

SUBCHAPTER 7A PAWNSHOPS

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3-7A-1 DEFINITION. The following words and phrases whenever used in the ordinances of the City, shall be construed as defined in this section unless, from the context, a different meaning is intended or unless different meaning is specifically defined and more particularly directed to the use of such words or phrases:

1. "Pawnbroker" shall mean any person who makes loans or advancements upon pawn, pledge or deposit of personal property, or who receives actual possession of personal property as security for a loan, with or without a mortgage or bill of sale, or otherwise hold themselves out as a pawnbroker.

3-7A-2 REQUIRED RECORDS.

1. When goods or materials described in section 4 are received by purchase, as security or on consignment, it shall be the duty of the person or organization receiving the goods or materials to permanently record in the English language on serially numbered, triplicate forms approved by the Chief of Police. All forms printed whether used or voided shall be accounted for by the licensee. The forms shall contain the following information:

a. Name and address of the person from whom it was received with the means of identification used, i.e., driver's license, birth certificate, etc.;

b. Date, time and place of the transaction;

c. A detailed and accurate description of each article received including serial numbers or identifying marks. In the case of junk, a general description of the composition of aggregate purchase is sufficient;

d. A record of whether the transaction was a purchase, a security or consignment transaction;

e. A record of monies paid or loaned and which may be maintained separately but which must be available for inspection in the course of examination of individual transaction;

f. A record of name, address and how an article was disposed of, if not redeemed. This subsection does not apply to disposition of junk.

g. All forms, whether used or not, shall be maintained in numerical sequence.

2. All receipts and records pertaining to the receipt of goods and materials as described in this article shall be open to inspection during regular business hours by any Police Officer acting in the course of official duty and under the direction of the Chief of Police or the Chief Investigating Officer of the Police Department.

3. Failure to keep such records, or making false entries therein, or refusal to produce the same when requested by the persons entitled to inspect the same shall be a municipal infraction.

(Ord. 991, Passed April 19, 2004)

(Ord. 1142, Passed June 2, 2018)

4. Every pawnbroker shall make available all such records immediately upon demand of any Maquoketa Police Officer.

3-7A-3 PURCHASES FROM MINORS RESTRICTED. No pawnbroker, and no clerk, agent or employee thereof shall purchase or receive property from any person under the age of eighteen (18) years without first obtaining and receiving the written consent of the parent or guardian of such person. Such written consent shall be made a part of the required records and subject to all provisions of Section 2.

3-7A-4 PURCHASES, SECURITY AND CONSIGNMENT TRANSACTIONS.

1. The purchase, receipt as security, or on consignment of the following listed goods or materials shall be governed by this article:

Household appliances	Sporting goods
Household furniture	Bicycles
Glassware	Untitled motor vehicles
Jewelry	Electronic equipment
Precious & semiprecious stones	Motor vehicle parts & equipment
Silver/silverware	Photographic/video parts and equipment
Precious metals and coins	Lawn and garden tools equipment and furnishings
Stereo equipment	Rare books
Radio equipment	Works of art
Television equipment	Junk
Tools	

2. Antique, used or scrap jewelry and precious metals shall be retained in the local place of business and it shall be unlawful to change the form of said items by melting, remounting, cutting up or otherwise changing the form of said items for a period of one hundred twenty (120) hours from the time of said transaction.

3. The following listed items shall be exempt from the provisions of this article: Beverage containers and scrap paper.

3-7A-5 INSPECTION FOR STOLEN PROPERTY. Whenever any Police Officer shall have reason to believe that any pawnbroker has in his/her possession or on his/her premises any stolen property, the Police Officer shall have the right and duty to enter and inspect the pawnbroker's premises for the purpose of recovering stolen property.

(Ord. 791, passed 7-20-92)