

ORDINANCE NO. 388

AN ORDINANCE DEFINING PAWNBROKER; REQUIRING A LICENSE TO OPERATE AS A PAWNBROKER; REQUIRING A BOND; ESTABLISHING A FEE FOR THE LICENSE; REQUIRING CERTAIN RECORDS TO BE MAINTAINED AND DELIVERED TO THE POLICE DEPARTMENT; REQUIRING RECORDS TO BE OPEN FOR INSPECTION; ALLOWING FOR THE INSPECTION OF GOODS; PROHIBITING TRANSACTING BUSINESS WITH MINORS; ESTABLISHING A PENALTY FOR VIOLATION AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, is deemed necessary for the preservation of the safety, health and general welfare of the residence of the Town of Mills that regulations be established governing the operation of pawnshops and the operations by pawnbrokers within the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MILLS, WYOMING:

Section 1. "Pawnbroker" Defined. Any person who advances or loans any money or other valuable thing on the deposit of personal property security, or who deals in the purchasing of personal property on the condition of selling the same back at a stipulated price, is hereby declared to be a pawnbroker.

Section 2. License--Required. It shall be unlawful for any person at any time to carry on the business of a pawnbroker without having first obtained a license to do so.

Section 3. Bond Required. At the time of making an application for a license to transact the business of a pawnbroker, the applicant for such license shall furnish a bond in the amount of Three Hundred Dollars (\$300.00), conditioned that, in the conduct of such business, he or she will respect and obey the provisions of the Mills Code and other Mills ordinances applicable thereto and will pay all damages that may accrue to any person by reason of any fraud or misconduct in managing such business.

Section 4. Fee. Every person making an application for a pawnbroker's license shall pay an annual license fee of One Hundred Dollars (\$100.00).

Section 5. Records Required To Be Kept; Delivery To Police Department. Every person licensed as a pawnbroker shall keep at his place of business a substantial and well-bound book in which he shall enter in writing a minute description of all personal property, bonds, notes and other securities received on deposit or purchased, the time when they were deposited or purchased, and particularly mentioning any identifying marks that may be on such property, bonds, notes or other securities, together with the name and address of the person or persons by whom they were left. Such entries shall be made on the days such property is taken in. Before noon of each working day, each pawnbroker shall make and deliver to the police department a substantial copy of the entries made on the preceding day as herein mentioned, which report shall include all the business done on the preceding working day, and all business done from the time of the last report to the day such report is made. The book herein mentioned shall be kept clean and legible and no entry therein shall be erased, obliterated or defaced, and all entries therein made shall be either with ink or with indelible pen or pencil.

In this regard, all transactions shall be recorded on serially numbered and printed pawntickets substantially in the following format:

FULL NAME (Print)						No 99900		
						Date		
TWENTY PERCENT (20%) PER MONTH UNPAID BALANCE OF PRINCIPAL WHICH IS \$100 OR LESS								
TEN PERCENT (10%) PER MONTH UNPAID BALANCE OF PRINCIPAL WHICH IS MORE THAN \$100								
Serial No.		Article (1 only) Full Description				Amount		
Model No.						Buy	Sell	
Pawn Shop						S.S. No.		
DOB	Sex/Race						Dr. Lic. No.	
Ht.	Wt.	Bld.	Eyes	Hair	Signature of Depositor			
Veh. make and year	Style	Color	Lic. No.	Address				

Section 6. Records To Be Opened For Inspection. Every person licensed as a pawnbroker shall during the ordinary business hours submit for inspection the book mentioned in the preceding section when requested to do so by any law enforcement officer and permit any law enforcement officer to make copies thereof and shall also exhibit any goods, personal property, bonds, notes or other securities that may be left with such pawnbroker for inspection by any law enforcement officer when requested to do so.

In addition, each pawnbroker shall make available to any law enforcement officer for inspection all completed pawntickets serially numbered and accounted for.

Section 7. Goods To Be Held For Inspection. Any person licensed as a pawnbroker who shall purchase any second-hand goods or new goods of any individual not engaged in trade shall keep the same for inspection for ten (10) days before the same are sold and shall keep a record of the same as provided in the preceding sections. All pawnbrokers shall also keep a description of the person from whom such goods are purchased as required in the preceding sections.

Section 8. Transacting With Minors Prohibited. No person shall take or receive in pawn, or pledge for any money loan, nor shall take, receive or purchase within the line of business of a pawnbroker, any article, property or thing from any minor.

Section 9. Penalty For Violation. Any person, firm or corporation violating any of the provisions of this Ordinance is guilty of misdemeanor and each person is guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Ordinance is committed, continued or permitted. Any person found guilty of violating any of the provision of this Ordinance shall be fined in any sum deemed appropriate by the Municipal Court of the Town of Mills not to exceed Seven Hundred Fifty Dollars (\$750.00) for each violation.

Section 10. Repeal of Conflicting Ordinances. All existing Ordinances or parts of Ordinances of the Town of Mills are hereby repealed insofar as they may be inconsistent with the provisions of this Ordinance.

Section 11. Separability of Provisions. It is the intention of the Town Council that each separate provision of this Ordinance shall be deemed independent of all other provisions herein, and it is further the intention of the Council that if any provision of this Ordinance be declared invalid for any reason that all other provisions hereof shall remain valid and enforceable.

Section 12. Effective Date. This Ordinance shall be in full force and effect ten (10) days following its passage and approval on Final Reading.

PASSED and APPROVED on FIRST READING the 14th day of June, 1989.

PASSED and APPROVED on SECOND READING the 5th day of July, 1989.

PASSED, APPROVED and ADOPTED on THIRD and FINAL READING the 9th day of August, 1989.

TOWN OF MILLS, a Municipal Corporation

Attest:

By Alan Sword  
Alan Sword, Mayor

Norene Kilmer  
Norene Kilmer, Clerk  
Town of Mills

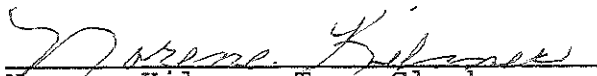
I, Norene Kilmer, Town Clerk of the Town of Mills, Wyoming, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 388, entitled "PAWNSHOP ORDINANCE". Passed on Third Reading by the Town Council of the Town of Mills, Wyoming, at a regular meeting held at the Council Chambers on the 9th day of August, 1989.

(Seal)

Norene Kilmer  
Norene Kilmer, Town Clerk

I, regularly appointed, duly qualified and acting Town Clerk of the Town of Mills, Wyoming, do hereby certify that signed, attested, sealed and certified copies of this Ordinance No. 388 approved and passed as certified above, were, following its passage by the Town Council, posted in the Town Clerk's office and the Mills Post Office for a period of ten (10) days as required by law; that it took effect and became in force as a legal ordinance of the Town of Mills, Wyoming, on the 4th day of Sept., 1989.

(Seal)

  
Norene Kilmer, Town Clerk