, the purchaser or the Inspector of Weights and Measures may demand of the seller or his agent, driver, or other person in charge of the load, a certificate of weight, as herein provided for. The seller, agent, driver, or other person shall surrender the certificate to the purchaser or the Inspector, who may, if he doubts the correctness of the certificate require the seller, agent, driver, or other person to reweigh any load of coal at any suitable scales in the city. The purchaser or Inspector shall pay the keeper of the scales for weighing the same. ('72 Code, 36.08) (Ord. passed 1-19-03)

112.99 PENALTY

Any person who violates any provision of this chapter shall, on conviction for the first offense, be fined in any sum not to exceed \$100. For the second or any subsequent offense, be fined not less than \$25 nor more than \$200, and in case of the second or any subsequent violation the person's license under this chapter may, in the discretion of the court, be revoked. ('72 Code, 36.09) (Ord. 1016-1932)