

Title 16

PAWNBROKERS, SECONDHAND DEALERS AND JUNK DEALERS

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CHAPTER 1. PAWNBROKERS***Sec. 16-101. Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Pawnbroker means any person who advances or loans money or valuable things on the deposit of personal property on the condition of selling the same back at a stipulated price. (Prior Code, § 16-101)

Sec. 16-102. Licenses—Required.

No person shall at any time carry on the business of a pawnbroker without obtaining a license therefor. A license shall be obtained from the Town Clerk upon prior approval of the Town Council.

(Prior Code, § 16-102)

Sec. 16-103. Licenses—Fee; transfer.

The pawnbroker's license fee shall be in such amount as the Town Council shall establish. Such licenses shall not be transferable.

(Prior Code, § 16-103)

Sec. 16-104. Licenses—Revocation.

In addition to any other penalty which may be imposed for a violation of the provisions of this chapter, the Town Council may require that any person who shall violate or fail to comply with any provisions of this chapter shall forfeit his license as a pawnbroker.

(Prior Code, § 16-104)

Sec. 16-105. Licenses—Secondhand dealer's license not required.

Persons holding a pawnbroker's license and also engaged in business as a secondhand dealer shall not be required to be licensed as a secondhand dealer in addition to his pawnbroker's license.

(Prior Code, § 16-105)

Sec. 16-106. Bond.

Any applicant for a license under this chapter shall execute to the Town a bond in the penal sum of one thousand dollars (\$1,000.00), conditioned that in the conduct of such

***State law reference**—Authority to license and regulate pawnbrokers and junk or secondhand dealers, W.S. 15-1-103(xliii).

business he will respect and obey the provisions of this Code and other ordinances of the Town applicable thereto and will pay all damages that may accrue to any person by reason of any fraud or misconduct in managing such business.

(Prior Code, § 16-106)

Sec. 16-107. Records required; contents.

Every pawnbroker shall keep at his place of business an accurate description of all personal property, bonds, notes and other securities received on deposit or purchased, the time when they were received or purchased, and mentioning particularly any descriptive or identifying marks that may be on such property, and accurate description of the person by whom they were left and such other information as may be required by the Chief of Police. Such entries must be made on the day such property is taken in, using ink or indelible pencil, and no entry shall be erased or obliterated. All such records shall be clean and legible and in such form as the Chief of Police shall prescribe.

(Prior Code, § 16-107)

Sec. 16-108. Inspection of records, merchandise, etc.

Every pawnbroker shall, upon request, during the ordinary business hours, submit and exhibit the records required by Section 16-107, to the inspection of the police officers and permit any of such officers to make a copy thereof. He shall also, upon request, exhibit for the inspection of any of such officers any goods, personal property, bonds, notes or other securities that may be so received by him.

(Prior Code, § 16-108)

Sec. 16-109. Stolen or illegally obtained property.

Any pawnbroker who shall have accepted, obtained or bought any property, bonds, notes or other securities or goods, either new or secondhand, from any person, shall deliver the same into the hands of the lawful owner when such owner shall have made a reasonably accurate and certain identification by means of number or description in the presence of the investigating officer.

(Prior Code, § 16-109)

Sec. 16-110. Transactions with minors.

No pawnbroker shall transact any such business with any person under eighteen (18) years of age.

(Prior Code, § 16-110)

CHAPTER 2. SECONDHAND DEALERS***Sec. 16-201. Secondhand dealers.**

Every person who buys, sells, exchanges or deals in personal property that has been previously used, broken or disfigured shall be considered a secondhand dealer, provided that merchants who deal in new furniture, dishes or other regular household furnishing and accept such articles for credit on the purchase price of new or used articles sold contemporaneously which are of similar character to the goods so exchanged shall not be considered secondhand dealers for the purposes of this chapter.

(Prior Code, § 16-201)

Sec. 16-202. Licenses.

No person shall conduct any business as a secondhand dealer in the Town without obtaining a license therefor, except as provided by Section 16-105 concerning holders of a pawnbroker's license. The fee for such license shall be established by the Town Council.

(Prior Code, § 16-202)

Sec. 16-203. Records, generally.

Every dealer licensed under this chapter shall keep at his place of business an accurate detailed record of every article purchased by him, exclusive of household furnishings. Such record shall include the date of purchase, name of seller, amount paid and a description of the article. Such records shall be clean and legible.

(Prior Code, § 16-203)

Sec. 16-204. Inspection of records, merchandise, etc.

Every secondhand dealer shall, upon request, during ordinary business hours, submit and exhibit the records required by Section 16-203 to the inspection of the Chief of Police or any regular police officer of the Town and permit any of such officers to make a copy thereof. He shall also, upon request, exhibit for the inspection of such officers any personal property or merchandise, exclusive of household furnishings, that be so received by him.

(Prior Code, § 16-204)

Sec. 16-205. Stolen or illegally obtained property.

Any secondhand dealer who shall have accepted, obtained or purchased any new or secondhand personal property or merchandise from any person, shall deliver the same into that hands of the lawful owner when such owner shall have made a reasonably accurate and certain identification by means of number or description in the presence of the investigating officer.

(Prior Code, § 16-205)

*State law reference—Authority to license and regulate pawnbrokers and junk or secondhand dealers, W.S. 15-1-103(xliii).

CHAPTER 3. JUNK DEALERS*

Sec. 16-301. License required.

No person shall carry on or engage in the business of keeping a junk shop, or what is commonly called a junk shop, or carry on or engage in purchasing, selling, bartering, exchanging, or other dealings in or the storage of rags, old rope, paper or bagging, old iron, brass, copper, tin, lead or other old metals, rubber, empty bottles of other junk without first obtaining a license therefor from the Town.

(Prior Code, § 16-301)

Sec. 16-302. License application.

The application for a junk dealer's license shall be in writing, shall be signed by the applicant and shall contain a description of the premises where the business to be licensed is located.

(Prior Code, § 16-302)

Sec. 16-303. License fee.

The fee for licenses required by this chapter shall be as set by the governing body from time to time.

(Prior Code, § 16-303)

Sec. 16-304. Right of entry of police and Town officers.

The place of business, storehouse or yards and the articles, things, goods, wares or merchandise therein, of any person engaged in a business mentioned in Section 16-301 shall, at all reasonable hours, be open to inspection by the police officers or other authorized officers and agents of the Town.

(Prior Code, § 16-304)

Sec. 16-305. Register.

Every owner, proprietor or keeper of a junk shop and every person dealing in junk shall provide and keep a book in which shall be written the date and time of every purchase, a description of the article purchased and the name and residence of the person from whom the article was purchased, except that this section shall not apply to the purchasing of rags, paper or bagging or empty bottles.

(Prior Code, § 16-305)

***State law reference**—Authority to license and regulate pawnbrokers and junk or secondhand dealers, W.S. 15-1-103(xliii).