

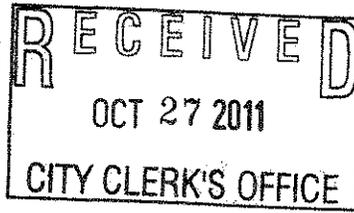
## AGENDA

### SPECIAL MEETING OF THE COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS

**November 28, 2011**  
**Aldermen Lopez, Osborne,**  
**O'Neil, DeVries, Corriveau**

**5:00 p.m.**  
**Aldermanic Chambers**  
**City Hall (3<sup>rd</sup> Floor)**

1. Chairman Lopez calls the meeting to order.
2. The Clerk calls the roll.
3. Communication from Donald Kennedy regarding a business license for 223 South Willow Street.  
*(Note: Previously distributed to the Board of Mayor and Aldermen on September 30, 2011)*  
*On file for viewing with Office of the City Clerk, One City Hall Plaza.*  
**Ladies and Gentlemen, what is your pleasure?**
4. Communication from Stefanie Pope, Savers, requesting an exemption from Ordinance 114, Secondhand and Junk Dealers.  
*(Note: Attached is a proposed amendment to the Ordinance.)*  
**Ladies and Gentlemen, what is your pleasure?**
5. Appeal of the revocation of a Taxi License.  
***A motion would be in order to enter non-public session under the provisions of RSA 91-A:3(II)(c).***  
  
***A roll call vote is required on the motion.***
6. Appeal of the denial of a Taxi License.  
***A motion would be in order to enter non-public session under the provisions of RSA 91-A:3(II)(c).***  
  
***A roll call vote is required on the motion.***
7. There being no further business, a motion is in order to adjourn.



October 26, 2011

Doing Business As

Value Village  
SAVERS  
Village Valeurs  
SAVERS Recycling Inc.

City of Manchester  
Attn: Committee on Administration  
Board of Mayor and Aldermen  
c/o Office of the City Clerk  
One City Hall Plaza  
Manchester, NH 03101

Sent By Federal Express

Corporate Offices:

11400 SE 6th Street  
Suite 220  
Bellevue, WA 98004

P.O. Box 808  
Bellevue, WA 98009

P: 425-462-1515  
F: 425-451-2250

www.savers.com

Dear Aldermen

Re: Request for exemption from Manchester Code of Ordinances  
New Savers store at 93 South Maple Street, Manchester, NH.

I am writing on behalf of TVI, Inc. doing business as **Savers**, to request an exemption from Chapter 114 of the Manchester Code of Ordinances with respect to Secondhand Dealers (a copy of this Chapter is attached for your reference).

We have recently discussed our request with Mr Kevin Kincaid of the Office of the City Clerk, who in turn referred our request to the Assistant Chief of Police and the City Attorney. It has been recommended that we direct our request directly to the Board of Mayor and Aldermen.

The reason for our exemption request is that **Savers** stores do not operate like pawnshops and we do not purchase any goods from the general public. We sell secondhand goods, obtained primarily through buy/sell arrangements with local charities who have received those secondhand goods as donations from the public. As such we have no means of recording specific descriptions of goods received, or persons from whom received.

This letter describes generally who **Savers** is and how we operate our stores and provides more detail around our request for exemption from the Manchester Code.

1. Local licensing

We encounter local licensing similar to the Manchester Code on a regular basis, and work with local governmental and police authorities in the U.S. and Canada to avoid misunderstandings and clarify regulatory schemes to ensure that the objectives of these authorities are met, while continuing to conduct our operations. We attach examples of some recent exemption letters we have obtained from similar licensing provisions.

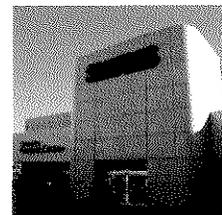
2. Savers, across the U.S. and Canada

**Savers** operates over 130 stores located in 26 U.S. States coast-to-coast, with an additional 120 stores in Canada (under the trade name of **Value Village**) and 8 stores in Australia.

We currently have 2 New Hampshire retail stores, both supporting a relationship with the **Epilepsy Foundation of Massachusetts, Rhode Island, New Hampshire & Maine.**

Nashua: 224 Daniel Webster Highway, Nashua, New Hampshire  
Opened on March 18, 2010

Portsmouth: 2064 Woodbury Avenue, Newington, New Hampshire  
Opened on September 9, 2010



U.S. Store Operations:  
TVI, Inc.

11400 SE 6th Street  
Suite 220  
Bellevue, WA 98004

P.O. Box 808  
Bellevue, WA 98009

P: 425-462-1515  
F: 425-451-2250

www.savers.com

Canadian Store Operations:  
Value Village Stores, Inc.

7350 Edmonds Street  
Burnaby, BC V3N 1A8

P: 604-540-4916  
F: 604-540-6478

www.valuevillage.com  
www.villagedesvaleurs.com

Australian Store Operations:  
Savers Australia Pty Ltd.

330 Sydney Road  
Brunswick, Victoria, AU 3056

P: 011-61-3-9381-2800  
F: 011-61-3-9381-2700

www.savers.com.au

Savers Recycling, Inc.

4101 K Industry Drive E.  
Fife, WA 98424

P: 253-896-0055  
F: 253-896-0160

Continued over page ...

We hope to open our third New Hampshire store in Manchester in mid 2012.

Our stores are generally 25,000 to 40,000 square feet, with a store payroll numbering anywhere from 40 to 50 teammates hired from the local community. We have operated our stores since 1954.

The mix of items in our inventory consists substantially of used clothing, footwear and a full variety of household goods. We do carry new items primarily on a seasonal basis, for example during the Halloween and holiday seasons. The overwhelming majority of the items in our inventory are not the type of products that would be likely candidates to be "stolen property".

### 3. Obtaining secondhand merchandise from local charities

The merchandise available in our stores is primarily obtained through buy/sell arrangements with local not-for-profit organizations. Within New Hampshire, we currently partner with the **Epilepsy Foundation of Massachusetts, Rhode Island, New Hampshire & Maine**. Throughout the US and Canada we partner with over 75 not-for-profit organizations.

We purchase merchandise from the charities that has been donated to them either by home pick up collection by the charities, or dropped-off at a donation centre at one of our retail locations. We pay the charities for all goods we receive from them (collected) or on their behalf (dropped at our donation centre) on a bulk weight basis, regardless of the quality or type of items. The balance of our used merchandise comes from commercial vendors.

We do not purchase any secondhand goods from the general public.

The merchandise we purchase from not-for profit organizations provides funding to support their worthy causes in New Hampshire and all over the U.S. Last year, we paid our nonprofit partners and their programs more than \$144 Million to fund their programs and services. To date, we've paid more than \$1 billion over the last 10 years.

In addition, Savers provides an outlet for merchandise that may otherwise be treated as garbage, and sent to a local land fill.

As you can see the impact of a Savers store on a community is substantial in financial, human, philanthropic, and environmental terms, not to mention giving the local citizenry the opportunity to shop at one of the U.S. most popular stores!

### 4. The Intent of the Manchester Code of Ordinances

As a corporate citizen within your community, we share the concerns of the City of Manchester in relation to regulation of pawnshops and secondhand stores that buy goods directly from the public, and wholeheartedly support efforts to impede the buying and selling of stolen property.

We believe any such regulatory scheme should make allowance for situations where the scheme itself maybe onerous or not in aid of the community's objective to control stolen property.

Individuals who commit property crimes do not donate property that they have stolen to charitable organizations, or indirectly via secondhand stores such as Savers, the Salvation Army or Goodwill, who do not purchase their merchandise from the general public.

Our stores are professionally managed and maintained as you would expect from a national credit retailer. Savers store operations are not vulnerable to the problems surrounding stolen property, hence though the intent of the Manchester Code is appropriate, we propose that Savers should be exempted as to the recording, reporting, and holding period obligations under the Code (as specifically outlined below).

## 5. Proposed exemption

On the basis of the information set out above, we request an exemption from the City of Manchester, exempting Savers from Chapter 114 of the Code of Ordinances, so that we may operate our business model in our proposed new Manchester store.

The exemption we request could come in one of two ways.

### **Option One – Letter of exemption**

Firstly, the City could provide a clarification letter which states: *"We confirm that Chapter 114 of the Manchester Code of Ordinances does not apply to the proposed Savers store at 93 South Maple Street, Manchester, New Hampshire, and will not be enforced against TVI, Inc dba Savers"*.

### **Option Two – Amendment to the Manchester Code**

Alternatively, if the City prefers a more formal method, an amendment could be made to the Code, in existing Paragraph 114.04 (Exclusions) of the Code, along the following lines:

*"Specifically excluded from the provisions of this chapter are the following:*

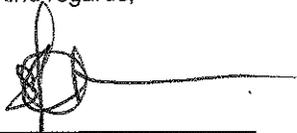
- (A) Purchases from private residences by citizens not engaged in a secondhand dealer type business.*
- (B) Transactions between secondhand dealers/antique dealers, auctioneers or auction houses.*
- (C) (NEW PROVISION) An organization that purchases secondhand goods from a not-for-profit organization, whether directly or indirectly, and does not purchase any secondhand goods from the general public."*

We appreciate your time and attention in reviewing our request for exemption.

Should you have any queries in relation to our exemption request or require any clarification in relation to how our stores operate, please contact Stefanie Pope directly on (425) 456-1751.

We look forward to hearing from you.

Kind regards,



**Stefanie Pope**  
Paralegal

Ph: (425) 456-1751  
Em: [spope@savers.com](mailto:spope@savers.com)



**Bradley Whiting**  
General Counsel

Ph: (425) 450-2374  
Em: [bwhiting@savers.com](mailto:bwhiting@savers.com)

**ANNEXURE 1: Chapter 114 (Secondhand and Junk Dealers) of the Manchester Code of Ordinances:****CHAPTER 114: SECONDHAND AND JUNK DEALERS**

## Section

- 114.01 License required, application, fee, and revocation
- 114.02 Purchases from minors
- 114.03 Records and inspections
- 114.04 Exclusions

**§ 114.01 LICENSE REQUIRED; APPLICATION, FEE, AND REVOCATION.**

(A) No person, firm, or corporation shall engage in the business of junk dealers, junk collector, or secondhand dealer/antique dealer, auctioneer, or auction house as defined by § 110.01 of this title unless licensed therefore by the City Clerk.

(B) Applications for such licenses shall be made to the City Clerk, upon blanks furnished by him for that purpose and shall be submitted by him to the Chief of Police who may cause an investigation to be made of the fitness of the applicant to engage in the business of a junk dealer, junk collector, or secondhand dealer/antique dealer, auctioneer, or auction house, and report his findings to the City Clerk before such license is acted upon and the following fee shall be paid to the City Clerk:

(1) If the applicant has a fixed place of business within the city, the fee shall be as provided for under § 110.29 of this title.

(2) If the applicant does not have a fixed place of business within the city, the fee shall be \$50 per annum.

(C) Such license shall expire on April 30 each year, unless sooner revoked, and shall neither be assigned nor transferred, but it may be revoked at any time by the Committee on Administration after notice and hearing for just cause. No junk collector shall call out, or shout any words to indicate his business in any street, lane, or alley within the city limits. No rags or junk of any kind or description shall be sorted within the sanitary limits of the city, by any person, firm, or corporation, without first securing a permit from the Board of Health of the city.

(Ord. passed 3-7-95) Penalty, see § 10.99

**Cross-reference:**

*Business license fees, see § 110.29*

**§ 114.02 PURCHASES FROM MINORS.**

No junk dealer, junk collector, or secondhand dealer/antique dealer, auctioneer, or auction house shall directly or indirectly, either purchase or receive by way of barter or exchange, any of the articles aforesaid, of a minor, under the age of 18 years, knowing or having reason to believe him to be such, except when the minor shall be accompanied by a parent or legal guardian who shall sign the transaction record in person before the dealer or collector.

(Ord. passed 3-7-95) Penalty, see § 10.99

**§ 114.03 RECORDS AND INSPECTIONS.**

(A) Every pawnshop, secondhand dealer/antique dealer, auctioneer, or auction house, upon the acquisition of any article enumerated in § 110.01 of this title, shall prepare duplicate transaction records, blanks for which shall be furnished by the Police Department, detailing the proven identity of the seller including his name, date of birth, address, type of identification and identification number if there is one. If the identity of the seller cannot be proven, no transaction may occur. The record shall also contain the month, day, and year when the transaction occurred as well as a full, accurate, and detailed description of each article purchased including brand name and serial number, if any, with the price paid therefor, and cause the record to be signed by the seller in person. A copy of the record shall be forwarded to the Police Department as soon as possible, but no later than 72 hours after completion of the transaction. The dealer shall retain a copy of the record at his local place of business for one year from the date of transaction which, along with any article therein listed, may be inspected by any duly authorized police officer. No article so purchased shall be sold, changed, altered in its appearance or otherwise within seven days after the purchase thereof, except with the written consent of the Chief of Police, but in no case within 48 hours after the purchase. Every pawnshop, secondhand dealer/antique dealer, auctioneer, or auction house, upon the sale of a secondhand article enumerated in § 110.01 of this title, shall prepare and maintain at his local place of business, a record of the sale detailing the proven identity of the buyer including his name, date of birth, address, and type of identification. The record shall also contain a description of the article sold including brand name and serial number, if any, and the price paid therefor. The record shall be available at the local place of business for inspection by any duly authorized police officer.

(B) Every junk dealer, upon the acquisition of any item enumerated in § 110.01 of this title, shall prepare and maintain at his local place of business, a record of such transaction detailing the proven identity of the seller including his name, date of birth, address, and type of identification used. The record shall also include a full, accurate, and detailed description of the item, including brand name and serial number, if any, including price paid therefor, as well as the day, month, and year when the transaction occurred. The record shall be available at the local place of business for inspection by any authorized police officer for one year from the date of transaction.

(Ord. passed 3-7-95) Penalty, see § 10.99

**§ 114.04 EXCLUSIONS.**

Specifically excluded from the provisions of this chapter are the following:

(A) Purchases from private residences by citizens not engaged in a secondhand dealer type business.

(B) Transactions between secondhand dealers/antique dealers, auctioneers, or auction houses.

(Ord. passed 3-7-95)

**ANNEXURE 2: Some recent exemption letters granted to SAVERS**



**Village of Carol Stream**

FRANK SAVERINO SR., MAYOR • BETH MELODY, CLERK • JOSEPH E. BREINIG, MANAGER  
500 N. Gary Avenue • Carol Stream, Illinois 60188-1899  
(630) 665-7050 • FAX (630) 665-1064  
[www.carolstream.org](http://www.carolstream.org)

October 4, 2011

Stefanie Pope  
Paralegal  
Savers | Value Village | Village des Valeurs  
11400 SE 6<sup>th</sup> Street, Suite 220  
Bellevue, WA 98004

**VIA E-MAIL ONLY**

**Re: Possible Savers Store in Carol Stream, Illinois**

Dear Ms. Pope:

Please allow this correspondence to serve as a response to your e-mail from October 4, 2011, in which you seek a formal interpretation as to the applicability of the secondhand business licensing requirements of the Carol Stream Code of Ordinances to the operation of a *Savers* retail store. We confirm that Chapter 10, Article 7 of the Carol Stream Code of Ordinances does not apply to the proposed Savers store at 1175 North Gary Avenue, Carol Stream, Illinois and will not be enforced against TVI, Inc. dba Savers.

I hope you find this information useful. If you should have any questions, please do not hesitate to contact me by telephone at (630)871-6233 or by e-mail at [dbastian@carolstream.org](mailto:dbastian@carolstream.org).

Sincerely,

Donald T. Bastian, AICP  
Assistant Community Development Director

DTB:db

c: Robert J. Glees, Community Development Director

T:\Assistant Director\Correspondence\Zoning Letters\Savers Business License.doc

MAYOR  
Daniel J. McLaughlin  
VILLAGE CLERK  
David P. Maher  
15100 S. Ravinia Ave.  
Orland Park, IL 80462  
(708) 349-4111  
[www.orland-park.il.us](http://www.orland-park.il.us)



DEPARTMENT OF POLICE  
Timothy J. McCarthy  
CHIEF OF POLICE

TRUSTEES  
Kathleen M. Fenton  
Brad S. O'Halloran  
James V. Dodge  
Edward G. Schussler III  
Patricia A. Gira  
Carole Griffin Ruzich

June 7, 2011

TVI, Inc.  
11400 SE 6<sup>th</sup> St  
Suite 220  
Bellevue, WA. 98004

Ms. Stefanie Pope  
Paralegal

Ms. Pope

In regards to your request for a letter of exemption from The Village of Orland Park Ordinance 7-3-8, (Record Keeping Requirements for Secondhand Dealers in gold, Silver, Precious Metals or Gems, and Article 9-13-8 Reports Required). We have determined that ordinance is not applicable to the business conducted by TVI, Inc. d/b/a/ as Savers. This decision is based upon your identification of your business practices of not buying second hand materials from individuals, or the general public.

With this understanding, The Village of Orland Park is providing the exemption from the Second Hand Dealer requirements under Ordinance 7-3-8 and Article 9-13-8. TVI, Inc. d/b/a/ as Savers will still be required to follow all other Village of Orland Park Codes and Ordinances as pertaining to the operation of any retail business.

Sincerely,

Commander John Keating  
Orland Park Police Department  
Criminal Investigations Division

Printed on Recycled Paper

POLICE DEPARTMENT  
OFFICE OF THE CHIEF OF POLICE



May 19, 2011

**COPY**

TVI, Inc. d.b.a. Savers  
Attn: Bradley Whiting  
11400 SE 6<sup>th</sup> Street, Suite 220  
Bellevue, WA 98001

**Re: Proposed Savers Store at 4925 McDonald Avenue, Richmond, CA**

Dear Brad,

We confirm that Chapter 7.60 "Secondhand Articles" of the Richmond Municipal Code does not apply to the Savers Store to be located at 4925 McDonald Avenue, Richmond, CA, and the requirements of Chapter 7.60 will not be enforced against TVI, Inc. d.b.a. Savers Store.

Sincerely,

Deputy Chief Ed Medina

1701 Regatta Blvd, Richmond, CA 94804-7409  
Telephone: (510) 620-6655 Fax: (510) 620-6880 [www.ci.richmond.ca.us](http://www.ci.richmond.ca.us)



*10/16*  
**Finance Office**  
P.O. Box 2083  
200 3rd Street North  
Fargo, North Dakota 58107-2083  
Phone: 701-241-1333  
Fax: 701-241-1526

March 21, 2011

Brad Whiting  
C/O Savers  
11400 SE 6<sup>th</sup> Street, Suite 220  
Bellevue, WA 98004

**COPY**

Dear Mr. Whiting:

Any person or organization that purchases, sells or trades second hand goods is required to have a Second Hand Goods Dealers license issued by the City of Fargo pursuant to Article 25-35 of the Fargo Municipal code. Exemptions from this statute include sales by stores sponsored by non-profit corporations or fraternal or religious organizations.

My understanding is that Savers receives all of their merchandise by purchasing in bulk from a qualified charitable organization. The City of Fargo will not require Savers to have a Second Hand Goods Dealers license as long as Savers continues to acquire their inventory from qualified charitable organizations.

If you have any questions regarding this letter, feel free to call me at 701-241-1301.

Sincerely

Steven Sprague

City Auditor



Printed on Recycled paper

# City of Manchester New Hampshire

*In the year Two Thousand and Eleven*

## AN ORDINANCE

“Amending Chapter 114 of the Code of Ordinances of the City of Manchester by adding a new section creating an exclusion for organizations that purchase secondhand goods from not-for-profit organizations.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,  
as follows:

- I. Amend the Code of Ordinances by deleting language as stricken (-----) and inserting new as bolded (bold). Sections of the following chapters that remain unchanged, appear in regular type.

### § 114.04 EXCLUSIONS.

Specifically excluded from the provisions of this chapter are the following:

- (A) Purchases from private residences by citizens not engaged in a secondhand deal type of business.
- (B) Transactions between secondhand dealers/antique dealers, auctioneers, or auction houses.
- (C) **An organization that purchases secondhand goods, whether directly or indirectly, from a not-for-profit organization and does not purchase any secondhand goods from the general public.**

- II. This Ordinance shall take effect upon its passage.



**OFFICE OF THE CITY CLERK**  
**Business Licensing & Enforcement Div.**  
**One City Hall Plaza**  
**Manchester, NH 03101**  
Tel: (603) 624-6348 Fax: (603) 624-6481

Committee on Administration  
Office of the City Clerk  
One City Hall Plaza  
Manchester, NH 03103

**HEARING REQUEST FORM**

Date: 11-4-11

To Whom It May Concern:

I would like to request a hearing before the Committee on Administration to discuss the decision to deny/revoke my application for a license to drive a taxicab in the city of Manchester.

Sincerely,

Allen Conway  
286 HAYWARD ST  
M.A.N. - N.H.  
03103



**OFFICE OF THE CITY CLERK**  
**Business Licensing & Enforcement Div.**  
**One City Hall Plaza**  
**Manchester, NH 03101**  
Tel: (603) 624-6348 Fax: (603) 624-6481

Committee on Administration  
Office of the City Clerk  
One City Hall Plaza  
Manchester, NH 03103

**HEARING REQUEST FORM**

Date: 10/17/11

To Whom It May Concern:

I would like to request a hearing before the Committee on Administration to discuss the decision to deny/revoke my application for a license to drive a taxicab in the city of Manchester.

Sincerely,

Randy G. Elder Jr.  
312 Manchester St. Apt 3  
Manchester NH 03103