

ORDINANCE REGULATING PAWNSHOPS

WHEREAS, the Mayor and Council of the City of Hampton feel it to be in the public interest of the citizens of the City of Hampton to adopt rules and regulations concerning the operations of pawnbrokers;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF HAMPTON, AND IT IS HEREBY ORDAINED BY AUTHORITY OF SAME, AS FOLLOWS:

SECTION 1 - RECORDS TO BE KEPT: INFORMATION TO BE SHOWN
UPON REQUEST OF CITY OF HAMPTON, POLICE
DEPARTMENT.

All pawnbrokers shall keep books wherein shall be entered an accurate description of all property pledged or sold to them. Such description shall include the name of the maker of the article, any identifying mark or number and a statement of the kind of material of which it is made. In such books there shall be entered also the name of the person by whom same was deposited or sold, and the time when the same was done. These entries shall be made as soon after the transaction as is possible, in no event more than one hour thereafter. Such books and the articles themselves so pledged or sold shall at all times be subject to inspection and examination by the police. Any person engaged in the business of pawnbroker, who shall fail or refuse to keep books as provided in this section, or who shall make false entries concerning the transactions named, or who shall fail or refuse to permit an inspection and examination by any police officer of the books and of the property pledged with or sold to them, shall be guilty of an offense and punished as a misdemeanor.

SECTION 2 - DAILY REPORT TO CITY OF HAMPTON POLICE

Every pawnbroker shall make a daily report in writing to the City of Hampton Police Department of all property pledged to or bought by him during the twenty-four (24) hours ending at 8:00 p.m. on the date of the report. Such reports shall be typewritten. They shall show (a) the name and address of the pawnbroker; (b) time of transaction; (c) serial number of pawn tickets; (d) amount paid or advanced; (e) full description of articles, including kind, style, material, color, design, kind and number of stones in jewelry and all identifying names, marks and numbers; and (f) a description of persons selling or pawning, including name, address, color, weight and height. In addition, pawnbrokers shall make daily reports of all typewriters, adding machines, tape players, and radios coming into and going out of their places of business.

SECTION 3 - PURCHASED ARTICLES NOT TO BE DISPOSED OF FOR FIFTEEN (15) DAYS AFTER ACQUISITION.

Any pawnbroker or person operating under a pawnbrokers license who purchases goods other than those purchased through wholesalers or on order in the normal course of business taking full title thereto, (the words "goods" being here used in the broadest sense and including all kinds of personal property) shall hold such goods purchased for at least fifteen (15) days before disposing of same by sale, transfer, shipment or otherwise.

SECTION 4 - DEALING WITH MINORS.

It shall be unlawful for any pawnbroker, his agents or employees, to receive in pawn, from minors, goods of any character or description. Any pawnbroker taking from an applicant a statement in writing that such applicant is of age will not be deemed to have violated this section if the appearance of such applicant as to age and size is such to make it uncertain that he is not eighteen years of age.

SECTION 5 - PAWNED ARTICLES NOT TO BE DISPOSED OF FOR THIRTY (30) DAYS.

Any pawnbroker or person operating as a pawnbroker under a pawnbroker's license who takes goods on pawn (the word "goods" being here used in the broadest sense and including all kinds of personal property) shall hold such goods pawned for at least thirty (30) days, unless redeemed by the owner, before disposing of same by sale, transfer, shipment or otherwise.

SECTION 6 - ARTICLES THAT HAVE HAD SERIAL NUMBER REMOVED OR HAVE NO SERIAL NUMBER SHALL NOT BE ACCEPTED.

No pawnbroker shall accept any article such as, but not limited to, radios, tape players, typewriters, televisions, and stereos, which have had the serial number removed from the article or which the pawn broker knows should have a serial number upon it. A violation of this section shall be punished as for a misdemeanor as defined by Georgia Law.

SECTION 7 - IDENTIFICATION REQUIRED FROM PURCHASER OR ARTICLES.

When a pawnbroker or person operating under a pawnbroker's license sells property which he acquired from pawn or which he purchased, then he shall maintain a record of an accurate description of the property as it appeared on the original pawn ticket or purchase ticket. The record shall also include the name and address of the buyer, signature of the buyer, date of the transaction, and the amount paid for the property.

SECTION 8 - NO ARTICLE WILL BE ACCEPTED UNLESS THE PROVISIONS OF SECTION 1 ARE FOLLOWED.

No pawn broker will take goods or buy goods, taking full title thereto, without entering the goods on his books as provided in Section 1 above. Any violation of this section shall be punished as for a misdemeanor as defined by Georgia Law.

SECTION 9 - RECORDS MAINTAINED FOR FOUR YEARS.

The record of each pawn or purchase transaction as herein provided shall be maintained for a period of not less than four (4) years.

SECTION 10 - PENALTIES RELATING TO RECORDS OF PAWNBROKERS.

Any pawnbroker and any clerk, agent or employee of such pawnbroker, who shall:

- (a) Fail to make any entry of any material matter in his permanent record book; or
- (b) Make any false entry therein; or
- (c) Falsify, obliterate, write so that information is unreadable, destroy or remove from his place of business such permanent record book; or
- (d) Refuse to allow any duly authorized law enforcement officer to inspect such permanent record book or any goods in his possession, during the ordinary hours of business or any reasonable time; or
- (e) Fail to maintain a record of each pawn or purchase transaction for at least four years;

shall be guilty of a misdemeanor as defined by Georgia Law.

SECTION 11 - FINGERPRINT REQUIRED.

All pawnbrokers will require any person from who he accepts goods or pawn or from who he purchases goods to place the fingerprint of his right index finger in ink on the back of the copy of the pawn ticket which is to be sent to the City of Hampton Police.

SECTION 12 - STANDARD FORM REQUIRED AS OF

As of all pawnbroker's licenses will use a standard form for pawn and purchase tickets. The design for the form will be provided by the City of Hampton Police Department. Each pawnbroker will be required to purchase the standard tickets from his own source of supply and at his own expense.

SECTION 13 - PENALTY.

Violation of any of the provisions of this ordinance shall be punished as for a misdemeanor as defined by Georgia Law.

SECTION 14 - REVOCAION OF BUSINESS LICENSE UPON CONVICTION.

Any pawnbroker or person operating under a pawnbroker's

license, or whose clerk, agent or employee shall be convicted for a total of two (2) violations of any of the sections of this ordinance in any one calendar year, shall have his business license to operate a pawnshop or as a pawnbroker suspended by the City of Hampton, and upon recommendation or direction, after a hearing, may be revoked by the Mayor and Council of the City of Hampton.

SECTION 15 - CONFLICT OF ORDINANCE.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 16 -

Should any portion of this ordinance be declared unconstitutional, the remaining portions hereof shall not be affected thereby and shall remain in full force and effect.

SECTION 17 -

The provisions of this ordinance shall become and be made a part of the Code of the City of Hampton, Georgia, and sections of this ordinance shall be renumbered or relettered to accomplish this intention.

SECTION 18 - EFFECTIVE DATE OF ORDINANCE.

This ordinance shall become effective on _____ 1981.

FIRST READING THIS 10 day of MARCH, 1981.

SECOND READING THIS 14 day of APRIL, 1981.

Tommy N. Smith
TOMMY N. SMITH, MAYOR

Martha A. Barnette
ATTESTED MARTHA A BARNETTE, CLERK

REVIEWED BY: _____
A.J. WELCH, ATTORNEY