

**CHAPTER 17**

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## CHAPTER 17

### SECONDHAND DEALERS, PAWNBROKERS AND JUNK DEALERS

#### ARTICLE I. PAWNBROKERS

##### SECTION 17-1. DEFINED.

- (a) Pawnbroker means a person engaged in the business of making pawn transactions;
- (b) Pawn finance charge means the sum of all charges, payable directly or indirectly by the customer and imposed directly or indirectly by the pawnbroker as an incident of the pawn transactions;
- (c) Pawn transaction means the act of lending money on the security of pledged tangible personal property, or the act of purchasing tangible personal property on the condition that it may be redeemed or repurchased by the seller for a fixed price within a fixed period of time.

##### SECTION 17-2. LICENSES - REQUIRED.

No person shall at any time carry on the business of a pawnbroker without obtaining a license therefor.

##### SECTION 17-3. LICENSES - FEE; TRANSFER.

The pawnbroker's license fee shall be an amount as the city council may determine, from time to time, by resolution. Such licenses shall not be transferable.

##### SECTION 17-4. LICENSES - REVOCATION.

In addition to any other penalty which may be imposed for a violation of the provisions of this article, the city council may, by resolution, require that any person who shall violate or fail to comply with any provision of this article shall forfeit his license as a pawnbroker.

##### SECTION 17-5. LICENSES - SECONDHAND DEALER'S LICENSE NOT REQUIRED.

Persons holding a pawnbroker's license and also engaged in business as a secondhand dealer shall not be required to be licensed as a secondhand dealer in addition to their pawnbroker's license.

**SECTION 17-6. BOND.**

(Deleted 3/25/96 by Ordinance #96-724)

**SECTION 17-7. RECORDS - REQUIRED; CONTENTS.**

Every pawnbroker shall keep at his place of business an accurate description of all personal property, bonds, notes and other securities received on deposit or purchased, the time when they were received or purchased and mentioning particularly any descriptive or identifying marks that may be on such property, bonds, notes or other securities, together with the name, residence, thumbprint and accurate description of the person by whom they were left and such other information as may be required by the chief of police. Such entries must be made on the day such property is taken in, using ink or indelible pencil, and no entry shall be erased or obliterated.

All such records shall be clean and legible and in such form as the chief of police shall prescribe.

**SECTION 17-8. RECORDS - DELIVERY TO POLICE; RETENTION OF COPY.**

Before noon of each working day each pawnbroker shall deliver to the police department the original record required by Section 17-7, which shall include all of the business done on the preceding day and from the time of the last report to the day such report is made. The copy of such report shall be kept by the pawnbroker for his permanent records.

**SECTION 17-9. INSPECTION OF RECORDS, MERCHANDISE, ETC.**

Every pawnbroker shall, upon request, during the ordinary business hours, submit and exhibit the records required by Section 17-7, to the reasonable inspection of police officers and permit any of such officers to make a copy thereof. He shall also, upon request, exhibit for the inspection of any such officers any goods, personal property, bonds, notes or other securities that may be so received by him.

**SECTION 17-10. STOLEN OR ILLEGALLY OBTAINED PROPERTY.**

Any pawnbroker who shall have accepted, obtained or bought any property, bonds, notes or other securities or goods, either new or secondhand, from any person, not knowing the same to have been stolen or illegally obtained, shall deliver the same into the hands of the lawful owner when such owner shall have made a reasonably accurate and certain identification by means of number or description in the presence of the investigating officer.

**SECTION 17-11. TRANSACTIONS WITH MINORS.**

It shall be unlawful for any pawnbroker to transact any such business with any person under the age of eighteen (18) years.

**SECTION 17-12. COMPLIANCE WITH WYOMING CONSUMER CREDIT CODE AND INTEREST LIMITATIONS.**

- (a) The Wyoming Consumer Credit Code, Section 40-14-101 through 40-14-702, as the same may be amended from time to time is hereby incorporated by this reference and all transactions shall comply with said code, a copy of which is on file in the office of the city clerk.
- (b) All pawn finance charges and terms shall be governed by W.S. 40-14-360, as amended.
- (c) (Deleted 4/8/96 by Ordinance #96-724)
- (d) (Deleted 4/8/96 by Ordinance #96-724)
- (e) (Deleted 4/8/96 by Ordinance #96-724)

**SECTION 17-13. LIMITATION ON AGREEMENT AND PRACTICES.**

(Deleted 4/8/96 by Ordinance #96-724)

**ARTICLE II. SECONDHAND DEALERS**

**SECTION 17-14. DEFINED.**

Every person who buys, sells, exchanges or deals in personal property that has been previously used, broken or disfigured shall be considered a secondhand dealer; provided, that merchants who deal in new furniture, dishes or other regular household furnishings and accept such articles for credit on the purchase price of new or used articles sold contemporaneously which are of similar character to the goods so exchanged shall not be considered secondhand dealers for the purposes of this article.

**SECTION 17-15. LICENSES.**

No person shall conduct any business as a secondhand dealer in the city without obtaining a license therefor, except holders of a pawnbroker's license. The fee for such license shall be an amount the city council shall determine, from time to time, by Resolution.

**SECTION 17-16. RECORDS - GENERALLY.**

Every dealer licensed under this article shall keep at his place of business an accurate detailed record of every article purchased by him, exclusive of household furnishings. Such record shall include the date of purchase, name of seller, amount paid and a description of the article. Such records shall be clean and legible and a copy thereof shall be available to the police upon request.

**SECTION 17-17. INSPECTION OF RECORDS, MERCHANDISE, ETC.**

Every secondhand dealer shall, upon request, during ordinary business hours, submit and exhibit the records required by Section 17-16 to the reasonable inspection of the chief of police or any regular police officer of the city and permit any of such officers to make a copy thereof. He shall also, upon request, exhibit for the inspection of such officers any personal property or merchandise, that may be so received by him.

**SECTION 17-18. STOLEN OR ILLEGALLY OBTAINED PROPERTY.**

Any secondhand dealer who shall have accepted, obtained or purchased any new or secondhand personal property or merchandise from any person, not knowing the same to have been stolen or illegally obtained, shall deliver the same into the hand of the lawful owner when such owner shall have made a reasonably accurate and certain identification by means of number or description in the presence of the investigating officer.

**ARTICLE III. JUNK DEALERS**

**SECTION 17-19. LICENSE - REQUIRED.**

No person shall carry on or engage in the business of keeping a junk shop or what is commonly called a junk shop or carry on or engage in purchasing, selling, bartering, exchanging or other dealings in or the storage of rags, old rope, paper or bagging, old iron, brass, copper, tin, lead or other old metals, rubber, empty bottles or other junk without first (1st) obtaining a license therefor from the city.

**SECTION 17-20. LICENSES - APPLICATION.**

The application for a junk dealer's license shall be in writing, shall be signed by the applicant and shall contain a description of the premises where the business to be licensed is located.

**SECTION 17-21. LICENSES - FEE.**

The fee for licenses required by this article shall be as the city council may determine, from time to time by resolution.

**SECTION 17-22. RIGHT OF ENTRY OF POLICE AND CITY OFFICERS.**

The place of business, storehouse or yards and the articles, things, goods, wares or merchandise therein, of any person engaged in a business mentioned in Section 17-19 shall, at all reasonable hours, be open to inspection by the police officers or other authorized officers and agents of the city.

**SECTION 17-23. ARTICLES TO BE KEPT TEN DAYS AFTER PURCHASE.**

No owner, proprietor or keeper of a junk shop and no person dealing in junk shall expose for sale or sell any article within ten (10) days of the time the same shall have been purchased or until the same shall have been upon the premises where the same are offered or exposed for sale or sold for a period of at least ten (10) days.

**SECTION 17-24. REGISTER.**

Every owner, proprietor or keeper of a junk shop and every person dealing in junk shall provide and keep a book in which shall be written the date and time of every purchase, a description of the article purchased and the name and residence of the person from whom the article was purchased; except, that this section shall not apply to the purchasing of rags, paper or bagging or empty bottles.