

ORDINANCE NO. 2084
AN ORDINANCE AMENDING IN PART CENTRAL POINT MUNICIPAL CODE
CHAPTERS 5.34.010 AND 5.34.020 PAWNBROKERS AND SECONDHAND
DEALERS

RECITALS:

- A. Pursuant to CPMC, Chapter 1.01.040, the City Council, may from time to time make revisions to its municipal code which shall become part of the overall document and citation.
- B. Upon review, the Central Point Police Department has recommended a requirement that pawnbrokers and secondhand dealers be required to take digital photographs of all purchased property to assist in locating and recovering stolen property sold to such establishments and to deter the purchase of such property.
- C. Words ~~lined through~~ are to be deleted and words in **bold** are added.

THE PEOPLE OF THE CITY OF CENTRAL POINT DO ORDAIN AS FOLLOWS:

SECTION 1. Chapter 5.34.010 is amended in part as set forth below and incorporated herein by reference.

As used in Sections 5.34.020 to 5.34.090 the following words have the following meanings:

- A. "Pawnbroker" means a person engaged in conducting, managing, or carrying on the business of loaning money for himself or for any other person upon personal property, personal security, pawns or pledges, or the business of purchasing articles of personal property and reselling or agreeing to resell such articles to the vendors or their assigns at prices agreed upon at or before the time of such purchase.
- B. "Pawnshop" means any room, store, or place in which a pawnbroker is engaged in, carries on, or conducts his business.
- C. "Secondhand dealer" means a person who, as indicated by business dollar volume is primarily in, conducting, managing, or carrying on the business of buying, selling, or otherwise dealing in secondhand goods, wares, or merchandise.
- D. "Weekday" means any day falling between Monday and Friday, inclusive.
- E. **"Digital Photograph" means an image produced using a digital camera and stored as an electronic file.**

SECTION 2. Chapter 5.34.020 is amended in part as set forth below and incorporated herein by reference.

A. Every person engaged in the business of a pawnbroker or dealer in secondhand goods shall keep an electronic record utilizing the electronic reporting system in use by the city of all articles purchased or received. The record shall at all times during business hours be open to the inspection of the chief of police, his agents, or any other police officer of this state.

B. Except as provided in subsection C of this section, every **person involved in the business of a pawnbroker and secondhand dealer** shall utilize the city's electronic pawn reporting system to make an electronic report and the report shall be a full, true, and complete report of all goods, wares, merchandise, or things received on deposit, pledged or purchased. The report shall show the hour of the day when the article was received on deposit, pledged or purchased, and the number of the pawn ticket, amount loaned, amount purchased, a complete description of each article left on deposit, pledged or purchased, **the digital photograph of the item as described in subsection C below**, and the name and address of the person from whom the article was acquired. No item shall be received unless the person from whom the article is acquired exhibits a driver's license or state-issued ID card and the identifying number is recorded on the report. Each pawn ticket issued shall be numbered consecutively, and if stubs are used in connection with the pawn ticket, each stub shall be numbered consecutively to conform to the ticket. If any article so left on deposit, pledged or purchased has engraved thereon a number, word or initial, or contains settings of any kind, the description of the article in the report shall contain the number, word or initial, and shall show the kind of settings and the number of each kind. ~~The electronic pawn reporting system will provide for an upload of a complete electronic report described in this section. Each pawnbroker and secondhand dealer shall, at the end of each business day, provide an electronic upload to the pawn reporting system of all transactions that occurred during that business day.~~

C. In addition to the requirements of section B above, every person engaged in the business of a pawnbroker or dealer in secondhand dealer shall provide a clear digital photograph of all purchased property taken at the time of receipt of such property. The digital photograph shall be uploaded into the city's electronic pawn reporting system. This requirement does not apply to property pledged as collateral for a collateral loan made by a pawnbroker.

D. ~~The electronic pawn reporting system will provide for an upload of a complete electronic report described in this section. Each pawnbroker and secondhand dealer shall, at the end of each business day, provide an electronic upload to the pawn reporting system of all transactions that occurred during that business day~~

E. No secondhand dealer shall be required to furnish a description of property purchased from manufacturers or wholesale dealers having an established place of business, or of a purchase or purchases in the open market or secured from a person

doing business, and having an established place of business in the city, but such goods shall be accompanied by a bill of sale or other evidence of legitimate purchase and must be shown to the chief of police, his agents, or any police officer of this state.

SECTION 3. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word "ordinance" may be changed to "code", "article", "section", "chapter" or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions (i.e. Recitals A-C) need not be codified and the City Recorder is authorized to correct any cross-references and any typographical errors.

SECTION 4. Effective Date. The Central Point City Charter states that an ordinance enacted by the Council shall take effect on the thirtieth day after its enactment. The effective date of this ordinance will be the thirtieth day after the second reading.

PASSED by the Council and signed by me in authentication of its passage this 27th day of January, 2022.


Mayor Hank Williams

ATTEST:


City Recorder