



# City of Columbia

701 East Broadway, Columbia, Missouri 65201

Department Source: Law

To: City Council

From: City Manager & Staff

Council Meeting Date: March 7, 2016

Re: Amending Chapter 13 of the City Code relating to Pawnbrokers

## Executive Summary

At the request of Council member Trapp, an ordinance has been prepared to amend Chapter 13 of the Code of Ordinances pertaining to pawnbrokers.

## Discussion

Council Member Trapp requested an ordinance be prepared to revise the licensing regulations related to pawnbrokers in order to aid in the investigation and recovery of stolen property and as a deterrent to crime. The amendments would require a pawnbroker to improve and enhance recordkeeping on each transaction, and adds a requirement that a photograph be taken of both the article being pawned and the head and shoulders of any person who receives cash in exchange for the property left with the pawnbroker. In addition, it requires the item may not be sold for seven (7) business days and must be entered into an electronic database as designated by the chief of police.

Additional modifications to the City Code, which would include more broad regulation of other types of dealers of secondhand property and precious metals (such as dealers in used sporting goods or video games, consignment shops and thrift stores), will be presented to the Council through a report from the police department for further discussion and recommendation on the desired extent of such regulation prior to drafting. These items are being brought to the Council in two separate parts so the enhanced reporting requirements may be implemented while the discussion and evaluation on the types of businesses to include is being considered.

## Fiscal Impact

Short-Term Impact: N/A

Long-Term Impact: N/A

## Vision & Strategic Plan Impact

### Vision Impacts:

Primary Impact: Community Facilities & Services, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable



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## Strategic Plan Impacts:

Primary Impact: Public Safety, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

## Comprehensive Plan Impacts:

Primary Impact: Not Applicable, Secondary Impact: Not applicable, Tertiary Impact: Not Applicable

### Legislative History

Date	Action
05/18/2015	Request of Council member Trapp at council meeting.
01/18/2016	Request of Council member Trapp at council meeting.

### Suggested Council Action

Should Council agree, an affirmative vote is in order.

Introduced by \_\_\_\_\_

First Reading \_\_\_\_\_

Second Reading \_\_\_\_\_

Ordinance No. \_\_\_\_\_

Council Bill No. B 61-16

### AN ORDINANCE

amending Chapter 13 of the City Code as it relates to pawnbrokers; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. Chapter 13 of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended as follows:

Material to be deleted in ~~strikeout~~; material to be added underlined.

Sec. 13-76. Definition.

Any person who loans money on deposit on personal property, or who deals in the purchase of personal property on condition of selling the same back again at a stipulated price, or who makes a public display at his place of business of a sign or display generally used by pawnbrokers to denote their business, to wit: three (3) gilt or yellow balls, or who publicly exhibits a sign indicating money to loan on personal property on deposit, is hereby declared for purposes of this article to be a pawnbroker and subject to regulation as a pawnbroker as provided herein.

Sec. 13-77. Register to be kept; availability for inspection.

(a) Every pawnbroker shall keep a register of all loans and purchases, and the names of ~~all each~~ persons who have left any property of any description on deposit as a collateral security or as a delivery on sale thereof. ~~Opposite each name and date shall be written in plain hand the person's age and motor vehicle operator's or chauffeur's license number, or such other identification of public record, with photographs, as may be required by the business license administrator; a full description of such property purchased or received or deposited as collateral security; the manufacturer's identifying insignia or serial number if applicable; the time when the loan falls due; the amount of purchase money or the amount loaned, and the interest charged. He shall give the party negotiating or selling, a plain written or printed receipt for the articles purchased having on each a copy of the entry required by this section and kept in his register. He shall not be entitled to make any charge for such receipt.~~ Such register shall include, at a minimum, the following information:

- (1) The date, time and place of the transaction;
- (2) The name of the employee who received the item;
- (3) The legal name and date of birth of the person leaving or selling the property;
- (4) The person's motor vehicle operator's or chauffeur's license number, or such other identification of public record, submitted by such person to verify identity at the time of the transaction;
- (5) Current residence address and phone number of the person leaving or selling the property;
- (6) A full description and photograph of such property purchased or received or deposited as collateral security;
- (7) The manufacturer's identifying insignia or serial number if applicable;
- (8) The amount of purchase money or the amount loaned, the interest charged and the time when the loan (if any) falls due;
- (9) If the pawnbroker provides cash to the person in exchange for the property, the pawnbroker shall take and maintain as part of the registry a photograph of the head and shoulders of the person (with no head-covering, dark glasses or similar object that obscures the person's facial features).

The pawnbroker shall give the party negotiating or selling, a plain written or printed receipt for the articles purchased having on each a copy of the entry required by this section and kept in the register of the pawnbroker. The pawnbroker shall not be entitled to make any charge for such receipt. Such records shall be available to the police department electronically and the pawnbroker, upon request of the chief of police, may be required to enter such information into a third party electronic database designated by the city.

(b) The register shall, at all times, be open to inspection by the chief of police, his the chief's designee, or any law enforcement officer.

#### Sec. 13-78. Business with minors.

No pawnbroker shall accept any goods, articles or things whatever from an individual under the age of eighteen (18).

#### Sec. 13-79. Hours of business.

No pawnbroker shall accept any goods, articles or things whatever from any person between the hours of 8:00 p.m. and 7:00 a.m.

Sec. 13-80. Place of business.

It shall be unlawful to conduct business as a pawnbroker or as agent for a pawnbroker at any place other than the location stated in the application for license.

Sec. 13-81. Serial numbers required.

No pawnbroker shall accept as collateral security or purchase any camera, radio, television set, lawnmower, firearm, typewriter, adding machine, calculating machine, copying machine, duplication machine, tape recorder, tape player, cash register, still or moving picture projector or offset projector, record player, stereo equipment, dictating machine, electric buffer, electric polisher, or electric floor waxer, or any other property or item which, at the time it was manufactured, had a serial number or identification number affixed to it, unless such item shall have plainly visible thereon, the manufacturer's serial number or other identifying insignia.

Sec 13-82. Waiting period.

No pawnbroker shall permit the sale, transfer or otherwise dispose of any items obtained through purchase or as collateral security for seven (7) business days.

Sec. ~~13-82~~ 13-83. Penalty.

Any person convicted of violating any provision of this article shall be punishable by a fine, not to exceed one thousand dollars (\$1,000.00). Each day that a violation of this article continues shall constitute a separate offense. License revocation as provided in this article shall constitute a separate remedy.

Secs. ~~13-83~~ 13-84—13-95. Reserved.

SECTION 2. This ordinance shall be in full force and effect from and after its passage.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor and Presiding Officer

APPROVED AS TO FORM:

\_\_\_\_\_  
City Counselor