

ORDINANCE O-4574

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO PAWNBROKERS AND SECONDHAND DEALERS AND REMOVAL OF PROPERTY BOUGHT OR RECEIVED IN PLEDGE FROM PLACE OF DOING BUSINESS FOLLOWING REPORTING OF RECEIPT THEREOF TO CHIEF OF POLICE.

1           WHEREAS, as part of a legal review of the Kirkland Municipal  
2 Code ("KMC") by Code Publishing Company it has been recommended  
3 that time periods related to the removal of property bought or received  
4 in pledge by pawnbrokers and secondhand dealers from their places of  
5 doing business and following notice of receipt of same to the Kirkland  
6 Police Chief, for example through the sale of such property to third  
7 parties, be harmonized in order to avoid confusion and any potential for  
8 inconsistent enforcement; and  
9

10           WHEREAS, KMC Section 7.36.080 provides for a 15-day required  
11 hold period after the receipt of such property has been reported to the  
12 Police Chief; and  
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14           WHEREAS, KMC Section 7.36.120(8) provides for a 4-day  
15 required hold period after the receipt of such property has been  
16 reported to the Police Chief; and  
17

18           WHEREAS, those KMC sections should be harmonized so that  
19 both provide for a 15-day required hold period.  
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21           NOW, THEREFORE, the City Council of the City of Kirkland do  
22 ordain as follows:  
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24           Section 1. Kirkland Municipal Code Section 7.36.120 is amended  
25 to read as follows:  
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27           **7.36.120 Acts deemed misdemeanor.**

28           Every pawnbroker, secondhand dealer or coin dealer and every clerk,  
29 agent or employee of a pawnbroker, secondhand dealer or coin dealer  
30 is guilty of a misdemeanor when he or she:

- 31           (1) Fails to make an entry of any material matter in his or her records;  
32 or  
33           (2) Makes any false entry therein; or  
34           (3) Falsifies, obliterates, destroys or removes from his or her place of  
35 business any book or record; or  
36           (4) Refuses to allow the prosecuting attorney or any peace officer to  
37 inspect his or her records, or any goods in his possession, during the  
38 ordinary hours of business; or  
39           (5) Reports any material matter falsely to the chief of police; or  
40           (6) Having forms provided therefor, fails before the end of each  
41 business day to furnish the chief of police with a full, true and correct  
42 transcript of the record of all transactions had on the previous day, it

43 being the intent of this section that Saturday's business may be reported  
44 on Monday; or

45 (7) Fails to report forthwith to the chief of police the possession of  
46 any property which he or she may have good cause to believe has been  
47 lost or stolen, together with the name of the owner, if known, and the  
48 date when, and the name of the person from whom the same was  
49 received by him or her; or

50 (8) Removes or allows to be removed from his or her place of  
51 business, except upon redemption by the owner thereof, any property  
52 received before ~~four~~ fifteen days have elapsed since the receipt thereof  
53 was reported to the chief of police; or

54 (9) Receives any property from any person under the age of eighteen  
55 years, any habitual user of narcotic drugs, any habitual criminal, any  
56 person in an intoxicated condition, any known thief or receiver of stolen  
57 property, or any known associate of such thief or receiver of stolen  
58 property, whether such person be acting in his or her own behalf or as  
59 the agent of another.

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61 Section 2. This ordinance shall be in force and effect five days  
62 from and after its passage by the Kirkland City Council and publication,  
63 as required by law.

64

65 Passed by majority vote of the Kirkland City Council in open  
66 meeting this 18th day of April, 2017.

67

68 Signed in authentication thereof this 18th day of April, 2017.

  
MAYOR

Attest:

  
City Clerk

Publication Date: April 24, 2017

Approved as to Form:

  
City Attorney