

19.000 PAWNBROKERS
Ord. No. 2005-010
Adopted July 27, 2005

An Ordinance pursuant to the authority of MCL 446.201-446.219 to license pawnbrokers, provide for electronic submission of Records of Transactions and finger prints, and establish penalties for violations.

THE CHARTER TOWNSHIP OF UNION, ISABELLA COUNTY, MICHIGAN, HEREBY ORDAINS:

19.001 Title.

Sec. 1. This ordinance shall be known and cited as the "Charter Township of Union Pawnbrokers Ordinance."

19.002 Purpose.

Sec. 2. It is the purpose of this Ordinance to promote quick and accurate electronic submission of Records of Transactions, and fingerprints, to allow for rapid recovery of stolen merchandise being offered for pawn, and the reduction of crimes of theft in the Charter Township of Union.

19.003 Pawnbroker Defined.

Sec. 3. As used in this chapter, "pawnbrokers" mean those individuals identified in Section 3 of Act No. 469, of the Public Acts 2002, being cited as MCL 446.203.

19.004 License.

- A. A person, corporation, or firm shall not carry on the business of pawnbroker in the Township without first having obtained a license as authorized by Act No. 469, of the Public Acts 2002, being cited as MCL 446.201 et seq.
- B. A license fee that shall be required to be paid to the Charter Township of Union in order to acquire a pawnbroker license pursuant to this chapter shall be set by a resolution of the Charter Township Board.
- C. As set forth in Section 2 of Act 469 of Public Acts 2002, the bond that is required to be given to the Charter Township of Union is \$3,000.00.

19.005 Compliance to State Laws.

Sec. 5. A pawnbroker shall comply with all of the requirements of Act No. 231 of the Public Acts of 1945, as amended, being cited as MCL 445.451, et seq., and Act No. 469 of the Public Acts 2002, being cited as MCL 446.201 et seq.

19.006 Required Submissions and Exemptions.

- A. Every pawnbroker, except those exempted by operation of subsection (c), shall, within 48 hours, transmit to the Director of Public Safety by means of electronic transmission through a modem or similar device or by delivery of a computer disk, in such a format that the data are capable of direct

electronic entry into the Charter Township of Union's computerized systems for identifying pawned property, all transactions in which the pawnbroker received used goods the preceding day by pawn, trade, purchase, or consignment. A transaction reported by electronic transmission under this subsection shall not be reported on paper forms unless the Director of Public Safety so requests.

- B. When reporting, a thumbprint of the persons pawning property shall be electronically scanned and transmitted to the Director of Public Safety in the same manner as (A).
- C. A pawnbroker need not report electronically transactions taking place at a business location where the number of pawn transactions in each 90-day period does not exceed ten. A pawnbroker reasonably believing a location at which he or she conducts a pawn shop qualifies under this subsection for exemption from computerized reporting and wishing to be exempt from the requirements of subsection (B) shall sign, under penalty of perjury, a declaration to the effect in a form developed by the Director of Public Safety or the Director of Public Safety's designee, and once the declaration is signed, so long as the volume of transactions does not exceed ten each 90-day period, pawn transactions taking place at that pawnshop need not be reported electronically, but shall be reported on paper forms.

19.007 Penalties.

Sec. 7. If a licensee under this chapter or any of his or her employees is found guilty of violating any of the provisions of this chapter, the Director of Public Safety shall report such violation to the Township Clerk. The Township Clerk shall (a) notify the Township Supervisor and the licensee and provide the licensee notice that the Township intends to revoke his or her license and (b) shall provide the licensee an opportunity to a hearing before the Township Clerk. If the Township Clerk determines that the licensee has been found guilty of violating any of the provisions of this chapter, the Township Supervisor shall then revoke the license. The violator, upon such revocation, shall not be issued a license as a pawnbroker for a period of one year from the date of the revocation.

19.008 Effective Date,

Sec. 8. This Ordinance shall be effective thirty (30) days after publication in a local newspaper of general circulation.