

ORDINANCE #82

PAWNBROKERS

DEFINITION A pawnbroker is one who makes a business of lending money upon the security of personal property pledged or deposited in his or her keeping, or who deals in purchasing of personal property or other valuable thing on condition of selling the same back at a stipulated price, or who loans money secured by chattel mortgage on personal property, taking possession of the property or any part thereof so mortgage.

LICENSE REQUIRED No person shall engage in or carry on the business of pawnbroker without first obtaining a license to carry on such business in compliance with the provisions of this code.

APPLICATION Any person, corporation, or association, either as principal or agent, desiring to engage in or carry on the business or occupation of a pawnbroker within the corporate limits of the City of Danube shall file an application for a license for that purpose with the City Clerk, which application shall be made in writing at least twenty (20) days before issuance thereof, wherein the applicant shall state their name, proposed place of business, the length of time for which applicant desires to do business, and shall make the payment of the required license fee.

FEE AND TERM Every person, corporation, association or co-partnership requiring a license shall, on or before the time for filing their application for such license, pay or cause to be paid to the City Treasurer of the City of Danube the required annual fee which shall be set by the Danube City Council. The license fee shall be for one year or any part thereof, and the license year shall terminate on December 31st next succeeding the date of issuance of such license.

RECORDS A. Every person or persons engaged in the occupation of a pawnbroker shall keep a book in which shall be legibly written in ink and in English, an accurate account or description, and serial number, of the goods, article or other thing pawned or pledged; the time of the receipt of the same; the name, residence and description of the person pawning, pledging or selling the same; and the amount of money loaned or paid therefor. The account and record book and the article pawned or pledged shall, at all reasonable business hours, be subject to inspection by any law enforcement official, including but not limited to the Danube Police Department and the Renville County Sheriff's Department.

B. Every such pawnbroker, purchasing or receiving on deposit for a loan any article or personal property, shall give to the person selling the depositing such article or personal property, a legibly written or printed ticket or receipt for the article or personal property so sold or deposited, reflecting the terms of such sale or loan, and the serial number of the property.

C. Every such pawnbroker who has purchased or received on deposit for a loan any article or personal property shall keep a record of the disposition of said pledge, whether that pledge becomes forfeitable pursuant to **REDEMPTION PERIOD** herein, or otherwise.

BOND Before the license shall be issued to any person or persons as provided in this ordinance, application shall be approved by the *City Council* and the licensee shall cause to be filed with the City Clerk a surety bond, to be approved by the City Attorney, as to form, in the sum of One Thousand Dollars (\$1000) conditioned that said licensee will comply with all the provisions of this ordinance, and that said licensee will account for and deliver to any person legally entitled thereto any and all goods, wares and merchandise, article or thing which may come into the licensee's possession while engaged in said business or occupation of a pawnbroker.

MINORS, INCAPACITATED PERSONS It shall be unlawful and it shall be a violation for any pawnbroker to purchase or receive on deposit or pledge anything of value as security for a loan of money from any person, male or female, under lawful age, from persons of unsound mind, or intoxicated persons.

REDEMPTION PERIOD Any person pledging an article shall have thirty (30) days to redeem the same before the pledge becomes forfeitable.

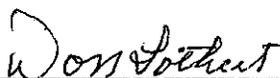
LAW ENFORCEMENT ORDER TO HOLD PROPERTY Whenever any law enforcement official, including but not limited to the Danube Police Department and Renville County Sheriff's Department, shall notify, either orally or in writing, any such dealer or dealers not to sell any property so received on deposit or purchased by the dealer, or permit said property to be redeemed, such property shall not be sold or permitted to be redeemed until such time as may be determined by the law enforcement official requiring the property to be held.

HOURS From 9:00 p.m. Saturday to 7:00 a.m. Monday, no property shall be received as a pledge or purchase by any pawnbroker; nor shall any property be sold during said hours by any pawnbroker, nor on any other day before 7:00 a.m. nor any day after 9:00 p.m. No pawnbroker shall be open for business of any kind on the following holidays: New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, after 4:00 p.m. on December 24th, and Christmas Day.

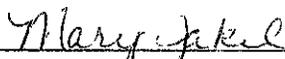
TRANSACTION LOCATION No pawnbroker shall sell or purchase property at any other location within the City limits of Danube other than the business establishment designated as the Pawnbrokers Address or the approved application location.

This ordinance becomes effective upon passage and publication according to law.

Passed by this City Council this 24th day of February, 1993.



Mayor Don Lothert



Attest: City Clerk Mary Jakel

Published March 1993

REGULAR MEETING DECEMBER 8, 1993

Ryan motioned to amend Ordinance 82 by deleting the words "Chief of Police" and insert "City Council" in paragraph 8. Changing the authority to grant license application approval from the Chief of Police to Councilmembers.