

CHAPTER 8-5 PAWNBROKERS - GENERAL

8-5-1

PROHIBITED ACTS

- A. No person under the age of eighteen (18) years may pawn or sell or attempt to pawn or sell goods with any licensee, nor any licensee receive any goods from a person under the age of eighteen (18) years.
- B. No licensee may receive any goods from a person of unsound mind or an intoxicated person.
- C. No licensee may receive any goods, unless the seller presents identification in the form of a valid driver's license, a valid State of South Dakota identification card, or current valid photo driver's license or identification card issued by the state of residency of the person from whom the item is received.
- D. No licensee may receive any item of property that possesses an altered or obliterated serial number or operation identification number or any item of property that has had its serial number removed.

Legislative History:
Ordinance No. 268, 4519/98.

Authority:

8-5-2

DENIAL, SUSPENSION OR REVOCATION

Any license under this chapter may be denied, suspended or revoked for one or more of the following reasons:

- A. The proposed use does not comply with the City of Brandon Zoning code.
- B. The proposed use does not comply with any health, building, building maintenance or other provisions of the Code of Ordinances or state law.
- C. The applicant or licensee has failed to comply with one or more provisions of this chapter.
- D. The applicant is not a citizen of the United States or a resident alien, or upon whom it is impractical or impossible to conduct a background or financial investigation due to the unavailability of information.
- E. Fraud, misrepresentation or bribery in securing or renewing a license.
- F. Fraud, misrepresentation or false statements made in the application and investigation for, or in the course of, the applicant's business.
- G. Violation within the preceding five (5) years, of any law relating to theft, damage or trespass to property, sale of a controlled substance, or operation of a business.

H. The owner of the premises licensed or to be licensed would not qualify for a license under the terms of this chapter.

Legislative History:
Ordinance No. 268, 4519/98.

Authority:

8-5-3

PAWNSHOP LOCATION

No pawnshop shall be located within three hundred (300) feet, measured by the regular and usual path of travel, of any door or exit of any existing school or church.

Legislative History:
Ordinance No. 268, 4519/98.

Authority:

8-5-4

BUSINESS AT ONLY ONE PLACE

A license under this chapter authorizes the licensee to carry on its business only at the permanent place of business designated in the license. However, upon written request, the chief of police may approve an off-site locked and secured storage facility. The license shall permit inspection of the facility in accordance with section 8-4-2. All provisions of this chapter regarding record keeping and reporting apply to the facility and its contents. Property shall be stored in compliance with all provisions of the City code. The licensee must either own the building in which the business is conducted, and any approved off-site storage facility, or have a lease on the business premises which extends for more than six (6) months.

Legislative History:
Ordinance No. 268, 4519/98.

Authority:

8-5-5

SEPARABILITY.

Should any section, subsection, clause or other provision of this chapter be declared by a court of competent jurisdiction to be invalid such decision shall not effect the validity of the ordinance as whole or any part other than the part so declared invalid.

Legislative History:
Ordinance No. 79, §4, 4/16/79.

Authority:
SDCL § 9-45-2.

