

## 5.45 – Pawnbrokers

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### **5.45.010 – Definitions**

Every person engaged in the business of receiving property in pledge or as security for money or other things advanced to the pawner or pledger, shall be held and is hereby declared and defined to be a pawnbroker.

(1988-M-27 : § 1)

### **5.45.020 – License required, application, fee and bond requirements**

- A. No person shall engage in, carry on or conduct the business of a pawnbroker within the city unless he be licensed so to do.
- B. Any person desiring a license as a pawnbroker shall make application in writing therefor to the Mayor, setting out in such application the full name and residence of the applicant, if an individual, and if a corporation, partnership or firm, the name and residence of each of its officers and local agent, individual owner, partner, associate, director and trade names to be used by applicant. Such application shall also set out the location at which it is intended or desired to conduct such business and any other information the Mayor or his designee shall find necessary.
- C. If such applicant shall produce satisfactory evidence of good character to the Mayor, he shall direct the City Clerk to issue a license to such applicant to conduct, carry on or engage in the business of a pawnbroker, at the place designated in such application for and during the period of such license, upon payment by such applicant to the City Clerk of an annual license fee of one hundred dollars (\$100.00) and the filing of a bond as required in this chapter.
- D. Every person so licensed shall at the time of receiving such license execute a bond to the city in the sum of one thousand dollars (\$1,000.00) with good and sufficient sureties, conditioned for the due observance of the ordinances of the city respecting pawnbrokers at any time during the continuance of such license.

(1988-M-27 : § 1)

### 5.45.030 – Records and pawn procedures

- A. Record of Loan and Pledges: Every pawnbroker shall keep a book in which shall be fairly written in ink at the time of each loan an accurate account and description in the English language of the goods, article or thing pawned or pledged, the amount of money loaned thereon, the time of pledging the same, the rate of interest to be paid on such loan and the name and residence of the person pawning or pledging the said goods, article or thing. No entry made in such book shall be erased or obliterated or defaced.
- B. Memorandum to Pledger: Every pawnbroker shall at the time of each loan deliver to the person pawning or pledging any goods, article or thing, a memorandum or note signed by him containing the substance of the entry required to be made in his book at the last preceding subsection, and no charge shall be made or received by any pawnbroker for any such entry, memorandum or note.
- C. Inspection of Records: The said book, as well as every article or other thing of value pawned or pledged, shall at all times be open to inspection of the Mayor or any member of the police force.

(1988-M-27 : § 1)

### 5.45.040 – Reports to police

It shall be the duty of every person licensed as aforesaid to make out and deliver to the Chief of Police every Tuesday before the hour of twelve o'clock (12:00) noon, a legible and correct copy of the book required in Section 5.45.030(a) hereof, of all personal property and other valuable things received or deposited during the preceding week, setting forth the hour when received, and a description of the person by whom left in pledge. No report shall be necessary for days when the business is closed.

(1988-M-27 : § 1)

### 5.45.050 – Purchases prohibited

No pawnbroker shall, under any pretense whatsoever, purchase or buy any secondhand furniture, metals or clothes or any other article or thing whatever offered to him as a pawn or pledge.

(1988-M-27 : § 1)

### 5.45.060 – Pledges

- A. Redemption of Pledge: No personal property received on deposit or pledge by any such licensed person shall be sold or permitted to be redeemed or removed from the place of business of such licensed person for the space of twenty-four (24) hours after the copy and statement required to be delivered to the Chief of Police shall have been delivered as required by Section 5.45.030.
- B. Pledge from Minor Prohibited: No person licensed as aforesaid shall take or receive in pawn or pledge for money loaned, any property, bonds, notes, securities, article or other valuable thing from any minor under the age of eighteen (18) years, or which may be in the possession or under the control of any minor.

(1988-M-27 : § 1)

### 5.45.070 – Employment of minors

No person licensed as aforesaid shall permit any person under the age of eighteen (18) years of age to take pledges in pawn for him.

(1988-M-27 : § 1)

### 5.45.080 – Change of location

If, after issuance and delivery of a license under the provisions of this chapter, any change be made in the place of business designated therein, no business shall be carried on or engaged in at such new location under such license, until notice of such change shall have been given, in writing, by the licensee to the City Clerk.

(1988-M-27 : § 1)

### **5.45.090 – License - Suspension - Revocation**

Nothing in the provisions of this chapter shall preclude the right of the Mayor to suspend or revoke the license of the licensee, as follows:

- A. The Mayor may temporarily suspend any license issued under the terms of this chapter when he has reason to believe that the continued operation of a particular licensed premises will immediately threaten the welfare of the community or create an imminent danger of violation of applicable law. In such case, he may, upon the issuance of a written order stating the reason for such determination, and without notice or hearing, order the licensed premises closed for not more than seven days; provided, that the licensee shall be given an opportunity to be heard in a public hearing during the seven-day period; and further provided, that if such licensee is also engaged in the conduct of other businesses on the licensed premises, such order shall not be applicable to such other businesses.
- B. The Mayor may suspend or revoke any license issued under the terms of this chapter upon due notice to the licensee of the time and place of a public hearing, and if the Mayor determines upon hearing that the licensee has failed or refused to comply with the terms of this chapter, has failed or refused to comply with other law applicable to the business of pawnbroker, or has been convicted by a court of competent jurisdiction of a violation of any provision of this chapter.

(1988-M-27 : § 1)

### **5.45.100 – Penalty**

Any pawnbroker who shall violate, neglect or refuse to comply with any of the provisions of this chapter shall, in addition to the suspension or revocation of his license, be fined not more than five hundred dollars (\$500.00) for each offense.

(1988-M-27 : § 1)