



Return completed application to:

City Clerk's Office
City of Walla Walla
15 North 3rd Avenue
Walla Walla, WA 99362

PAWNBROKER/SECONDHAND DEALERS BUSINESS LICENSE APPLICATION

Please print clearly and legibly and complete all questions

Applicant's Full Name: _____

Other names used: _____ Social Security No. _____

Permanent Home Address:

Street	City	State	Zip
--------	------	-------	-----

Business Name: _____

Business Address:			
Street	City	State	Zip

Home Phone: _____ Business Phone: _____

Date of Birth: _____ Place of Birth: _____ Race: _____

Weight: _____ Height: _____ Eye Color: _____ Hair Color: _____ Sex: M / F

Driver's License No: _____ State: _____ Expires: _____

Washington State Dept. of Revenue Business Registration Number (UBI): _____

Description of services to be provided and/or general type of merchandise to be sold:

Name and address of employer (if any) and your relationship (i.e. independent contractor; employee; self-employed):

Length of time you are wanting to do business in Walla Walla:

Proposed hours of operation: _____

Have you ever been convicted, in any Court, for violation of any City ordinance, State or Federal law, or forfeited a bond for an alleged violation of such ordinance, State or Federal Law? If so, state nature, charge, when and where?

Will you agree to a background check?

Yes (initials)

No (initials)

If granted a pawnbrokers/secondhand dealers license, I acknowledge, understand, and agree to comply with the provisions of Walla Walla Municipal Code Chapter 5.09 – Pawnbrokers and Secondhand Dealers, and the provisions of RCW Chapter 19.60 not specifically addressed in WWMC Chapter 5.09.

Applicant's Signature: _____ Date: _____

Please submit the completed application form to the City Clerk, 15 North 3rd Avenue, Walla Walla, WA 99362.

After completed application is received, a police background check will be performed. Upon approval by the police department, a recommendation will be made to the Walla Walla City Council. The Walla Walla City Council must approve the application before a business license will be issued. This may take as long as forty-five (45) working days. Please allow us sufficient time for the processing of your application.

For office use only:

Police Department Approval: _____ Date: _____

City Council approval received on: _____

Date Business License issued: _____ Business License No: _____

Date applicant notified of approval/disapproval: _____

Chapter 5.09 PAWNBROKERS AND SECONDHAND DEALERS

Sections:

<u>5.09.010</u>	Definitions.
<u>5.09.015</u>	Fixed place of business required – Development permit.
<u>5.09.020</u>	License – Required.
<u>5.09.025</u>	License – No assignability.
<u>5.09.030</u>	Application for license.
<u>5.09.040</u>	Duty to record information.
<u>5.09.045</u>	Report to chief law enforcement officer.
<u>5.09.050</u>	Duties upon notification that property is reported stolen.
<u>5.09.055</u>	Retention of property by pawnbrokers – Inspection.
<u>5.09.060</u>	Retention of property by secondhand dealers – Inspection.
<u>5.09.065</u>	Pawnbrokers – Sale of pledged property limited – Written document required for transactions.
<u>5.09.070</u>	Exemptions.
<u>5.09.075</u>	Application of state law.
<u>5.09.080</u>	Violation – Penalty.

5.09.010 Definitions.

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

“City clerk” means the city clerk of the City of Walla Walla.

“Melted metals” means metals derived from metal junk or precious metals that have been reduced to a melted state from other than ore or ingots which are produced from ore that has not previously been processed.

“Metal junk” means any metal that has previously been mailed, shaped, stamped, or forged and that is no longer useful in its original form, except precious metals.

“Nonmetal junk” means any nonmetal, commonly discarded item that is worn out, or has outlasted its usefulness as intended in its original form; except “nonmetal junk” does not include an item made in a former period which has enhanced value because of its age.

“Pawnbroker” means every person engaged, in whole or in part, in the business of loaning money on the security of pledges, deposits or conditional sales of personal property.

“Precious metals” means gold, silver and platinum.

“Secondhand dealer” means every person engaged in whole or in part in the business of purchasing, selling, trading, consignment selling, or otherwise transferring for value, secondhand property including metal junk, melted metals and precious metals, whether or not the person maintains a fixed place of business within the city.

“Secondhand property” means any item of personal property offered for sale which is not new, including metals, in any form, except postage stamps, coins that are legal tender, bullion in the form of fabricated hallmarked bars, used books and clothing.

“Transaction” means a pledge, purchase, or consignment by a pawnbroker or secondhand dealer from a member of the general public. (Ord. 94-26 § 1(part), 1994).

5.09.015 Fixed place of business required – Development permit.

No person may operate as a pawnbroker unless the person maintains a fixed place of business within the city, and has further obtained a development permit issued by the department of development services. (Ord. 94-26 § 1(part), 1994).

5.09.020 License – Required.

It is unlawful for any person to engage in the business of pawnbroker or secondhand dealer or to conduct a pawnshop without first having obtained a license to do so, which license shall be known and designated as a "pawnbroker/secondhand dealer's license." There shall be no fee for the license. (Ord. 94-26 § 1(part), 1994).

5.09.025 License – No assignability.

The aforementioned licenses shall not be assignable. (Ord. 94-26 § 1(part), 1994).

5.09.030 Application for license.

Application for a pawnbrokers' license or secondhand dealer's license shall be in writing, filed with the city clerk on forms furnished by the city clerk. The application shall then be referred to the police department for investigation and recommendation. Upon approval of the application by the city council, the license may then be issued by the clerk. (Ord. 94-26 § 1(part), 1994).

5.09.040 Duty to record information.

A. Every pawnbroker and secondhand dealer doing business in the city shall maintain wherever that business is conducted a record in which shall be legibly written in the English language, at the time of each transaction including repawns, the following information:

1. The signature of the person with whom the transaction is made;
2. The date of the transaction;
3. The name of the person or employee conducting the transaction;
4. The name, date of birth, sex, height, weight, race and address of the person with whom the transaction is made;
5. A complete description of the property pledged, bought or consigned, including the brand name, serial number, model number, initials, engravings, size, patterns and color, and in the case of firearms, the caliber, barrel length, type of action, and whether it is a pistol, rifle or shotgun;
6. The price paid or the amount loaned;
7. The type and identifying number of identification used by the person with whom the transaction is made, which shall consist of a valid driver's license or identification card issued by any state or two pieces of identification issued by a governmental agency, one of which shall be descriptive of the person identified; and
8. The nature of the transaction, a number identifying the transaction, the name and address of the business conducting the transaction, and the location of the property.

B. This record shall at all times during the ordinary hours of business, or at reasonable times if ordinary hours of business are not kept, be open to the inspection of any commissioned law enforcement officer of the city, and shall be maintained wherever that business is conducted for three years

following the date of the transaction. (Ord. 94-26 § 1(part), 1994).

5.09.045 Report to chief law enforcement officer.

A. Upon request every pawnbroker and secondhand dealer doing business in the city shall furnish or mail within twenty-four hours to the chief of police of the city, on such forms as are approved by the chief of police, a full, true and correct transcript of the record of all nonexempt transactions conducted on the preceding day within the jurisdiction of the chief of police.

B. If a pawnbroker or secondhand dealer has good cause to believe that any property in his or her possession has been previously lost or stolen, the pawnbroker or secondhand dealer shall promptly report that fact to the chief of police, together with the name of the owner, if known, and the date when, and the name of the person from whom it was received. (Ord. 94-26 § 1(part), 1994).

5.09.050 Duties upon notification that property is reported stolen.

A. Following notification from a law enforcement agency that an item of property has been reported as stolen, the pawnbroker or secondhand dealer shall hold that property intact and safe from alteration, damage, or commingling. The pawnbroker or secondhand dealer shall place an identifying tag or other suitable identification upon the property so held unless upon investigation, a law enforcement agency determines that the property being held is stolen property, in which event said property shall be returned to the law enforcement agency or the rightful owner thereof within seventy-two hours following written notification from the law enforcement agency.

B. Property held shall not be released for one hundred twenty days from the date of police notification unless released by written consent of the applicable law enforcement agency or by order of a court of competent jurisdiction. The pawnbroker or secondhand dealer shall give ten days written notice before the expiration of the one hundred twenty-day holding period to the applicable law enforcement agency about the stolen property.

C. If notice is not given within the required ten-day period, then the hold on the property shall continue for an additional one hundred twenty days. The applicable law enforcement agency may renew the holding period for additional one hundred twenty-day periods as necessary. (Ord. 94-26 § 1(part), 1994).

5.09.055 Retention of property by pawnbrokers – Inspection.

Property bought or received in pledge by any pawnbroker shall not be removed from that place of business, except when redeemed by the owner, within fifteen days after the receipt of the property. The property shall at all times during the ordinary hours of business be open to inspection to any commissioned law enforcement officer of the city. (Ord. 94-26 § 1(part), 1994).

5.09.060 Retention of property by secondhand dealers – Inspection.

A. Property brought or received on consignment by a secondhand dealer with a permanent place of business in the city shall not be removed from that place of business, except consigned property returned to the owner, within fifteen days after the receipt of the property. Property shall at all times during the ordinary hours of business be open to inspection to any commissioned law enforcement officer of the city.

B. Property bought or received on consignment by a secondhand dealer without a permanent place of business in the city, shall be held within the city in which the property was received, except consigned property returned to the owner, for fifteen days after receipt of the property. The property shall be available within the city for inspection at reasonable times by any commissioned law enforcement officer of the city. (Ord. 94-26 § 1(part), 1994).

5.09.065 Pawnbrokers – Sale of pledged property limited – Written document required for transactions.

A. A pawnbroker shall not sell any property received in pledge within ninety days after the term of the loan expires. However, if a pledge article is not redeemed within the ninety-day period, the pawnbroker has all rights, title and interest of the pledgor or the pledgor's assigns.

B. Every transaction entered into by a pawnbroker shall be evidenced by a written document, a copy of which shall be furnished to the pledgor. The document shall set forth the loan period, the date on which the loan is due and payable, and shall inform the pledgor of the pledgor's right to redeem the pledge within ninety days after the expiration of the loan term. (Ord. 94-26 § 1(part), 1994).

5.09.070 Exemptions.

The provisions of this chapter shall not apply to transactions conducted by the following:

A. Motor vehicle dealers licensed under RCW Chapter 46.70;

B. Motor vehicle wreckers or hulk haulers licensed under RCW Chapters 56.79 or 46.80;

C. Persons giving an allowance for the trade-in or exchange of secondhand property on the purchase of other merchandise of the same kind of greater value, except firearms; and

D. Persons in the business of buying empty food and beverage containers, metal or nonmetal junk, or used building materials. (Ord. 94-26 § 1(part), 1994).

5.09.075 Application of state law.

All pawnbrokers and secondhand dealers shall fully comply with, and are bound by, all provisions of RCW Chapter 19.60 dealing with pawnbrokers and secondhand dealers not specifically addressed in this chapter. (Ord. 94-26 § 1(part), 1994).

5.09.080 Violation – Penalty.

Failure to perform any act required by this chapter, or the performance of any act prohibited by this chapter, is designated as a gross misdemeanor. Every person convicted shall be punished by imprisonment in the city-county jail for a maximum term fixed by the court of not more than one year or by a fine in an amount fixed by the court of not more than five thousand dollars, or by both such imprisonment and fine. (Ord. 94-26 § 1(part), 1994).

This page of the Walla Walla Municipal Code is current through Ordinance 2010-30, passed June 23, 2010.

Disclaimer: The City Clerk's Office has the official version of the Walla Walla Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

City Website: <http://www.ci.walla-walla.wa.us/> (<http://www.ci.walla-walla.wa.us/>)

Telephone number: (509) 527-4424

Code Publishing Company
(<http://www.codepublishing.com/>)