

CHAPTER 8-4

PAWNBROKERS - BOOKKEEPING REQUIREMENTS

8-4-1

POLICE ORDER TO HOLD PROPERTY

- A. Investigative hold. Whenever a law enforcement official from any agency notifies a licensee not to sell an item, the item must not be sold or removed from the premises. The investigative hold shall be confirmed in writing by the originating agency within seventy-two (72) hours, excluding Sundays and holidays, and will remain in effect for fifteen (15) days from the date of initial notification, or until the investigative order is canceled, or until an order to hold/confiscate is issued, pursuant to section 8-4-1 (b), whichever comes first.
- B. Order to hold. Whenever the chief of police, or the chief's designee, notifies a licensee not to sell an item, the item must not be sold or removed from the licensed premises until authority to be released by the chief or the chief's designee. The order to hold shall expire ninety (90) days from the date is placed unless the chief of police or the chief's designee determines the hold is still necessary and notifies the licensee in writing.
- C. Order to confiscate. If an item is identified as stolen or evidence in a criminal case, the chief of chief's designee may:
1. Physically confiscate and remove it from the shop, pursuant to a written order from the chief or the chief's designee, or
 2. Place the item on hold or extend the hold as provided in section 8-4-1 (b) and leave it in the shop.

When an item is confiscated, the person doing so shall provide identification upon request of the licensee, and shall provide the licensee the name and phone number of the confiscating agency and investigator, and the case number related to the confiscation.

When an order to hold/confiscate is no longer necessary, the chief of police, or chief's designee shall so notify the licensee.

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

Authority:

8-4-2

INSPECTION OF ITEMS

At all times during the terms of the license, the licensee must allow the police chief or his designee(s) to enter the premises where the licensed business is located, including all off-site storage facilities as authorized in section 8-5-4, during normal business hours, except in an emergency, for the purpose of inspecting such premises and inspecting items, ware and merchandise and records therein to verify compliance with this chapter or other applicable laws.

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

Authority:

8-4-3

LABEL REQUIRED

Licensees must attach a label to every item at the time it is pawned, purchased or received in inventory from any reportable transaction. Permanently recorded on this label must be the number of name that identifies the transaction in the shop's records, the transaction date, the name of the item and the description or the model and serial number of the item as reported to the police department, whichever is applicable, and the date the item is out of pawn or can be sold, if applicable. Labels shall not be reused.

Legislative History:

Ordinance No. 268, 4519/98.

Authority:

8-4-4

LOST OR STOLEN PROPERTY - TITLE - LIABILITY

A licensee who accepts in pledge any article as security for a loan from a pledger who is not the owner thereof, obtains no property in the article, either by reason of maturation of the loan or by transference of the pawn ticket to the licensee by the pledger or holder thereof. Ignorance of the fact that the pledged article was lost or stolen shall not be construed to affect the question of title, and if the licensee shall sell such article to a third person, he shall remain liable to the original owner.

Legislative History:

Ordinance No. 268, 4519/98.

Authority: