

**CITY OF DELANO
COUNTY OF WRIGHT
STATE OF MINNESOTA**

ORDINANCE O-10-06

AN ORDINANCE AMENDING SECTION 419.01 (PAWNBROKERS) OF CHAPTER 4 (PUBLIC PROTECTION AND GENERAL LICENSING) OF THE DELANO CITY CODE TO FORMULATE ADDITIONAL ORDINANCE LANGUAGE FOR REGULATING PAWN SHOPS IN THE CITY OF DELANO.

THE CITY COUNCIL OF THE CITY OF DELANO, MINNESOTA ORDAINS:

SECTION 1. Subd. 2 (Definitions) of Section 419.01 (Pawnbrokers) of Chapter 4 (Public Protection and General Licensing) is hereby amended to read as follows:

Subd. 2. Definitions. The following words and terms when used in this Section shall have the following meanings unless the context clearly indicates otherwise:

G. Reportable transaction. Every transaction conducted by a pawnbroker in which merchandize is received through a pawn, purchase, consignment or trade, or in which a pawn is renewed, extended or redeemed, or for which a unique transaction number or identifier is generated by their point-of-sale software, is reportable, except: (1) The bulk purchase or consignment of new or used merchandise from a merchant, manufacturer or wholesaler having an established permanent place of business, and the retail sale of said merchandise, provided the pawnbroker must maintain a record of such purchase or consignment which describes each item, and must mark each item in a manner which relates it to that transaction record; and (2) Retail and wholesale sales of merchandise originally received by pawn or purchase, and for which all applicable hold and/or redemption periods have expired.

SECTION 2. Subdivision 14 (General License Restrictions) of Section 419.01 (Pawnbrokers) of Chapter 4 (Public Protection and General Licensing) is hereby amended to read as follows:

B. Printed Record Keeping. The following shall be printed on all pawn tickets:

1. The statement that “any personal property pledged to a pawnbroker within this City is subject to sale or disposal when there has been no payment made on the account for a period of not fewer than ~~60~~90 days past the date of the pawn transaction, renewal, or extension; no further notice is necessary. There is no obligation for the pledgor to redeem pledged goods.”

- D. Items for Which ~~Weekly~~ Daily Reports to the Sheriff are Required. For the following items, whether sold or pawned, the pawnbroker shall complete forms approved by the Wright County Sheriff Department or issuing authority and send the forms ~~weekly~~daily to the Wright County Sheriff Department:
- E. ~~Weekly~~Daily Report Forms. The ~~weekly~~daily report forms submitted to the Wright County Sheriff Department, delivered by the pawn broker, shall contain the following information in a legible manner:
- R. Effect of Non-Redemption.
1. A pledgor shall have no obligation to redeem pledged goods or make any payment on a pawn transaction. Pledged goods not redeemed within at least ~~60~~90 days of the date of the pawn, transaction, renewal, or extension shall automatically be forfeited to the pawnbroker, and qualified right, title, and interest in and to the goods shall automatically vest in the pawnbroker.
- S. Photograph Requirement for Pawnbrokers. A pawnbroker shall take either a digital photograph or a still video of each person selling or pawning any item of property. If a digital photograph is taken, it shall be referenced with the information regarding the person and the item sold or pawned. The major portion of the photograph shall include a front facial pose. The pawnbroker shall notify the person of the photography requirement prior to taking his or her photograph. If a still video photograph is taken a video camera shall zoom in on the person pawning or selling the merchandise so as to include a close-up of the person's face. The video photograph shall be referenced by time and date so as to correspond to the merchandise sold or pawned by the person. The pawnbroker shall, by adequate signage, inform the person that he or she is being videotaped. The photographs and videotapes shall be kept by the pawnbroker for four months.
- W. Label Requirement. Licensee 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 or 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 City's law enforcement agency, whichever is applicable, and the date the item is out of pawn or can be sold, if applicable. Labels shall not be re-used.

SECTION 3. Subdivision 16 (Suspension or Revocation of License) of Section 419.01 (Pawnbrokers) of Chapter 4 (Public Protection and General Licensing) is hereby amended to read as follows:

B. The Council may suspend or revoke a license issued under this Section upon a finding that the use as allowed by the license shall not have been active for 60 days or more.

~~B~~C. Exception in the case of a suspension pending a hearing or revocation, a revocation or suspension by the Council shall be preceded by written notice...

THIS AMENDMENT SHALL BE IN FULL FORCE AND EFFECTIVE IMMEDIATELY FOLLOWING ITS PASSAGE AND PUBLICATION.

Approved by the Delano City Council this 20th day of April 2010.

Joe McDonald, Mayor

ATTEST:

Marlene E. Kittock, City Clerk