

CITY OF GRANITE FALLS

ORDINANCE NO. 569

**AN ORDINANCE OF THE CITY OF GRANITE FALLS
ESTABLISHING REGULATIONS FOR PAWNBROKERS
AND SECONDHAND DEALERS.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRANITE
FALLS:**

Section 1. Definitions. For the purpose of this Ordinance, the following definitions shall apply:

A. "Melted metals" means metals derived from metal junk or precious metals that have been reduced to a melted state from other than ore or ingots which are produced from ore that has not previously been processed.

B. "Metal junk" means any metal that has previously been milled, shaped, stamped, or forged and that is no longer useful in its original form, except precious metals.

C. "Non-metal junk" means any non-metal, commonly discarded item that is worn out, or has outlasted its usefulness as intended in its original form except non-metal junk does not include an item made in a former period which has enhanced value because of its age.

D. "Pawnbroker" means every person engaged in who or part, in the business of loaning money on the security of pledges, deposits or conditional sales of personal property.

E. "Precious metals" mean gold, silver, and platinum.

F. "Secondhand dealer" means every person, engaged in whole or in part in the business of purchasing, selling, trading, consignment selling, or otherwise transferring for value, secondhand property including metal junk, melted metals, precious metals, whether or not the person maintains a fixed place of business within the state.

G. "Secondhand property" means any item of personal property offered for sale which is not new, including metals in any form, except postage stamps, coins that are legal tender, bullion in the form of fabricated hallmarked bars, and clothing of a resale value of seventy-five dollars or less, except furs.

H. "Transaction" means a pledge, purchase or consignment by a pawnbroker or a secondhand dealer from a member of the general public.

I. "Loan period" means the period of time from the date the loan is made until the date the loan is paid off, the loan is in default, or the loan is refinanced and new loan documents are issued, including all grace or extension periods.

Section 2. Exemptions. The provisions of this Ordinance to not apply to transactions conducted by the following:

- A. Motor vehicle dealers licensed under RCW Chapter 46.70;
- B. Motor vehicle wreckers or hulk haulers licensed under RCW Chapter 46.79 or 46.80;
- C. Persons giving an allowance for the trade-in or exchange of secondhand property on the purchase of other merchandise of the same kind of greater value; and
- D. Persons in the business of buying empty food and beverage containers or non-mental junk.

Section 3. License required. It is unlawful for any person, corporation, or company to engage in the business of pawnbroker or secondhand dealer, without first having obtained a license known as a "pawnbroker's and second-hand dealer's license".

A. License Fee. The fee for a license, commencing January 1st and ending December 31st of each calendar year, payable in advance to the city clerk, will be \$150.00.

B. Nontransferable. A license issued in accordance with this chapter shall be nontransferable from the person, corporation or company to whom issued.

C. Investigation. No license will be issued to any person who has been convicted of the offense(s) of burglary, robbery, theft, or of receiving stolen goods within the past ten years. An investigation is to be made by the chief of police or his designee.

D. Application. In order to obtain said license an applicant shall make written request to the city clerk on forms furnished by the city. Such request shall be referred to the chief of police and if upon investigation it be deemed satisfactory that the applicant is entitled to a license, the same shall be granted upon payment of license fee provided herein.

Section 4. License suspension or revocation. Any license issued pursuant to this Ordinance may be suspended for up to sixty days or revoked by the chief of police for good cause. If the chief of police intends to revoke or suspend such license, he shall give written notice of such intention to the licensee at least twenty days before such suspension or revocation is to begin. For the purpose of this section "good cause" shall include, but not be limited to:

- A. Conviction of the licensee or any of his employees of any crime relating to the operation of a used goods or pawnbroker dealership;

B. Violation by the licensee or his or her employees of any of the provisions of this ordinance, or another ordinance or statute relating to the operation of a used goods or pawnshop dealership;

C. Failure to record an item purchased or received by the licensee or his or her employees;

D. Failure to submit to the police all required records.

E. Falsely stating any material fact on the license application;

F. Submitting a false or incomplete record to the police.

Section 5. Appeal.

A. Any person whose license is suspended or revoked may then demand a hearing before the chief of police. Such demand shall be made in writing to the chief of police and must be made within ten days after the notice of revocation or suspension is received.

B. Any person whose license is suspended or revoked by the chief of police may appeal such suspension or revocation to the city council. Such appeal must be made in writing within ten days of the final order of suspension or revocation by the chief of police, and shall be heard at the first regularly scheduled meeting of the city council thereafter.

Section 6. Adopted by reference. RCW 19.60.014, 19.60.020, 19.60.040, 19.60.045, 19.60.050, 19.60.055, 19.60.060, 19.60.061, 19.60.062, 19.60.066, and 19.60.068 inclusive, together with all amendments, extensions, additions thereto, or deletions therefrom, are by this reference adopted and incorporated herein.

Section 7. This Ordinance shall be in full force and effect after passage approval and publication.

Said Ordinance was passed in open session by the City Council of the City of Granite Falls on the 23 day of October, 1996.

APPROVED:

Debra R Morris
Mayor

ATTEST:

Berry James
City Clerk

APPROVED AS TO FORM:

Cheryl T. Buyer
City Attorney

FIRST READING:

October 9, 1996

SECOND READING:

October 23, 1996

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December 1, 1996