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CHAPTER 115: PAWNBROKERS

115.01 Definitions

For the purpose of this chapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

Pawnbroker. Any person, firm, or corporation whose business or occupation is to take, receive, by way of pledge, pawn, or exchange any goods, wares, or merchandise, or any kind of personal property whatsoever.

(Code 1965, §14A-1; Ord. No. 1553, 7-3-67; Code 1991, §115.01)

115.02 License Requirements

(A) The business of owning, operating, or conducting a business defined by §115.01 hereof, as that of a pawnbroker, is hereby declared to be a privilege, and no person shall own, operate, conduct, or engage in any such business unless he has a current license to do so issued by the city.

(B) Licenses as herein provided for shall be issued by the finance department and attested by the license officer. The mayor shall have authority to promulgate from time to time any rules and regulations necessary for the proper administration of this chapter.

(C) *Application required.*

(1) Any person desiring to engage in any business for which a license is required by this chapter shall file an application for such license with the license officer. The application shall then be referred to the chief of police of the city, who shall make a written recommendation to the mayor.

(2) It shall be unlawful for any person to make any false statement or representation in any application or give any false statement or representation in any application or give any false answer to any question contained therein.

(D) The annual license fee shall be \$300.00.

(E) A license applied for under this chapter shall be issued by the mayor upon compliance by the applicant with all provisions of this chapter, including payment of the prescribed tax.

(F) A license issued under this chapter shall not be transferable.

(G) Every license issued under this chapter shall expire on the next December 31st following its issuance.

(H) *Revocation.*

(1) When any person licensed under this chapter is convicted of a violation of any provision of this chapter, the court shall, in addition to the penalty imposed for such violation, revoke such person's license.

(2) When any license is revoked under this chapter no new license shall be issued to the same person within one year after such revocation.

(Code 1965, §14A-2--14A-9; Ord. No. 1553, 7-3-67; Ord. No. 2844, 8-3-82; Code 1991, §115.02)

115.03 Duty To Maintain Books And Records

Every pawnbroker shall keep a book or record, which shall be numbered consecutively and will correspond to the pawn ticket or stub issued to the person so pawning, pledging, or leaving as security such article. The book or record shall contain an accurate, detailed description, so as to be readily identified, bearing the serial number, if it has one, of the article so pawned, pledged, or left as security. The book or record shall further contain the date and hour the article was pawned, pledged, or left as security, the name, residence, address, and signature of the person so pawning, pledging, or leaving such article as security, the amount of money loaned or advanced on the article, and the date that such is to be redeemed. The book or record shall at all times be open to inspection by the chief of police, or any police officer of the city.

(Code 1965, §14A-10; Ord. No. 1553, 7-3-67; Code 1991, §115.03)

115.04 Daily Reports

Every pawnbroker or pawnshop doing business in the City of Fayetteville, Arkansas, shall be required to upload via internet connection to the entity designated by the Fayetteville Police Department, information detailing all goods pawned, pledged, or left as security with the pawnbroker or pawnshop, within (1) business day of receipt.

(Code 1965, §14A-11; Ord. No. 1553, 7-3-67; Code 1991, §115.04; Ord. 4873, 05-16-06)

115.05 Waiting Period Before Disposition

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Of Pawned Article

It shall be unlawful for any pawnbroker to sell, exchange, barter, or remove from his place of business or permit to be redeemed any article pawned, pledged, or left as security for a period of 24 hours, after making such daily report.

(Code 1965, §14A-12; Ord. No. 1553, 7-3-67; Code 1991, §115.05)

115.06-115.98 Reserved

115.99 Penalty

Every person, firm, or corporation, or their agents, servants, or employees, who shall violate any of the provisions of this chapter, shall upon conviction thereof, be guilty of a misdemeanor, and shall be fined in a sum not less than \$10.00 nor more than \$50.00, and each day's violation shall constitute a separate offense.

(Code 1965, §14A-13; Ord. No. 1553, 7-3-67; Code 1991, §115.99)