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DEC 13 2022

Ordinance 995

An ordinance repealing in its entirety
Chapter 7.02 Pawnbrokers

BE IT ORDAINED BY THE BOARD OF CLALLAM COUNTY COMMISSIONERS:
Hereby repealed in its entirety

Section 7.02.010, Pawnbrokers and pawnshops defined, is amended to read as follows:

~~— (1) “Pawnbroker,” as used in this chapter, means and includes every person who takes or receives by way of pledge, pawn or exchange, goods, wares, or merchandise, or any kind of personal property whatever, for the repayment or security of any money loaned thereon, or to loan money on deposit of personal property.~~

~~— (2) “Pawnshop” means and includes every place at which the business of pawnbroker is being carried on.~~

Hereby repealed in its entirety

Section 7.02.020, Pawnbroker’s license fee, is amended to read as follows:

~~It shall be unlawful for any person to engage in the business of pawnbroker, or to conduct a pawnshop, without first having obtained a license to do so, to be known as a “pawnbroker’s license.” The fee for a pawnbroker’s license is listed in the Consolidated Fee Schedule (Chapter 5.100 CCC). A separate license is required for each individual pawnshop.~~

Hereby repealed in its entirety

Section 7.02.030, Exemption, is amended to read as follows:

~~— This chapter is not intended to include auctions and auctioneers.~~

Hereby repealed in its entirety

Section 7.02.040, Pawnbroker’s bond, is amended to read as follows:

~~In addition to the license fee and before such license is issued, the applicant shall be required to give to the County of Clallam for each pawnshop a sufficient surety bond in the sum of \$10,000 running in the favor of the County of Clallam, and conditioned for the faithful observance by the licensee of all the requirements of this and all other ordinances of Clallam County and all State laws relating to the business of pawnbroker.~~

Hereby repealed in its entirety

Section 7.02.050, Licensing agent, is amended to read as follows:

~~No person may operate as a pawnbroker within Clallam County without first having secured from the Clallam County Auditor a business license for such a purpose. The Clallam County Auditor is the custodian of the bonds required under this chapter.~~

Hereby repealed in its entirety

Section 7.02.060, Duty to record information, is amended to read as follows:

~~(1) Every pawnbroker and secondhand dealer doing business in this State shall maintain wherever that business is conducted a record in which shall be legibly written in the English language, at the time of each transaction, the following information:~~

~~— (a) The signature of the person with whom the transaction is made;~~

- ~~_____ (b) The date of the transaction;~~
 - ~~_____ (c) The name of the person or employee or the identification number of the person or employee conducting the transaction as required by the County Sheriff's Office;~~
 - ~~_____ (d) The name, date of birth, sex, height, weight, race, and address and telephone number of the person with whom the transaction is made;~~
 - ~~_____ (e) A complete description of the property pledged, bought, or consigned, including the brand name, serial number, model number or name, any initials or engraving, size, pattern, and color of stone or stones, and in the case of firearms, the caliber, barrel length, type of action, and whether it is a pistol, rifle, or shotgun;~~
 - ~~_____ (f) The price paid or the amount loaned;~~
 - ~~_____ (g) The type and identifying number of identification used by the person with whom the transaction was made, which shall consist of a valid driver's license or identification card issued by any state or two pieces of identification issued by a governmental agency, one of which shall be descriptive of the person identified. At all times, one piece of current government issued picture identification will be required; and~~
 - ~~_____ (h) The nature of the transaction, a number identifying the transaction, the store identification as designated by the applicable law enforcement agency, or the name and address of the business and the name of the person or employee conducting the transaction, and the location of the property.~~
- ~~_____ (2) This record shall at all times during the ordinary hours of business, or at reasonable times if ordinary hours of business are not kept, be open to the inspection of any commissioned law enforcement officer of the State or any of its political subdivisions, and shall be maintained wherever that business is conducted for three years following the date of the transaction.~~

~~Hereby repealed in its entirety~~

Section 7.02.070, Inspection of records, is amended to read as follows:

~~All books and other records of any pawnbroker relating to purchase, pledge, exchange, barter or receipt of any goods, wares, merchandise, or other articles or things of value shall at all times during the ordinary hours of business be open for inspection by any commissioned law enforcement officer of the State or any of its political subdivisions and all articles or things received, purchased or left in pledge with said pawnbroker shall at all times be open to a like inspection.~~

~~Hereby repealed in its entirety~~

Section 7.02.080, Removal of goods, is amended to read as follows:

~~It shall be unlawful for any pawnbroker to remove any goods, articles or things purchased by him, or left with him, in pledge, from his store or place of business until the expiration of 30 days after the same has been purchased, received or left in pawn, unless the said goods, articles, or things have, within the time specified, been inspected as provided in this chapter.~~

~~Hereby repealed in its entirety~~

Section 7.02.090, Unlawful receiving, is amended to read as follows:

~~It shall be unlawful for any pawnbroker, his clerk, or employee to receive in pledge, or purchase, any article or thing from any person under 18 years of age, or from any person who is at the time intoxicated, or from a habitual drunkard, or from any person addicted to the use of narcotic drugs, or from any person known to be a thief, or a receiver of stolen property, or from any person whom he has reason to suspect or believe to be such.~~

~~The fact of loaning money upon or purchasing goods from any of the classes of persons enumerated in this section shall be prima facie evidence of an intent on the part of such pawnbroker, his agent or employee, to violate this chapter.~~

~~Hereby repealed in its entirety~~

Section 7.02.100, Pawnshops to be closed during certain hours, is ~~amended to read as follows:~~

~~— Repealed by Ord. 908.~~

~~Hereby repealed in its entirety~~

Section 7.02.110, Penalties, is ~~amended to read as follows:~~

~~Any person violating or failing to comply with any of the terms and provisions of this chapter shall be deemed guilty of a gross misdemeanor under Chapter 9A.20 RCW.~~

~~Hereby repealed in its entirety~~

Section 7.02.120, Who may be guilty of violation of this chapter, is ~~amended to read as follows:~~

~~Every person concerned in any act or omission in violation of this chapter, whether he directly performs or omits to perform any act in violation of this chapter, or aids or abets the same whether present or absent, and every person who directly or indirectly counsels, encourages, hires, commands, induces or otherwise procures the terms of this chapter and shall be proceeded against and prosecuted as such.~~

~~Hereby repealed in its entirety~~

ADOPTED this 13 day of December 2022

BOARD OF CLALLAM COUNTY COMMISSIONERS

[Signature]
Mark Ozias, Chair

Excused
Randy Johnson

[Signature]
Bill Peach

ATTEST:

[Signature]
Loni Gores, CMC, Clerk of the Board

