

4016c
3-8-89

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4000

AN ORDINANCE relating to the ten-day retention period imposed by Bellevue City Code Chapter 5.32 on pawnbrokers and dealers, excluding legal tender coins and fabricated hallmarked bars from the dealer's ten-day retention period, including legal tender coins and fabricated hallmarked bars in the record keeping and reporting requirements of the code; amending Section 1 of Ordinance No. 3313, Section 5 of Ordinance No. 2891 and Sections 5.32.060 and Section 5.32.100 of the Bellevue City Code.

WHEREAS, dealers in legal tender coins and fabricated hallmarked bars operate in highly volatile markets and can suffer a unique hardship if required to keep their purchases of legal tender coins and fabricated hallmarked bars upon their business premises for the ten-day retention period required by Chapter 5.32 of the Bellevue City Code; and

WHEREAS, the City Police Department has reviewed the enforcement options incorporated into Chapter 5.32 of the Bellevue City Code and concluded that law enforcement efforts will not be substantially harmed if legal tender coins and fabricated hallmarked bars are released from the dealer's ten-day retention period as long as the record keeping and reporting provisions of Chapter 5.32 remain applicable; and

WHEREAS, the Council has received and considered the requests of dealers in legal tender coins and fabricated hallmarked bars and the concerns of the Police Department and has concluded that an amendment to Chapter 5.32 of the Bellevue City Code exempting legal tender coins and fabricated hallmarked bars from the dealer's ten-day retention period is in the interest of the City, its residents, the affected businesses and law enforcement, now therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Section 1 of Ordinance No. 3313 and Section 5.32.060 of the Bellevue City Code (Pawnbrokers) are each amended to read as follows:

5.32.060 Required Records.

It shall be the duty of every pawnbroker to maintain at his or her place of business a book or other permanent record, in which shall be legibly printed or lettered, by the pawnbroker or his/her employee, in the English language, at the time of such loan, consignment, purchase or sale, a record thereof containing those items listed in Subsections A through H of this Section; and it shall be the duty of every dealer to maintain at his or her place of business a book or other permanent record, in which shall be legibly printed or lettered, by the dealer or

4016c
3-8-89

his/her employee, in the English language, at the time of such purchase and/or consignment, a record thereof containing those items listed in Subsections A through H of this Section:

- A. The date of transaction;
- B. The name of the person or employee conducting the transaction;
- C. The name (first, middle and last), date of birth, street, house number and city of residence, and the general description of the person with whom the transaction is taking place;
- D. The name, street, house number and city of residence of the owner of the property bought or received in pledge;
- E. A detailed description of the property bought or received in pledge and/or consignment, including brand name, serial or model numbers, pattern or type, engravings, size, color, markings, shape, such other specific descriptive features as may be required for data entry into the Federal Bureau of Investigation National Stolen Coin File, and any peculiarity likely to identify the property. The description of jewelry shall include the type of metal employed, all letters and marks inscribed thereon, and the weight and size;
- F. The price paid or the amount loaned;
- G. Type and/or identification numbers of acceptable identification presented at time of transaction. Acceptable identification shall include but not be limited to Washington State driver's license, Washington State Identification Card or any identification card or papers issued by or recognized by the U.S. Government or any state or territory.

The types and number of pieces of acceptable identification which must be presented by a customer to the pawnbroker or dealer at the time of each transaction may vary according to the following criteria: If the person seeking to pledge, pawn, sell or exchange property through a pawnbroker or dealer displays:

1. Two pieces of identification containing the person's photograph; no further identification shall be required to be displayed and recorded in order to constitute acceptable identification;
2. One piece of identification containing the person's photograph; two additional pieces of identification must be

4016c
3-8-89

displayed and recorded in order to constitute acceptable identification;

3. No identification containing the person's photograph, a minimum of four pieces of identification must be displayed and recorded in order to constitute acceptable identification;

- H. The number of any pawn tickets issued therefor;

The information required in Subsections A through H of this Section shall be kept on forms provided by the City as set forth in Section 5.32.070;

It is unlawful for any pawnbroker or dealer and every clerk, agent or employee of such pawnbroker or dealer to fail, neglect or refuse to make entry in any material matter in his or her record, as required by this section, or to make any false entry therein, or to obliterate, destroy or remove such record from his or her place of business.

Section 2. Section 5 of Ordinance No. 2891 and Section 5.32.100 of the Bellevue City Code are each amended to read as follows:

5.32.100 Removal of Goods.

It is unlawful for any pawnbroker or dealer to remove any goods, articles or things to be purchased by him or her or left with him or her, in pledge, except when redeemed by the owner thereof, from his or her store or place of business until the expiration of ten days after the same were purchased, received or left in pawn, unless the goods, articles or things have, within the time specified, been inspected as provided in this Chapter; provided, said ten day holding period shall not apply to legal tender coins and fabricated hallmarked bars purchased by dealers.

A dealer may temporarily remove goods, articles or things purchased by him or her or left with him or her on consignment as long as the remaining provisions of this Chapter are met and the goods, articles or things are not altered and are made available upon request for inspection pursuant to this Chapter.

4016c
3-8-89

Section 3. This ordinance shall be in force and take effect thirty days after final passage by the City Council.

PASSED by the City Council this 3rd day of April, 1989, and signed in authentication of its passage this 3rd day of April, 1989.

(SEAL)

Nan Campbell
Nan Campbell, Mayor

Approved as to form:

Richard L. Andrews, City Attorney

Richard Gidley
Richard Gidley, Deputy City Attorney

Attest:

Marie K. O'Connell
Marie K. O'Connell, City Clerk

Published April 7, 1989