

ORDINANCE NO. 719

AN ORDINANCE LICENSING, TAXING AND REGULATING PAWNBROKERS AND JUNK DEALERS IN THE CITY OF KIRKLAND, WASHINGTON, REGULATING THE MANNER OF ISSUING LICENSES, FIXING THE LICENSE FEES THEREFOR, PROVIDING FOR POLICE REGULATION OF SUCH BUSINESS, FIXING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE.

THE CITY COUNCIL OF THE CITY OF KIRKLAND DO ORDAIN AS FOLLOWS:

Section 1. That it is hereby declared necessary under the exercise of the police power and the taxing power of the City of Kirkland, Washington to license, tax and regulate certain business as hereinafter provided.

Section 2. Every person, firm or corporation before commencing to carry on, open, conduct or operate any of the businesses hereinafter described within the corporate limits of the City of Kirkland, Washington, shall obtain a license, so to do from the City Clerk. Application for each license shall be made on blanks furnished by the City Clerk and before the said license is granted the same shall be presented and approved by the City Council. Prior to its issuance the Chief of Police shall inspect said place of business or the manner of operation of the proposed business and report in writing to the City Clerk and said report shall remain on file with the City Clerk. Any firm, person or corporation now in business shall apply for such license as provided herein within ten (10) days after the effective date of this ordinance.

Section 3. All licenses issued hereunder shall expire on the 31st day of December of the year in which the same shall have been issued. All licenses are subject to revocation for cause or for any violation of laws of the State of Washington or ordinances of the City of Kirkland and upon said revocation any unearned portion thereof shall be forfeited to the City of Kirkland. All renewals shall be subject to approval by the City Council.

Section 4. Every pawn broker and junk dealer, before commencing to carry on or conduct such a business within the corporate limits of the City of Kirkland, Washington, shall obtain a license for the operation of said business from the City Clerk and pay an annual license fee as follows:

Pawn Brokers	\$100.00 license fee per year
Junk Dealers	\$100.00 license fee per year

The annual license fee as above stated shall be paid for conducting each of said businesses as herein defined.

Section 5. Whenever used in this ordinance terms defined in this section shall have the meanings herein specified unless the context clearly indicates otherwise:

"Pawn broker" - every person, firm, or corporation engaged in whole or in part in the business of loaning money on the security of pledges, deposits or conditional sales of personal property, shall be deemed to be a pawn broker.

"Junk Dealer" - every person, firm or corporation engaged in whole or in part, in the business of buying or selling second hand personal property, metal junk or melted metal, or any other type of junk property for the purpose of junk or scrap shall be deemed to be a junk dealer.

"Commencing to carry on or conduct business" or "to engage in business" - every person, firm or corporation coming within the definition of business as herein defined shall be deemed to commence to carry on or conduct such business or to engage in such business in the City of Kirkland and subject to the license fees herein if any transactions in connection with such businesses are actually conducted within the City of Kirkland regardless of whether the person, firm or corporation is carrying on such business as a resident or non-resident of the City of Kirkland and applies both to persons, firms or corporations having a fixed place of business within the City of Kirkland and also to itinerants engaging in those businesses within the City of Kirkland not having a fixed place of business within the City of Kirkland, and also to persons, firms or corporations engaging in those businesses temporarily as well as those continuing to engage in these businesses throughout a given calendar year within the corporate limits of the City.

Section 6. It shall be the duty of every pawn broker and junk dealer doing business in the City of Kirkland, Washington to maintain at his or its place of business a book or other permanent record in which shall be legibly written in the English language, at the time of

each loan, purchase or sale, a record thereof containing the following:

1. The date of the transaction
2. The name of the person or employee conducting the same
3. The name, age, street and house number, and a general description of the dress, complexion, color of hair, and facial appearance of the person with whom the transaction is had.
4. The name and house number of the owner of the property bought or received in pledge.
5. The street and house number of the place from which the property bought or received in pledge was last removed.
6. A description of the property bought or received in pledge which in the case of watches shall contain the name of the maker and the number of both the works and the case, and in the case of jewelry shall contain a description of all letters and marks inscribed thereon; Provided, that when the article bought or received is furniture, or the contents of any house or room actually inspected on premises, a general record of the transaction shall be sufficient.
7. The price paid or the amount loaned
8. The names and street and house numbers of all persons witnessing the transaction; and
9. The number of any pawn ticket issued therefor.

Section 7. Inspection of Records and Goods - Pawnbrokers' and junk dealers' records and all goods received, shall at all times during the ordinary hours of business be open to the inspection of the prosecuting attorney or of any peace officer.

Section 8. Keeping property - How long. No property bought or received in pledge by any pawn broker or junk dealer shall be removed from his place of business before four days have elapsed since the receipt thereof was reported to the Chief of Police unless it has been redeemed by the owner.

Section 9. Rates of interest permitted. Pawnbrokers are authorized to charge and receive interest at the rate of three percent a month for money loaned on the security of personal property actually received in pledge and every person who asks or receives a higher rate of interest or discount on any such loan, or on any actual or pretended sale, or redemption of personal property, or who sells any property held for redemption within ninety days after the period of redemption has expired, shall be guilty of a misdemeanor.

Section 10. Every pawnbroker or junk dealer doing business in the City of Kirkland shall upon demand of the Chief of Police or the Sheriff of King County furnish to said Chief of Police or Sheriff, on such forms as they may provide a full, true and correct transcript of the record of all or any transaction had prior to such demands.

Section 11. Every pawn broker or junk dealer shall upon demand of the Chief of Police or the Sheriff of King County retain in his possession for such length of time as may be demanded, but not to exceed forty-eight hours, any property received by such pawn broker or junk dealer.

Section 12. Every pawn broker or junk dealer and every clerk, agent or employee of a pawn broker or junk dealer shall be guilty of a misdemeanor when:

1. Fails to make an entry of any material matter in his records, or
2. Makes any false entry therein, or
3. Falsifies, obliterates, destroys or removes from his place of business any book or record, or
4. Refuses to allow the prosecuting attorney or any peace officer to inspect his records, or any goods in his possession, during the ordinary hours of business, or
5. Reports any material matter falsely to the Chief of Police, or
6. Having forms provided therefor, fails before noon of each day to furnish the Chief of Police with a full, true and correct transcript of the record of all transactions had on the previous day, it being the intent of this section that Saturday's business may be reported on Monday, or
7. Fails to report forthwith to the Chief of Police the possession of any property which he may have good cause to believe has been lost or stolen, together with the name of the owner, if known, and the date when, and the name of the person from whom the same was received by him; or
8. Removes or allows to be removed from his place of business, except upon redemption by the owner thereof, any property received, before four days have elapsed since the receipt thereof was reported to the Chief of Police, or
9. Receives any property from any person under the age of twenty-one years, any common drunkard, any habitual user of narcotic drugs, any habitual criminal, any person in an intoxicated condition, any known thief or receiver of stolen property, or any known associate of such thief or receiver of stolen property, whether such person be acting in his own behalf or as the agent of another.

Section 13. Any person violating the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined any sum not exceeding \$100.00 or imprisoned in the City Jail for any period not exceeding thirty days or by both such fine and imprisonment.

Section 14. This ordinance shall take effect five days from and after its passage, approval and publication according to law.

Introduced the 6th day of May, 1957.

PASSED and APPROVED the 20th day of May, 1957.

Bryon Bayley
Mayor

Attest:

Laura L. Fitch
Clerk

Approved as to Form:

Charles W. Johnson Jr.
City Attorney